



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Combined second and third periodic reports submitted by Costa Rica under article 35 of the Convention, due in 2018*

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* The present document is being issued without formal editing.



Participating institutions

- Data Protection Agency
- Legislative Assembly
- Central Bank of Costa Rica
- Costa Rican Social Insurance Fund
- National Resource Centre for Inclusive Education
- Club Activo 20–30 Internacional of San José
- Council of Young Persons
- National Council of Persons with Disabilities
- National Council of Older Persons
- National Council of Rectors
- Office of the Comptroller General of the Republic
- Costa Rican Postal Service
- Ombudsman’s Office
- General Directorate of the Civil Service
- National Directorate for Community Development
- National Grants Fund
- Costa Rican Institute of Pacific Ports
- Costa Rican Tourism Board
- Rural Development Institute
- Institute for Municipal Promotion and Support
- Inter-Agency Institute for Social Assistance
- National Training Institute
- National Statistics and Census Institute
- National Institute for Women
- National Insurance Institute
- Institute on Alcohol and Drug Dependency
- Technological Institute of Costa Rica
- Ministry of the Environment and Water
- Ministry of Foreign Trade
- Ministry of Culture and Youth
- Ministry of Education
- Ministry of Justice and Peace
- Ministry of the Office of the President
- Ministry of Foreign Affairs
- Ministry of Public Security
- Ministry of Labour and Social Security
- Ministry of Housing and Human Settlements
- Ministry of Planning and Economic Policy

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- Municipality of San José
- Municipality of San Pablo de Heredia
- Municipality of Tarrazú
- National Child Welfare Agency
- Counsel General's Office
- National Childcare and Development Network
- Costa Rican Petroleum Refining Company
- National Accreditation System for Higher Education
- Supreme Electoral Tribunal
- University of Costa Rica

I. Executive summary

1. In compliance with the treaty-specific guidelines on reports to be submitted by States parties to the United Nations High Commissioner for Human Rights, Costa Rica submits the present country report on the current situation and future prospects with regard to compliance with the provisions of the Convention on the Rights of Persons with Disabilities, as incorporated into Act No. 8661.
2. This document is the result of a joint effort by various institutions and municipalities and its purpose is to provide information on the main advances that have been achieved in the promotion, defence and enforcement of the rights and obligations of persons with disabilities nationwide.
3. The report is structured into sections addressing topics and subtopics related to the provisions of the Convention. In the first section, on purpose and obligations (arts. 1 to 4), emphasis is placed on the current status of the bill on the creation of a Single Disability Certificate, the amendment of article 51 of the Constitution to eliminate the term “*enfermos desvalidos*” (infirm persons who are destitute or helpless) to refer to persons with disabilities, and the strengthening of standing mechanisms for consultation with organizations of persons with disabilities, particularly organizations of women, children and adolescents with disabilities.
4. The second section deals with the specific rights established in the Convention and refers to all the measures adopted to promote equality and non-discrimination and in relation to women with disabilities, children with disabilities, awareness-raising, accessibility, situations of risk and humanitarian emergencies, equal recognition before the law, access to justice, liberty and security of the person, freedom from torture or cruel, inhuman or degrading treatment or punishment, protecting the integrity of the person, living independently and being included in the community, freedom of expression and opinion and access to information, education, health, habilitation and rehabilitation, work and employment, adequate standard of living and social protection, participation in political and public life, and participation in cultural life, recreation, leisure and sport.
5. Lastly, there is a section on special obligations, which covers the actions undertaken by public institutions and municipalities for the collection of data and statistics related to disability, the incorporation and mainstreaming of disability in development policies and programmes conducted through international cooperation, and national implementation and monitoring in fulfilment of their mandate to promote, protect and monitor the implementation of the Convention, at the national, urban and rural levels.

II. General obligations

A. Certification process

Current status of the bill on the creation of the Single Disability Certificate

6. This bill is currently being studied by the Legislative Assembly’s Special Standing Committee on Persons with Disabilities and Older Persons. As at 12 February 2019, the bill had not been tabled for consideration by the executive in a special session. Although the bill specifies that certification will be based on the International Classification of Functioning, Disability and Health of the World Health Organization (WHO), the certification procedure provided for in article 16 continues to strongly reflect the medical and rehabilitation-based paradigm of disability.

Establishment of the Disability Certification Service

7. In December 2017, Decree No. 40727-MP-MTSS on the creation of the Disability Certification Service was published, article 1 of which states: “The Disability Certification Service is to be created as a State mechanism for verifying and evaluating the underlying and determining conditions of one or more disabilities in the applicant.”

8. Under the bill, the National Council of Persons with Disabilities (CONAPDIS) is designated as the State entity responsible for the disability certification service. The service will be provided according to the WHO International Classification of Functioning, Disability and Health.

9. To carry out this function, a process will be designed and implemented in line with the human rights approach and biopsychosocial model of disability, putting persons with disabilities at the centre of the process and giving them an active and decisive role to play. The process is based on the International Classification of Functioning, Disability and Health, and the WHO Disability Assessment Schedule (WHODAS 2.0) will be used to measure disability in both adults and children and adolescents with disabilities. Permits are granted by WHO to CONAPDIS. It is a process through which a person's disability is certified from the perspective that he or she faces limitations which, in interaction with environmental barriers, produce disadvantages or limit his or her effective inclusion and participation in all areas of society.

B. Amendment of article 51 of the Constitution

Constitutional reform to amend article 51 of the Constitution

10. Bill No. 18629 is the legislative initiative to amend article 51 of the Constitution to eliminate the reference to “infirm persons who are destitute or helpless” and replace it with “persons with disabilities”.

11. This constitutional amendment was published in Official Gazette No. 247 of 21 December 2012. It was added to the agenda of the Legislative Assembly on 6 May 2015; it subsequently underwent three readings, as required under article 195 (2) of the Constitution.

Standing consultation mechanisms

12. Progress has been made in the establishment of standing mechanisms for consultation with representative organizations of persons with disabilities.

13. Pursuant to the Act on the Establishment of the National Council of Persons with Disabilities (No. 9303) of 2015, the Council was established and made the lead agency for disability, based on a human rights approach, as well as the body responsible for coordinating implementation of the Act. Under the Act, the purposes and functions of CONAPDIS include monitoring compliance with legislation related to the rights of persons with disabilities, managing the National Disability Policy, and promoting inclusive policies, through coordination with various sectors.

14. Specifically on the subject of consultation, the functions assigned to CONAPDIS under Act No. 9303 include providing assistance in consultation processes with persons with disabilities and their representative organizations on legislation, plans, policies and programmes, in coordination with the various public and private entities and branches of government. To this end, it advises institutions on participation and the accessibility of consultation processes and the Ministry of Planning and Economic Policy on the guidelines to be used for the inclusion of persons with disabilities in the evaluation of public policies. It facilitates linkages between entities and organizations of persons with disabilities, provides guidance on the methodology for conducting accessible consultations and informs entities of their duty to consult closely on public policies, programmes, projects and services.

15. In addition, chapter IV of the regulations implementing Act No. 9303 on the establishment of CONAPDIS deals with consultation processes and provided for the creation of the Consultative Forum of Persons with Disabilities to promote the participation of persons with different types of disability, ensuring gender, ethnic and other forms of diversity. Persons with disabilities and their representative organizations were consulted on the proposal to establish this mechanism. Through the Consultative Forum, persons with disabilities are consulted on draft laws, regulations, plans, policies and programmes.

C. Specific rights

Equality and non-discrimination (art. 5)

Measures adopted to recognize disability as a prohibited ground for discrimination

16. Among the legislative measures taken, the labour law reform approved in 2016 stands out, as part of which articles 618 to 624 of the Labour Code were amended. Attention should be drawn to the incorporation of additional grounds for discrimination; under article 404, the number of prohibited grounds has increased from 4 to 14. These are: age, ethnicity, sex, religion, race, sexual orientation, marital status, political opinion, national origin, social origin, parentage, disability, trade union membership and economic status. It is also specified that this article covers any other similar form of discrimination. Until this regulatory reform, disability as a prohibited ground for discrimination had only been clearly regulated by Act No. 7600 of 29 May 1996, the Act on Equal Opportunities for Persons with Disabilities.

17. Recognition of discrimination has been addressed in public and institutional policies.

18. In the area of public employment, the General Directorate of the Civil Service has put in place the following policies, which have been officially communicated internally and externally through the human resources management system:

- The policy on human resources management for persons with disabilities providing services to the civil service system, PE-1-PO-14 of 5 November 2014, published in official circular DG-019-2014 of 5 November 2014. It states that the General Directorate of the Civil Service is committed to fostering effective opportunities for persons with any type of disability to have access to any of its services and their inclusion in and development within the civil service system, subject to the proven suitability of their competencies.
- The public social responsibility policy of the human resources management system of the civil service, PE-01-PO-01-2018, published in official circular DG-CIR-003-2018 of 9 April 2018. Its pillars include people management and employment promotion. In this regard, it affirms a commitment to promote equal opportunities and inclusiveness through the implementation of related human resources management policies.
- In addition, various institutional policies prohibit discrimination on the basis of disability and provide for the adoption of reasonable accommodation measures where appropriate. For example, the communication and information policy, PE-02-PO-02-2017, of the General Directorate of the Civil Service aims to promote equal treatment and non-discrimination in access to information for all audiences within the institutions, without distinction or special or exclusionary treatment. In 2017, the Office of the Ombudsman adopted a policy on the accessibility of its services for persons with disabilities and older persons, which states that the Office is committed to ensuring that reasonable accommodation is provided for persons with disabilities and older persons who work there. In addition, there is no discrimination on the basis of disability in the policies on hiring, incentives, promotion, education and training, performance evaluation and general human resources management.

Draft framework law to prevent and punish all forms of discrimination

19. The draft framework law to prevent and punish all forms of discrimination has been approved by the Special Standing Committee on Human Rights and substantive motions have been submitted pursuant to article 137 of the Rules of Procedure of the Legislative Assembly. Discrimination on the basis of disability is not addressed, and it was therefore included in the legal opinion on the draft law issued by CONAPDIS, in accordance with the Convention on the Rights of Persons with Disabilities.

20. The forms of discrimination included are direct, indirect, multiple and structural. Definitions of these forms of discrimination are set out in article 6 (c), (d), (e) and (f) of the draft law, respectively. Intersectional discrimination is not addressed.

Results achieved by the institutional commissions on accessibility and disability

21. The institutional commissions on accessibility and disability are advisory and support entities that help the administrative bodies create the conditions for compliance with the regulations related to the rights of persons with disabilities. They are not implementing bodies but act as a reference point on disability within an institution; their main functions are to advise, coordinate, promote, propose, monitor and inform the institution's leadership and middle management about ways and strategies to comply with the above-mentioned regulations.

22. The actions of "formulation, execution and evaluation" referred to in article 2 of Act No. 9171 must be understood within the scope of the functions of an advisory body, which is what the commissions are, rather than an implementing body. Thus, they are responsible for, inter alia, assisting, supporting and advising the administrative bodies (their leadership and middle management) in assuming their responsibility to formulate, execute and evaluate the above-mentioned institutional policies in line with the National Disability Policy and the regulations in force.

23. The work of the commissions has been important in achieving the inclusion of a disability perspective in policies, regulations and the actions of public entities. They are the drivers of the key changes within these institutions, from ensuring the accessibility of the physical environment, to the gradual establishment of other conditions aimed at advancing towards equal opportunities for persons with disabilities. Their work, which is always in an advisory capacity, includes participating in internal planning processes (strategic, programmatic and budgetary) for the inclusion of a disability rights-based approach; making proposals to the administrative bodies regarding awareness of the rights of persons with disabilities; undertaking awareness-raising campaigns; providing internal training on disability for employees of the entities to raise their awareness; improving the accessibility of services and the treatment of persons with disabilities; managing the provision of assistive devices; ensuring that affirmative action measures are included in policies, plans, programmes, projects and services; observing days celebrating persons with disabilities; and increasingly promoting the participation of persons with disabilities and their families in the decision-making processes that concern them.

Women with disabilities

Steps taken to include women and girls with disabilities in broader gender equality policies and to increase their participation

24. CONAPDIS has been part of the inter-institutional technical commission on gender equality policy since 2016, through which it contributed to drafting the National Policy for Effective Equality between Women and Men 2018–2030. The Policy addresses the structural issues and inequality gaps that directly affect women and girls with disabilities, and its approaches and pillars are based on the principles of a disability rights approach, such as: cultural change, gender equality, diversity, inclusion, accessibility, intersectionality and sustainable human development.

25. This policy was designed with a diverse group of women, experts in the field and representatives of institutions and organizations, who contributed their insights and expressed their needs at the situation analysis stage and provided input for the definition of the Policy's strategic pillars.

26. During the presentation of the National Policy for Effective Equality between Women and Men 2018–2030 to disability stakeholders, the Minister for Women's Affairs undertook to include commitments under the National Disability Policy in its institutional strategic plan for 2019–2022 and specific measures for women with disabilities in the action plans of the National Policy (Annex 4).

27. Availability of the information provided by the Human Rights Information Centre of the National Institute for Women *in Braille, sign language, easy-to-read and other accessible formats*.

28. No information was received from the National Institute for Women in this regard.

29. Since the establishment of the National System for Preventing and Addressing Violence against Women and Domestic Violence, CONAPDIS has participated in two of its bodies: the follow-up commission, a technical body, and the local networks, which facilitate meetings between institutions and organizations at the local level. This participation has led to an approach based on the rights of women with disabilities and their right to live free from violence gradually permeating institutional operations.

30. The first plan of action for 2018–2022 of the National Policy for Addressing and Preventing Violence against Women of All Ages shares the same approach as the National Policy for Effective Equality between Women and Men, but places greater emphasis on multiple discrimination, persistent violence, the principle of the best interests of the child and affirmative action for the recognition, appreciation and inclusion of diversity. In addition, it sets out operational measures to comply with the recommendations made by the monitoring mechanisms of international instruments, including the need to include men in cultural change and to consider the regional space and community participation.

31. The plan is at the development stage and includes commitments common to all institutions, operational measures involving women and girls with disabilities and other specific actions, such as a study on violence against this population, within the framework of action 1.1.2 of the project on a Costa Rican disability information system, and the adjustments to the institutional programmes on the family harmony services and on the promotion of personal empowerment to prioritize access in situations of violence (action 4.1.11.).

32. Information on measures taken to protect women and girls with disabilities from all forms of violence based on gender and/or disability, harassment and bullying in all settings is below.

33. The response of most of the institutions is that they follow and apply the administrative and legal measures established by the regulations for the general protection of girls and women in the various spheres of society. The difference in the protection of women and girls with disabilities consists of the provision of reasonable accommodation and the support services and products that they require.

34. The Ministry of Education applies protocols for action in situations of structural and systematic violence at schools, through talks, workshops and direct interventions. When forms of violence or mistreatment are reported in educational establishments, the Ministry coordinates with the National Child Welfare Agency, in relation to children, and with CONAPDIS, in relation to adults. When violence is observed in the family setting, there is coordination with the judicial branch.

35. The judicial branch points out that, for all cases in which complaints of violence based on gender or disability are filed, the Public Prosecution Service has protocols for assisting victims of sexual crimes and domestic violence. The purpose of these protocols is to reduce revictimization (for all victims including women, girls and boys), to standardize support for persons who are vulnerable, or who have been made vulnerable (including persons with disabilities), and set out how to address, investigate and prosecute this type of offence. In addition, training is provided to officials of the Public Prosecution Service on topics related to respect for the principle of human dignity.

Existence of a system for collecting statistical data on violence affecting women and girls with disabilities

36. The response provided by the institutions leads to the conclusion that the existing systems do not allow for this disaggregation of data, thus rendering invisible the conditions that specifically affect this population. In view of this situation, Costa Rica is developing a system of indicators on the rights of persons with disabilities, for which it created the Costa Rican Disability Information System, through Decree No. 39419-MP-MTSS-MDIS-MREC-MIDEPLAN-MS. Among other aspects, the System includes a statistical subsystem on disability for the generation, collection, processing, analysis, interpretation and presentation of systematic statistical information on various aspects related to persons with disabilities and the performance of public institutions and social and private actors in relation to the status and evolution of the management of the rights of persons with disabilities.

Policy agenda for women with disabilities, “Breaking Barriers”

37. CONAPDIS has traditionally carried out dissemination, promotion and capacity-building measures to ensure the observance of the rights of women with disabilities, including their inclusion in important training processes, for example, on citizen participation and the citizen accessibility audit, and in general in various socio-educational activities with a gender approach that are designed in such a way that, based on the recognition of the existing inequalities between men and women, they promote equal opportunities for women with disabilities. Civil society has played an important role in establishing these processes. For example, in 2009 the Commission of Women with Visual Impairments requested support from the National Institute for Women and CONAPDIS to give a workshop on gender, human rights, political advocacy and violence to women with disabilities from all over the country. This action served as a starting point for the development of a process that included three national meetings and at least nine regional meetings of women with disabilities and regional action to promote the empowerment of women with disabilities, consisting of raising awareness of the rights of these women, support for the creation of regional programmes or networks of women with disabilities and advice for their inclusion in various civic participation spaces.

38. Alongside these inter-institutional processes, “Breaking Barriers”, the policy agenda for women with disabilities, emerged as another important civil society effort, which was promoted as part of the processes already under way.

39. The Office of the Ombudsman reports that the “Breaking Barriers” policy agenda for women with disabilities was presented in 2014. With the support of the Office of the President, a copy of the agenda was sent to each of the institutions that made up the Presidential Social Council, and the subsequent follow-up to the institutional measures implemented revealed partial compliance or general non-compliance.

Women in political and decision-making bodies

40. The Council of Young Persons, the Ministry of Education and CONAPDIS have regulations that govern the participation of persons with disabilities in political bodies, although these measures are not exclusively aimed at women with disabilities.

41. In the case of the Council of Young Persons, Act No. 9155 provides for the appointment of two representatives of organizations of persons with disabilities to the political bodies of the national youth system on the basis of gender parity.

42. The Ministry of Education’s regulations on the student electoral process facilitate the participation of students with disabilities in student elections.

43. Act No. 9303 provides for the appointment of representatives of organizations of persons with disabilities to the highest governing body of CONAPDIS, for which parity must be sought in appointments.

44. The National Institute for Women prepared a paper on a political training centre for women. This paper establishes the working guidelines for this political training and education facility for women leaders of organizations. Among other issues, it raises the challenge of establishing specific participation quotas for women with disabilities.

45. The Institute for Municipal Promotion and Support reports that it is promoting coordination with the National Institute for Women and the network of women’s offices to strengthen the participation of women with disabilities in political bodies.

46. In order to strengthen the participation of women with disabilities in political bodies, CONAPDIS coordinated actions with the Institute of Municipal Training and Capacity-building and Local Development of the State Distance Learning University to enable persons with disabilities registered with various political parties to participate in training to learn about the relevant regulations and to promote equity in elected positions in the municipal elections of 2020.

Children with disabilities

47. Concrete measures have been adopted to protect children and adolescents with disabilities from abuse, and abandonment, and to prevent their institutionalization, under the goals of the National Agenda for Children and Adolescents for 2015–2021.

48. The National Council on Children and Adolescents developed with the contribution of its member institutions a set of indicators that envision an inclusive and empowering State offering to support the development of children and adolescents with disabilities (Agreement 04-08-14 of 17 December 2014).

49. In this regard, the reports of the National Agenda for Children and Adolescents highlight the 2016–2021 goal: “10. Creation by each of the institutions that make up the National Council on Children and Adolescents of a set of indicators for the System of Indicators on Children and Adolescents that envision an inclusive and empowering State offering to support the development of children and adolescents with disabilities”. The National Council for Children and Adolescents is responsible for this and reports 100 per cent compliance.

50. The National Child Welfare Agency indicates that it does not have specific plans, programmes and/or projects with a particular focus on structural and systematic violence against persons with disabilities.

51. The National Child Welfare Agency, together with the United Nations Children’s Fund (UNICEF), the 911 emergency system and the Paniamor Foundation, have created an alliance to improve the 911 system and platform so as to provide a more prompt, agile and expeditious response to minors, as well as inclusive services for deaf persons in situations of risk. It is part of the “Costa Rica says NO to child sexual exploitation and abuse online” initiative (2016–2019). This initiative is developing a multi-platform application for mobile devices to ensure a rapid response to this population through the 911 system.

Measures in place to support families in raising and caring for children and adolescents with disabilities in order to reduce the risk of abuse, neglect and abandonment

52. In this regard, the Agenda for Children and Adolescents assigns to the National Child Welfare Agency goals for 2021 and commitments in its section on the family as an enabling environment. In the second half of 2016, assistive devices were provided to 17 children and adolescents with disabilities in National Child Welfare Agency shelters and support services were provided to 70 children with disabilities. In the first half of 2017, assistive devices were provided to 13 children with disabilities and support services to 62. In the second half of 2017, assistance was provided to 287 children with disabilities (with parenting and care guidance from the parenting academies).

Number of children with disabilities who receive support from the 977 centres of the National Child Care and Child Development Network

53. The following information is from 2018:

- The National Directorate of the Education and Nutrition Centres and the Child Nutrition and Integrated Care Centres reports the total number of minors benefiting from preventive nutrition service programmes providing meals, a monthly allocation of 1,600 grams of milk and food for families with children who present or presented with malnutrition. Of the total of 1,684 children with disabilities, 707 or 42 per cent are girls and 977 or 58 per cent are boys. Children with disabilities make up 1.4 per cent of the total number of children benefiting from the Directorate’s preventive nutrition service programmes providing meals, a monthly allocation of 1,600 grams of milk and food for families with children who present or presented with malnutrition. In addition, 436 malnourished minors with disabilities received a food package, of whom 204 or 47 per cent are girls and 232 or 53 per cent are boys. Of the children receiving care for malnutrition from the Education and Nutrition Centres and the Child Nutrition and Integrated Care Centres, 4.48 per cent have a disability.

- The National Child Welfare Agency funded and supervised the care of 16 minors – 9 girls and 7 boys – in Comprehensive Childcare Day Centres. Source: National Childcare and Child Development Network secretariat.
- The Inter-Agency Institute for Social Assistance reports that the childcare and development benefit improves access to the services provided by childcare centres for early and middle childhood. It helps to establish the conditions for the protection and development of children by contributing to family income to pay for the cost of the alternative care selected by the family. Under the general provisions of Act No. 9379, for children with disabilities, families receive benefits that are 15 per cent higher than the amount generally received for the type of care service attended by the child. The father, mother or legal representative of the minor must submit to the Inter-Agency Institute for Social Assistance a medical report or case review (issued exclusively by the competent State entity) specifying his or her condition. This document must be evaluated by a social development professional for the increase to be approved. The Inter-Agency Institute for Social Assistance reports that 1,160 persons with disabilities (1,080 families) have benefited from this support for families.

Effective monitoring and oversight mechanisms of the National Child Welfare Agency with regard to violence against children and adolescents with disabilities

54. The INFOPANI platform is used to receive, assign, supervise and monitor complaints from children, with an indication of whether they have a disability.
55. Updated care models are currently being developed to address the best interests of minors, including those with disabilities.
56. The National Child Welfare Agency has an interdisciplinary team for the care of minors in institutional shelters and indicates that this team supervises non-governmental organizations (NGOs). In addition, it reports that each minor has an individual comprehensive care plan, which takes into account reasonable accommodation.
57. Below is information related to the views of children with disabilities on all matters affecting them in relation to the legal equality guarantor for persons with disabilities under the Act on the Promotion of Personal Autonomy of Persons with Disabilities.
58. The National Child Welfare Agency is developing a mechanism for consultations with organizations representing persons with disabilities. The cornerstone of the mechanism will be consultations with children and adolescents with disabilities through participatory councils, child and adolescent protection boards, alternative care institutions and NGOs.

Initiative to amend the Code on Children and Adolescents with a view to incorporating a cross-cutting disability perspective

59. The National Council on Children and Adolescents is in the process of reviewing and updating the Code, in accordance with agreement No. 0006. CNNA 52-18 of 28 November 2018. This agreement established as a priority for the National Council analysing and proposing updates to the Code on Children and Adolescents.
60. CONAPDIS intends to provide support and technical advice to ensure that the proposed updates include a cross-cutting disability perspective and reflect the social model.

Awareness-raising

61. Campaigns have been undertaken to reinforce the image of persons with disabilities as rights holders.
62. These campaigns include:
 - The National Rehabilitation Centre “Health for all” radio programme, which addresses different topics of interest such as educational reintegration and work reassignment for persons with disabilities.

- A National Resource Centre for Inclusive Education social media, web page and mass mailing campaign on human rights, covering topics including human diversity and disability.
- An Office of the Comptroller General of the Republic training campaign that consisted of a workshop discussion on “persons with disabilities: towards inclusion and empowerment”.
- Promotion and dissemination measures taken by the Office of the Ombudsman on the role of the National Monitoring Mechanism of the Convention on the Rights of Persons with Disabilities.
- The production of mugs by the Inter-Agency Institute for Social Assistance with slogans on the rights of persons with disabilities.
- Outreach campaigns by the Ministry of Housing and Human Settlements on the family housing allowance and housing subsidies for families of persons with disabilities.
- The development by the University of Costa Rica of: (a) a signature guide for persons with visual impairments, a card to guide persons with visual impairments and physical disabilities when signing their name, which was sent to the various bodies of the university for dissemination and use in dealings with the public and university matters; (b) a tabbed card to identify banknotes for persons with visual impairments, which provides greater certainty when identifying the different denominations of Costa Rican banknotes; and (c) a campaign on the use of parking spaces at the university for vehicles driven by or transporting persons with disabilities during which parking spaces reserved for such vehicles were signposted in the university campus car parks.
- The weekly airing on Channel 15 of the University of Costa Rica Nexos television programme, which consistently promotes the inclusion of persons with disabilities and older persons through audiovisual content on human rights. Scheduling information is available at: <http://www.canal15.ucr.ac.cr/nexos/>.
- An extended 90-minute documentary, filmed as part of the Costa Rican Disability Information System project coordinated by CONAPDIS, presenting the lives of five persons with disabilities, their dreams, desires and daily activities: work, study, family life, hobbies and sports. The documentary takes a human rights approach and therefore focuses on the individual, with disability being just one of the aspects of the person’s life and not the characteristic that defines them. As part of this audiovisual project, 10 animated 30-second short films were also produced, emphasizing the fundamental rights of people with disabilities in a tangible and simple manner. These audiovisual materials can be used for communication purposes to disseminate the image of persons with disabilities from a human rights perspective, as well as for educational and training purposes on the subject of the rights of persons with disabilities. These materials will be subtitled in Spanish and interpreted in Costa Rican Sign Language.
- A communications campaign to reinforce the image of persons with disabilities as rights holders developed by CONAPDIS through the coordinated use of information services (newsletters, press releases, press invitations, the “No Barriers” programme, monitoring, social media posts) and with the significant contribution of previous public communication efforts (for the years 2016, 2018 and 2019).
- An information campaign carried out by the Technological Institute of Costa Rica in 2015. The publication in 2016 of two briefing notes through the Institute’s digital media channels and three radio broadcasts disseminating information on the rights of persons with disabilities and the approach taken by the Institute. The erection in May 2018 of information billboards on the human rights of this population with the collaboration of the resources department.
- Outreach campaigns designed by the judiciary on the rights of persons with disabilities and their particular needs in relation to the administration of justice. The campaigns include information on national and international legislation, the Convention and how to interact with persons with various disabilities.

- A campaign by the Ministry of Justice and Peace entitled “For an inclusive society without barriers” (with self-adhesive materials), which was implemented in all prisons.
- Campaigns and other outreach actions related to people with disabilities in situations of risk and emergency situations.

63. With regard to campaigns focused on persons with disabilities in situations of risk and emergencies, as part of the first phase of the project on the participation and protection of persons with disabilities in emergencies and disasters sponsored by the United States Office of Foreign Disaster Assistance of the United States Agency for International Development and the Coordination Centre for Disaster Prevention in Central America and the Dominican Republic, of which the implementing unit is the UNICEF country office, the “Always safe” publicity campaign was developed with the participation of persons with disabilities and officials from the institutions on the rights of persons with disabilities in emergency situations, emphasizing the right of this population to participate in decision-making for inclusive risk management. The campaign consists of videos, posters, tactile materials, pictograms, radio and television advertisements and social media posts, among other materials, and will be launched in 2019 as part of the second phase of the project. Final details are currently being worked on to ensure that all the materials produced are accessible to people with different types of disabilities.

“Telethon” public fundraising campaign

64. This campaign is indeed still being run by a civil society organization.

Biennium on Awareness

65. The Costa Rican State has taken action to raise awareness of the rights of persons with disabilities, including by producing bulletins, audiovisual materials and information campaigns and by addressing specific issues such as violence and emergencies and disasters, which are described in greater detail in the section on campaigns. This work continues.

Accessibility

Results of the “Pledge for an Accessible and Inclusive Country”

66. The Ministry of the Office of the President reports a series of achievements in relation to issues affecting persons with disabilities. These were communicated through official channels. Some of the reported achievements are set out below.

67. Education: an increase in school enrolment, attendance and completion among persons with disabilities; training for teachers on approaches to working with children with disabilities; guidelines for the care of children with disabilities in the Education and Nutrition Centres, the Child Nutrition and Integrated Care Centres, the Care Network and the National Child Welfare Agency; the upgrading of 29 Comprehensive Care Centres for Persons with Disabilities; the First National Congress on Inclusive Education; the allocation and increased coverage of grants for children with disabilities to travel to educational centres; the adoption of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled; the allocation of scholarships to students with disabilities living in poverty and extreme poverty; the adoption of inclusive education as an educational model; and the training of inclusion leaders.

68. Labour: training of 1,750 people in technical careers; the entry of 442 people into formal employment; the establishment of local job placement networks; a technical training strategy for persons with disabilities; competitions for the inclusion of persons with disabilities in public employment; and a policy model for the inclusion and labour protection of persons with disabilities in the public sector.

69. Health: the provision of furniture and technical equipment for sexual and reproductive health care for women with disabilities in gynaecological clinics; the creation of a disability certification service; and the development of a national plan on care for Alzheimer’s disease and other associated forms of dementia.

70. Recreation: financing and construction of accessible recreational parks in various areas of the country and the improved accessibility of national parks.
71. Sports: the inclusion of paralympic sports in the strategy of the Ministry of Sports and support for the Paralympic Federation of Costa Rica.
72. Culture: State support for the International Festival of Deaf Persons; Costa Rican Sign Language provided for the first time for activities of the International Arts Festival.
73. Social security: early retirement pension for workers with Down syndrome; the inclusion of the basic basket of expenses incurred owing to disability in the social data records and other poverty measurements; and the promulgation and dissemination of the Act on the Promotion of Personal Autonomy of Persons with Disabilities.
74. Transport: the decree on technical recommendations for the accessibility of public transport.
75. Technology: the first regional conference on access to and use of information and communication technologies by persons with disabilities; and the CRDigit@l strategy and the open government strategy, which call for public platforms to be accessible to persons with disabilities.
76. Institutional strengthening: the establishment of CONAPDIS; the establishment of the independent monitoring mechanism under the auspices of the Office of the Ombudsman; and the harmonization of the National Disability Policy 2011–2030 with the Sustainable Development Goals.
77. Public safety, food security and responsible environmental management: the creation of protocols for addressing, managing and preventing risks in emergency situations for persons with disabilities.
78. Regulations: the Act on the Promotion of Personal Autonomy of Persons with Disabilities and the Act establishing CONAPDIS.

Situations of risk and humanitarian emergencies

79. Action has been taken to include persons with disabilities in disaster reduction strategies.
80. CONAPDIS and the National Commission on Emergencies mention that Costa Rica was one of the beneficiary countries of the project on the participation and protection of persons with disabilities in emergencies and disasters sponsored by the United States Office of Foreign Disaster Assistance of the United States Agency for International Development and the Coordination Centre for Disaster Prevention in Central America and the Dominican Republic, of which the implementing unit is the UNICEF country office.
81. The first phase of the project was carried out between 2015 and 2016, and its main outcome was the drafting of standards for the inclusion, participation and care of persons with disabilities in risk and emergency situations with the participation of persons with disabilities and their organizations, as well as civil servants from institutions working in the area of risk and emergency care. (See annexes on disaster reduction).
82. Executive Decree No. 41095-MP-MTSS was adopted in April 2017 with a view to institutionalizing the standards. It declared them to be of public interest and made it mandatory for all public, private and organized civil society entities to comply by including actions and resources in programmatic and budgetary planning; consulting closely with and promoting the participation of persons with disabilities and their organizations in inclusive risk management; using accessible information and communication technologies; and managing national and international cooperation and technical assistance. To facilitate compliance with the standards, CONAPDIS and the National Commission on Emergencies have signed a cooperation agreement and maintain a strategic alliance with UNICEF.
83. Developments during the second phase in 2019 included work being undertaken to support key entities in reviewing and updating national assistance procedures and in developing capacity and tools to implement protocols in accordance with the standards. Campaigns were launched to increase public awareness of the rights of persons with

disabilities during emergencies and disasters using accessible and inclusive information and communication methods. Children with disabilities were armed with group and personal protective tools and practices to promote and develop empowerment and leadership opportunities for their active participation. Online and offline systems simulations were developed and implemented that enable persons with disabilities to have access to emergency information on a continuing basis. Multiple accessible and inclusive warning, alarm and evacuation procedures were developed to be applied in the early warning system plans.

84. The National Commission on Emergencies notes that measures for the inclusion of persons with disabilities are included in the National Risk Management Plan (2016–2020). Emergency response manuals and protocols, such as the guidelines for managing temporary shelters, have been developed and revised in line with the Costa Rican regulations on disability (Act No. 7600). At the national level, within the organizational structure of the national risk management system, the emergency committees follow an inclusive approach when designing their emergency plans, in accordance with the standards for the inclusion, participation and care of persons with disabilities in risk and emergency situations. Work at the level of the municipal emergency committees will start during the second phase of the project.

Steps taken to ensure post-emergency rehabilitation, resettlement and rebuilding processes

85. The National Commission on Emergencies states that the principles of universal design and compliance with Act No. 7600 are taken into account in rebuilding processes primarily. However, it also states that some of these measures are not available because the current instruments to register damages do not take into account variables on accessibility and inclusiveness, nor do the investment plans include specific terms of reference for the topic of disability.

86. The most relevant measures are the application of the standards for the inclusion, participation and care of persons with disabilities in risk and emergency situations, which must be accompanied by suitable compliance procedures and mechanisms.

Equal recognition before the law

87. Information on initiatives to amend or repeal article 91 of the Constitution which establishes that citizenship can only be suspended by interdiction declared by a judge is set out below.

88. To date, there is no bill proposing the amendment or repeal of article 91 of the Constitution. However, there is a clear interest among legislators, who are also members of the Special Standing Committee on Disability and Older Persons, to present a proposal in this regard, with a view to harmonizing the constitutional text with the Convention in order to recognize the full rights of all persons.

89. See below with regard to the repeal of the provisions on the declaration of incapacity from all legislation in force, including the Civil Code and the Code of Civil Procedure.

90. The declaration of legal incapacity on the grounds of disability was repealed with the enactment of Act No. 9379 and its regulations (Decree No. 41087), mainly under articles 5 and 47, respectively.

Differences between the “guarantor” and the previous “guardian”

91. The main differences between the guarantor and the guardian are as follows:

- The guardian represented the person with disabilities legally and in all areas of life, since the person with disabilities was not recognized as having the capacity to act or citizenship, leading to their erasure or substitution. The obligations were limited to a false idea of protection that went beyond property matters and extended to bodily autonomy, since the guardian could sign an informed consent form for medical interventions in the place of the person with disabilities.
- The guarantor is part of the system that supports persons with intellectual or psychosocial disabilities in exercising their capacity to act, in accordance with

article 12 of the Convention. Its functions are in line with the human rights approach and are set out in article 11 of Act No. 9379 and elaborated on in article 17 of the regulations.

92. See below for information on the measures planned to provide training and information to all guarantors and monitoring mechanisms and safeguards in place for overseeing the smooth operation of the new guarantor system and the procedure for ensuring that persons with disabilities may refuse the guarantor assigned to them or designate a replacement in the event of a conflict of interest.

93. As a mechanism for monitoring the functioning of the guarantor system, Act No. 9379 provides that the safeguard can be reviewed at any time at the request of the person with a disability or of the persons entitled to do so, and ex officio every five years (article 9, elaborated on in article 13 of the regulations).

94. Since, under article 7 (2) and (4) of Act No. 9379, the safeguard cannot be imposed against the person's will and is optional and not mandatory, the request for a review of the safeguard is the procedure through which persons with disabilities can refuse their guarantor or appoint another person to replace him or her, under the terms of article 9 of Act No. 9379.

95. The judicial branch has not provided any information in this regard.

Access to justice

Activities undertaken to ensure access to justice for persons with disabilities, the availability of free services, accessible formats, and augmentative and alternative forms of communication

96. Pursuant to Act No. 9714 of 1 August 2019, a chapter VIII on access to justice was added to the Act on Equal Opportunities for Persons with Disabilities (Act No. 7600), which strengthens the right to access to justice by establishing a duty for the judiciary to provide reasonable accommodation and procedural adjustments for persons with disabilities to support their autonomy and access to justice as direct and indirect participants in all stages of proceedings, including the preliminary stages.

97. The new chapter also provides that the judiciary, together with CONAPDIS, shall take measures to ensure that the authorities responsible for the administration of justice have the communication resources, assistive devices and human resources required to serve persons with disabilities in the respective jurisdictions.

98. Accessibility services provided by the judiciary are free of charge and stipulated in the relevant institutional policies. There are also protocols and procedures tailored to the specific needs of service users.

99. Costa Rican Sign Language is used in all judicial proceedings involving deaf persons throughout the country, and from the moment the person files a complaint, he or she is assisted by a member of judicial staff trained in Costa Rican Sign Language. The judiciary is rolling out a course entitled "We are all equally different: Learning about diversity". In addition, accessibility features have been incorporated into the website of the judiciary to facilitate access to online services for persons with disabilities (i.e. content reader; increased or decreased text size; font modification for persons with dyslexia; changes in screen contrast; language switching; easy-access search function; and automated 24/7 chat assistant to handle queries regarding institutional services).

100. The Ministry of Justice and Peace reports that the houses of justice run by the Office of Alternative Dispute Resolution are working to enable access to justice for users with certain types of disabilities, providing free advice on the alternative settlement of disputes.

101. See below for information on measures taken to remove all barriers to access to justice for persons with disabilities in general and for women, children, Indigenous persons, and persons of African descent and older persons with disabilities in particular.

102. According to information provided by the judiciary and CONAPDIS, several measures have been taken to remove all barriers to access to justice for persons with disabilities, women, children, Indigenous persons and persons of African descent.

103. The judicial services website displays information on citizen services in easy-to-read language, and videos with text and descriptions have been incorporated to facilitate understanding. The site is written in HTML5 so it can be read by Job Access with Speed (JAWS) and other screen reader software.

104. The Executive Directorate of the Judiciary keeps lists of Costa Rican Sign Language experts.

105. The Directorate has adopted, as institutional policies for the judiciary, the Brasilia Regulations Regarding Access to Justice for Vulnerable People; a gender equality policy; an inclusive language policy; a policy on the equality of persons with disabilities; a policy to ensure access to justice for older persons; a policy to ensure access to justice for migrants and refugees; a policy to ensure access to justice for children and adolescents; a policy on the right to access to justice for minors in vulnerable situations facing criminal prosecution; a policy on supporting victims of domestic violence; practical rules to ensure access to justice for Indigenous Peoples; and a sexual diversity policy.

106. These policies establish minimum standards for judicial conduct.

How the platform of services for victims takes into account persons with disabilities, including Indigenous persons, in all aspects of its work

107. According to the information provided by the judiciary, the Comprehensive Platform of Services to Assist Victims of Violence also serves persons with disabilities, the Convention on the Rights of Persons with Disabilities being part of its legal framework. The Platform's four offices are physically accessible to persons with disabilities, in compliance with Act No. 7600; half of them have staff trained in Costa Rican Sign Language and are equipped with wheelchairs. The Crime Victim Support and Protection Office has a protocol to assist users, including users with a condition or disability. The protocol is also used by the Comprehensive Platform of Services to Assist Victims of Violence. Within the judiciary, there is a subcommittee on access to justice for Indigenous Peoples.

108. See below for information on steps taken to provide ongoing training on the rights of persons with disabilities to judges, prosecutors, police officers and other law enforcement officials and information on whether these programmes include a gender and age perspective.

109. In order to provide ongoing training on the rights of persons with disabilities for judges, prosecutors, police officers and other judicial officials, workshops are being held on issues such as access to justice for persons in vulnerable situations, respect for human dignity and the duty to provide appropriate support to persons with disabilities. Examples are the "We are all equally different: Learning about diversity" programme, which is mandatory for all justice personnel, and the programme on access to justice for vulnerable people, which consists of eight virtual modules on support for persons in situations of vulnerability.

110. These programmes were designed on the basis of the provisions of the institution's gender policy and thus include a gender and age perspective. The inclusive language policy is applied in all training courses and programmes and in all written and audiovisual communications.

Liberty and security of the person

Steps taken to repeal any legislation and/or policies that require or tolerate involuntary or forced institutionalization, forced treatment, the imposition of restrictions or the seclusion of persons with disabilities

111. The bill on persons with psychosocial disabilities in conflict with the law (No. 20235) is currently before the Legislative Assembly. The bill sets out to establish a regulatory framework on comprehensive State support for persons declared to have no or reduced criminal liability who are subject to security measures.

112. The bill provides for the establishment of a rehabilitation centre for persons with psychosocial disabilities in conflict with the law as an interdisciplinary medical institution responsible for treating such persons. Treatment must be based on a human rights approach with due regard for the rights and dignity of the target population.

113. According to information provided by the Costa Rican Social Insurance Fund, the Mental Health Policy 2012–2021 was developed on the basis of a human rights approach to disability. The deinstitutionalization of all persons confined at the National Psychiatric Hospital was completed by April 2018.

114. Bioethics committees have been set up to oversee human rights compliance in research and clinical practice. Human rights training is provided for all mental health staff, and public and private universities promote the human rights-based model. Plans to repeal legislation and generate a policy shift require inter-agency coordination and policy implementation monitoring.

Freedom from torture or cruel, inhuman or degrading treatment or punishment

Steps taken to ensure that no person with disabilities is subjected to torture or cruel, inhuman or degrading treatment or punishment

115. The Ministry of Public Security has circulated the protocol for assisting persons with disabilities and older persons to police departments as a tool for police officers dealing with victims and potential perpetrators with disabilities to facilitate better support. Here, the protection of those persons' rights and the delivery of appropriate services to users must be a priority.

116. According to information provided by the Costa Rican Social Insurance Fund, in April 2018 the National Psychiatric Hospital closed down its long-term care unit, where some residents had been institutionalized for decades. It took 20 years to complete this process, and thanks to the support of the National Council of Older Persons and CONAPDIS, the unit was closed for good.

117. The Ministry of Justice and Peace reports that the technical regulations of the national prison system (No. 40849-JP) underpin all actions undertaken by the relevant government agencies. The regulations take a human rights approach, with due regard for persons with disabilities. Circular No. 4-2018 provides for extraordinary assessments to enable level changes on humanitarian grounds in cases where a person's disability is incompatible with deprivation of liberty. This builds on previous efforts undertaken under circular No. 8-2012, which establishes procedural criteria for the placement of persons with disabilities deprived of their liberty in one of the units operated by the Prison Fellowship under the Association for the Protection and Assistance of the Convicted (APAC) prison module.

Steps taken to repeal the Biomedical Research Act (No. 9234), particularly articles 18 and 64 of the Act

118. According to information provided by the Legislative Assembly, bill No. 21069 repealing article 18 of the Biomedical Research Act (No. 9234) of 25 April 2014 was added to the Assembly's agenda on 1 November 2018. The bill sets out to limit the possibility of transferring the power to consent to participation in research projects from the person with a disability to his or her legal guardian.

Strategy to prevent torture under the State party's torture prevention mechanism

119. The Office of the Ombudsman is one of the bodies attached to the Legislative Assembly. Its mandate is established in Act No. 8459 on the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Act No. 9204 establishing the National Mechanism for the Prevention of Torture, and Executive Decree No. 9204, the regulations implementing Act No. 9204.

120. The National Mechanism for the Prevention of Torture carries out inspections in places of detention to monitor the situation of the general prison population and makes specific observations in regard to vulnerable groups, including inmates with disabilities.

Freedom from exploitation, violence and abuse

Measures taken to eradicate all forms of violence and abuse against persons with disabilities

121. Based on information provided by CONAPDIS, this objective is mainly pursued through accession to international treaties and the adoption of laws and regulations for the protection of the human rights of women and girls. The issues of prevention, protection and restoration of rights following exposure to any form of violence, discrimination, ill-treatment or abuse were included in the “improving quality of life” focus area of the National Disability Policy 2011–2030.

122. Under the action plan for 2016–2018 and their own internal regulations, the relevant institutions committed to address violence in all its manifestations and in all settings, in accordance with laws, procedures and institutional policies on gender, disability, diversity, inclusion and labour protection for persons with disabilities.

123. The National Institute for Women is the lead agency in this field and has included relevant actions in the National Policy for Effective Equality between Women and Men and the National Plan for Addressing and Preventing Violence against Women of All Ages. The institutions in charge of promoting and defending the human rights of minors, young people, older persons and Indigenous people and – as stipulated in the National Disability Policy and the National Plan – all other institutions have made commitments in relation to violence prevention and response.

124. Following the entry into force of the Labour Law Reform Act, the framework for protecting persons with disabilities from discrimination in the workplace was strengthened, and awareness-raising activities for staff, employers, trade unionists and social organizations were stepped up.

125. In the field of education, the Ministry of Education highlights the Schools for Change Programme, which fosters sociocultural change through social communication and training strategies targeting young people, thereby strengthening protective factors against violence at the local, regional and national levels.

126. Within this framework, CONAPDIS, together with the Council of Young Persons, participates in platforms that enable engagement with initiatives which promote a culture of peace and social inclusion, such as the Civic Centres for Peace, and raise the visibility of, and prevent and address, violence affecting persons with disabilities in all spheres of social life. It also provides information, advice and training for different target audiences in the matter, as well as on mechanisms in place to enforce and restore their rights.

127. Below is information on measures taken to protect women with disabilities from violence, exploitation and abuse, in particular against sexual violence and harassment in all settings, and on the implementation of protocols for their protection from all forms of violence, exploitation or abuse.

128. According to the information provided by CONAPDIS, general measures for the protection of women, including women with disabilities, comprise specific mechanisms (disability and gender equality and equity units and commissions), relevant policies and general protection procedures (regulations, protocols, guidelines, handbooks, complaints procedures) to address different types of violence, including: rules and institutional policies on sexual harassment; the inter-agency protocol for comprehensive care for rape victims; the protocol for police intervention in cases involving sexual harassment in public or publicly accessible spaces, which is used for training Ministry of Public Security staff; the protocol to assist older persons exposed to violence or neglect; and the protocol for action in response to bullying and other forms of violence in the education system.

129. The Domestic Violence Act establishes special protection mechanisms which draw their legal basis from international human rights law and the Constitution. Particularly relevant at the domestic level is Decree No. 41240-MCM-JP-S-MSP establishing an inter-agency protocol for intervention and risk assessment in situations of gender-based violence (see annex 12).

130. In 2018, a presidential statement was issued which focuses on intervention, response and prevention of violence against women (see annex 13: Decree No. 4120-MP-MCM and annex 14: Directive 018-MP-MCP), and a plan on institutional priority actions to ensure compliance with both policy tools for the period 2018–2019 (see annex 15) was adopted.

131. The judiciary has protocols on support for victims of sexual crimes and crimes associated with domestic violence, which aim to prevent the revictimization of all victims, including women, girls and boys, standardize the support provided to persons in vulnerable situations, including persons with disabilities, and address, investigate and prosecute this type of crime.

Protecting the integrity of the person

132. See below for information regarding the Act on the Promotion of Personal Autonomy of Persons with Disabilities, which sets out, in article 11 (d), that “sterilization will be an exceptional practice to be applied at the request of the person with disabilities or where necessary and indispensable to the preservation of their life or physical integrity”, how this provision is implemented in practice, what measures have been taken to ensure the free and informed consent of persons with disabilities and who determines that sterilization is “necessary and indispensable” and how.

133. According to article 17 (h) of the regulations implementing Act No. 9379, sterilization or any other medical intervention is deemed necessary and indispensable when the life of the person with a disability is at imminent risk as a result of a new, unforeseen situation. The regulations and protocols applicable in such situations are the same as those used for other persons. Using a different procedure on grounds of disability would constitute discrimination.

134. The Costa Rican Social Insurance Fund reports that, at the institutional level, pursuant to the provisions of Act No. 9379 and official letter DJ-02436-2011 issued by the Legal Department, if a person is unable to give informed consent to a sterilization procedure due to an intellectual or psychosocial disability, the health professional shall refer him or her to a psychiatrist. The psychiatrist shall bring the case before the Family Court, which shall be responsible for authorizing the procedure.

Living independently and being included in the community

135. Below is information on progress in the deinstitutionalization of persons with disabilities, including those admitted to psychiatric hospitals.

136. The rights of children with disabilities are safeguarded and protected under the protocols applied by the local offices of the National Child Welfare Agency. The place of residence is assigned on the basis of availability, age group and accessibility of shelters and non-governmental facilities. There are no targeted or specific projects that facilitate the inclusion of persons with disabilities in the community.

137. CONAPDIS has noted the implementation of a policy of deinstitutionalization of long-term psychiatric patients undertaken by the national health services. By April 2018, all persons institutionalized in the National Psychiatric Hospital were moved out. It took 20 years to complete this process, and thanks to the support of the National Council of Older Persons and CONAPDIS, the long-term care unit was closed for good. Residents were transferred to privately run shelters with the necessary infrastructure, human resources and training in different parts of the country, including Pavas, Rohrmoser, Jacó, Pérez Zeledón, San Carlos, Guácimo, the central canton of San José, Alajuela and Heredia.

138. All 696 former residents of the long-term care unit were permanently relocated, with the support of CONAPDIS and the National Council of Older Persons: 7.9 per cent were placed with relatives, 46.4 per cent were relocated to shelters, 28.2 per cent to homes for older persons, 3.4 per cent were transferred to other hospitals, and 14 per cent died at the

hospital in the period under consideration. Most of the people discharged before 2005 were relocated with their families, accounting for approximately 500 residents. They were provided with alternative community-based housing which complies with the relevant infrastructure and technical standards.

139. In addition, persons with psychosocial disabilities in conflict with the law admitted to the Rehabilitation Centre for Persons with Mental Illness in Conflict with the Law by court order whose relatives are unwilling to take them back after they have committed a crime have access to alternative housing under the protection component of the Poverty and Disability Programme run by CONAPDIS to facilitate their social inclusion in the community.

140. Below is information on the steps taken to implement the Act on the Promotion of Personal Autonomy of Persons with Disabilities and the timeline for the adoption of the implementing regulations for the Act.

141. The regulations implementing Act No. 9379 were published in Official Gazette No. 90, issue No. 108, of 23 May 2018 and have thus formed part of the domestic legal order since then. Costa Rican legislation protects the right of persons with disabilities to live with their families or anyone else of their choosing.

142. Among the programmes on housing and personal autonomy, CONAPDIS coordinates the family-based living services programme and the programme for the promotion of personal autonomy of persons with disabilities.

143. Under the family-based living services programme, the Government helps adults with disabilities aged 18 to 65 years who have been abandoned to find a place to live and pursue their life goals.

144. Within the context of activities and measures carried out in implementation of the Act on the Promotion of Personal Autonomy of Persons with Disabilities, the National Training Institute has been tasked with educating and training personal assistants.

145. Henceforth, only personal assistants certified by the National Training Institute shall be entitled to deliver personal assistance services to persons receiving financial allowances under the Act. To this end, the Institute developed a training course for personal assistants with a rights-based approach to independent living, which was launched in December 2018.

Establishment of the Unit for Personal Autonomy and Independent Living and initiatives it is carrying out

146. CONAPDIS carried out a partial institutional reform, which included the creation of the Unit for Personal Autonomy, whose functions are set out in Act No. 9379 and the regulations implementing the Act. This Unit is currently in operation.

147. Below is information on measures adopted to ensure that all persons with disabilities maintain their autonomy and self-determination in choosing their place of residence and where and with whom they live, are not obliged to live in a particular living arrangement and make their own decisions regarding their inclusion in the community.

148. When it comes to projects to promote the inclusion of persons with disabilities in the community, three government initiatives should be mentioned:

149. Community development: by virtue of the functions assigned to the National Directorate for Community Development in the Act on Community Development (No. 3859) and its implementing regulations, the National Council for Community Development, acting on a request from the Institutional Committee on Disability Matters, adopted agreement No. 5 at its seventeenth regular session on 2 June 2016, which provides that, in order for community projects to be approved, they must be universally accessible.

150. In terms of access to housing suitable for the needs of persons with disabilities, Costa Rica draws on a broad body of domestic and international legislation and public policies that take due account of disability.

151. In the context of laws and public policies on housing and human settlements, the Ministry of Housing and Human Settlements, within the scope of its competencies, has the duty to develop actions and rules that promote participation, independent living and

non-discrimination of persons with disabilities in inclusive environments. Access to adequate housing suitable for the needs of persons with disabilities is recognized as a fundamental right.

152. Socio-educational activities are carried out for care home management staff, foster families and other care modalities for adults with disabilities around human rights and personal autonomy of persons with disabilities to encourage users to engage with community services and to prevent segregation or placement in shelters.

153. Below are specific data on the proportion and number of persons with disabilities who are in institutions and the number of persons with disabilities who have alternative housing arrangements, disaggregated by type of arrangement (foster families, single-person households, group homes).

154. The National Child Welfare Agency provides the following information on minors with disabilities:

Table 1

Costa Rica, number of minors with disabilities in alternative care, 2019

<i>Type of alternative care facility (shelters, day care/residential care facilities run by NGOs, foster homes)</i>	<i>Name of alternative care facility</i>	<i>No. of persons with disabilities in the alternative care facility</i>
Institutional shelter	Posada del Niño	3
Institutional shelter	Gunther	3
Institutional shelter	Turrialba	4
Institutional shelter	Cartago	1
Institutional shelter	Zapote	1
Institutional shelter	Hogar del Sol	3
Institutional shelter	Pétalos de rosa	3
Institutional shelter	Gaviota	1
Institutional shelter	Estrellas de luz	2
Institutional shelter	Sueño de Esperanza	1
Institutional shelter	Barrio San José	4
Institutional shelter	Osito Pequitas	1
Institutional shelter	Casita Orotigre	2
Institutional shelter	Las orquídeas	1
Institutional shelter	Hatillo	3
Institutional shelter	Santa Cruz	1
Residential village	Moín	3
Residential village	Arthur Gough	31
Day care	Heredia Episcopal Home School	3
Day care	Barrio Cuba Episcopal Home School	1
Day care	Fundación Piedad Linda Vista	1
Day care	Fundación Piedad Los Guidos	1
Day care	Cecudi de Alajuelita	1

<i>Type of alternative care facility (shelters, day care/residential care facilities run by NGOs, foster homes)</i>	<i>Name of alternative care facility</i>	<i>No. of persons with disabilities in the alternative care facility</i>
Day care	Luz de Cristo Children's Centre	1
Day care	Sueño de Colores Children's Centre	2
Day care	Zetillal Children's Centre	3
Day care	Mariano Youth Association	2
Day care	Abraham Foundation	5
Day care	15 de Setiembre Children's Centre	4
Day care	Manos Amigas Llevando Esperanzas Comprehensive Children's Centre	1
Day care	Trono de Dios Children's Centre	4
Day care	Hogar del Niño Feliz Children's Centre	1
Day care	Los Chiles Children's Centre	5
Foster homes		101
Residential	Casa Maín	1
Residential	Hogar San Agustín	22
Residential	Hogar de Vida	3
Residential	Turrialba Children's Home Association	1
Residential	City of Children	2
Residential	SOS Children's Village Santa Ana	10
Residential	SOS Children's Village Tres Ríos	17
Residential	SOS Children's Village Youth Home	
Residential	Santo Hermano Pedro Foundation	6
Residential	Manos Abiertas Foundation	53
Residential	Luis Amigo Youth Centre	1
Total		320

Source: National Child Welfare Agency, 2019.

155. Based on data provided by CONAPDIS, as of January 2019, 1,504 people are served under the family-based living services programme. The table below reflects the number of persons per alternative housing option.

Table 2
Costa Rica, number of persons covered by the CONAPDIS family-based living programme, 2019.

<i>Modality</i>	<i>Number of persons</i>	<i>Women</i>	<i>Men</i>
Other	49	24	25
Private home	493	205	288

<i>Modality</i>	<i>Number of persons</i>	<i>Women</i>	<i>Men</i>
Marital home	29	17	12
One-person household	250	122	128
Group home	65	29	36
Residential institution	93	46	47
Foster family	288	133	155
Multifamily home	237	127	110
Total	1 504	703	804

Source: CONAPDIS, 2019.

156. The document in annex 3 provides data disaggregated by province, canton, district, and funding source.

Table 3

Number of persons living in alternative housing arrangements, in absolute numbers, 2014–2018

<i>Year</i>	<i>Beneficiaries</i>
2014	1 277
2015	1 267
2016	1 325
2017	1 448
2018 (**)	1 560

Source: CONAPDIS, 2018.

(**) As at 31 October.

Freedom of expression and opinion, and access to information

157. Below is information related to legislative and other measures adopted to ensure that information provided to the general public is also available to persons with disabilities in a timely manner and without additional cost, in accessible formats and technologies appropriate to different kinds of impairments.

158. In order to promote the right to access to information and communication, the Government has included in the National Telecommunications Development Plan 2015–2021 goal No. 14, which calls on central government institutions to apply accessibility and universal design principles in the development of web-based portals, sites and services in order to enable access to information and communication for persons with disabilities. This measure falls within the remit of CONAPDIS. In order to meet this goal, the Web Content Accessibility Guidelines (WCAG) 2.1 standard of the World Wide Web Consortium (W3C), which was adopted as a national standard by virtue of the Presidential Directive on accessibility in public sector websites. CONAPDIS participated actively in the drafting of the standard. In this context, the Technological Institute of Costa Rica conducted web accessibility evaluations for 150 public sector institutions in 2018.

159. Most of the institutions reported having made the following adjustments:

- Training in Costa Rican Sign Language and hiring of interpreters; W3C compliant accessible web page; disability-specific policies; use of NonVisual Desktop Access (NVDA), JAWS and similar software; in the education sector, documents in accessible formats: audio, Braille, Easy Read, large print or sound, and videos with sign language, subtitles and audio description.

160. The technical subcommittee on accessibility and universal design of information and communication technologies of the Technical Standards Institute of Costa Rica has developed six technical standards in this field.

161. Many institutions have reported that they lack the financial resources to establish or improve the accessibility of information, which might hamper progress.

Education

162. Information on measures taken to ensure inclusive quality education for all students with disabilities, including the revision of article 62 of the Code on Children and Adolescents, is set out below.

163. The Government has taken measures to reform the education system to make it inclusive. Notably, it issued an executive decree in 2018 to facilitate the transition to inclusive, equitable and quality education across all levels and modalities, which provides, among other measures, for the progressive transformation of special schools into learning support resource centres, the conversion of integrated classrooms into support services, the transfer of students from special to mainstream education, and the incorporation of Universal Design for Learning into training plans and educational curricula. This has been underpinned by education policies promulgated by the Higher Board of Education, as the lead agency in education, and technical guidelines on learning support to mainstream the inclusion of students with disabilities across the regular education system.

164. The National Council of Children and Adolescents is pushing for an overhaul of the Children and Adolescents Code. State universities have taken measures to facilitate the admission, retention and graduation of persons with disabilities through support services, the creation of accessible infrastructure, teacher training and awareness-raising. The Higher Board of Private Education has decreed that all private universities must be accessible.

165. The Ministry of Education has made provision for learning supports and reasonable accommodation, as appropriate. The National Resource Centre for Inclusive Education delivers services to public primary schools nationwide.

166. State universities and vocational schools have also made provisions for delivering such services to their students. General education establishments, universities and technical schools are equipped with assistive devices; in the case of technical schools, the law provides for a 10-day deadline.

Progress made in terms of physical accessibility of schools at all levels of education

167. The Ministry of Education reports that physical accessibility adjustments have been made in 66 per cent of all schools. In line with Act No. 7600, the Ministry has incorporated prototypes and special designs in all its plans to ensure that all recent and future education infrastructure projects are developed in strict compliance with the Act. The Ministry draws on the guidance provided in the annexed document entitled “Accessibility of the physical environment – barrier-free schools”.

Measures taken to include students with disabilities in mainstream education

168. Work is currently under way to consolidate and implement the following measures adopted by the Ministry of Education: learning support for children with disabilities or developmental risk aged 0–6 years; special education support delivered in kindergartens and the first and second cycles of general basic education; and learning support services in the third cycle and diversified education. The hospital classrooms have been replaced by a hospital learning centre at the Dr. Carlos Saenz Herrera National Paediatric Hospital and the child and youth support centre at the Rafael Angel Calderón Guardia Hospital. The Helen Keller Rehabilitation and Training Institute has been converted into the Helen Keller National Education Centre, which implements a competency-based curriculum. Integrated classrooms are gradually being converted into support services as students are being transferred from special to mainstream education. Ministry of Education Decree No. 40955 of 2018 establishes a 10-year deadline for completing the process of converting the 22 special education centres into resource centres.

Health

Accessible, affordable and high-quality health services

169. There is a broad framework of public health policies in place during the reporting period. It is necessary to recognize that these policies were not always drafted with the right to close consultation and involvement of persons with disabilities in mind. The redrafting of such policies in an inclusive manner presents an opportunity to improve the management of inclusive public policies. There is no information on the partial results of the implementation of these policies, plans and strategies in relation to improving the conditions and quality of life of persons with disabilities.

170. Several programmes and projects have been developed since 2014, including: the disability, accessibility and rehabilitation programme: cerebral palsy guide; internal protocols for head trauma, spinal cord injuries, stroke, Guillain-Barré, pressure ulcers, facial paralysis, etc.) (Costa Rican Social Insurance Fund); postgraduate training of physiatrists (National Rehabilitation Centre – Costa Rican Social Insurance Fund); the non-contributory scheme programme and the severe cerebral Palsy programme (report of the Costa Rican Social Insurance Fund, 2015); the institutional programme for physical accessibility (report of the Costa Rican Social Insurance Fund, 2015); the single digital health record project (2015 report of the Costa Rican Social Insurance Fund on the single digital health record, to which, 2015 the “disability” variable is currently being added); virtual course on sexual and reproductive health, women and disability, in coordination with the National Institute for Women (report of the Costa Rican Social Insurance Fund, 2015); project on estimating the prevalence of diseases associated with preventable blindness and visual impairment in Costa Rica (2015).

171. The National Insurance Institute reports that almost all of its offices and buildings have been designed according to the principles of universal design. It is also improving its website’s accessibility, developing signage for persons with visual impairments in its facilities nationwide and training staff to assist persons with disabilities.

172. In its pharmacy service, the National Insurance Institute drafted a guide that advises pharmacy staff on how to provide accessible information and communicate effectively with people in the health services network. In the hospitalization process, specific needs are identified upon admission and the pharmacy is also informed. Staff trained in Costa Rican Sign Language are available in each part of the hospital.

173. In terms of ensuring accessibility, affordability and quality in health services, Costa Rica follows the principle of universalization of health services and insurance by the State.

174. The measures taken to improve the accessibility and quality of health services are in line with the fundamental principles of social security in Costa Rica, namely: universality, solidarity, unity, equality, progressive development of social security benefits, consistency between social security and economic reality, social participation, comprehensiveness, immediacy, subsidiarity of the State, and preferential allocation of resources.

175. Specifically in the area of mental health, the following measures, inter alia, have been taken:

- The postgraduate psychiatry training course has been extended to four years and now has a community focus, with the subject of human rights playing a central role.
- The creation of new psychiatric services in national, regional and peripheral hospitals is being promoted.
- Interdisciplinary mental health teams have worked to bring care closer to users, strengthen families and prevent abandonment.

176. Fundamental measures for the accessibility of services include the development of the National Mental Health Policy 2021, founded on a human rights-based model of care for persons with disabilities; the creation of bioethics committees for both research and clinical practice, which regulate practices in accordance with human rights; training in human rights for mental health staff; and the promotion of the model in public and private universities.

177. Information on initiatives related to the promotion of health, secondary prevention and health-care and rehabilitation services for persons with disabilities is set out below.

178. Outcomes of the implementation of initiatives for the promotion of health, secondary prevention and health-care and rehabilitation services for persons with disabilities include: the creation of a team to coordinate analysis, the creation of an inventory of institutional services and the development of a plan to meet the needs of persons with disabilities – by directing resources according to the plan's requirements at the corresponding level of care in the service network – and to make it possible to track the person's progress.

Free and informed consent

179. The health services operate on the basis of free and informed consent.

180. The Costa Rican Social Insurance Fund acts in accordance with the Regulations for Informed Consent of the Costa Rican Social Insurance Fund in Health-Care Practice, the Protocol for the Care of Users of the Costa Rican Social Insurance Fund Services, the Comprehensive Policy on Good Treatment and Act No. 8239 on the rights and obligations of users of public and private health services.

181. In accordance with article 5 of the Regulations for Informed Consent of the Costa Rican Social Insurance Fund in Health-Care Practice, for the informed consent process to be applied by the responsible health professional, the physical presence of the user, if he or she has legal capacity, or of the user and his or her legal representative, in the case of legal incapacity, is required.

182. Article 7 states that the person who holds the right to consent to the recommended clinical procedure is the user or his or her legal representative.

183. Information on ways in which informed consent is sought from institutionalized persons concerning treatment or other medical acts and any existing safeguards in that regard is outlined below.

184. The Costa Rican Social Insurance Fund applies the Regulations for Informed Consent in Health-Care Practice. According to article 5 of these regulations, on necessary conditions, in order for the responsible health professional to apply the informed consent process, the following conditions must be met:

185. Physical presence of the user if he or she has legal capacity, or of the user and his or her legal representative in the case of legal incapacity; identification and credentials of the health professional responsible for the process; absolute respect for the privacy of the user during his or her health-care experience; confidential handling of information on the health condition of the user, except in the cases established in these regulations; and respectful and clear communication during the entire health-care process; assessment by the health professional of the volitional, cognitive and judgment capacity of the user to freely exercise his or her will, with interdisciplinary support or qualified assessment if necessary; and access by the user to accurate, complete and concise information about his or her health condition, except in cases of therapeutic privilege.

Access to information on sexual and reproductive rights

186. The Costa Rican Social Insurance Fund's Comprehensive Care for Adolescents Programme provides technical advice to the Organizational Communication Department and other institutional bodies on the rights of adolescents, with a focus on inclusion.

187. In the area of sexual and reproductive health, the National Rehabilitation Centre, together with the National Women's Hospital, is developing the Sexual and Reproductive Health Programme to ensure that women with disabilities have access to these services.

188. The Guidelines for Advice on and Prescription of Contraceptive and Protective Methods, as part of the Comprehensive Health Care for Adolescents Programme in Costa Rican Social Insurance Fund health facilities, stipulate that advice on and prescription of contraceptive and protective methods should be tailored to the particular needs of persons with disabilities. This model of care was developed five years ago.

Habilitation and rehabilitation

189. The Costa Rican Social Insurance Fund carries out various activities to promote the autonomy, inclusion and participation of persons with disabilities. For example, at the National Rehabilitation Centre, the social work service conducts health education sessions for staff of the Centre and from other institutions. These sessions cover aspects of Act No. 7600 on Equal Opportunities for Persons with Disabilities, the Convention, awareness-raising, and the social environment of persons with disabilities. In 2018 alone, 25 sessions were held, enabling 428 people to be trained.

Work and employment

Promoting the employment of persons with disabilities

190. Measures to promote employment in the public sector come under the remit of the Inter-Institutional Technical Commission for the Employability of Persons with Disabilities, of the Ministry of Labour and Social Security. The measures implemented in 2017 include the following.

191. Workshops to strengthen the implementation of Act No. 8862 on Inclusion and Labour Protection of Persons with Disabilities in the Public Sector and its regulations in public institutions; submission of the document “ABC of Labour Inclusion for Persons with Disabilities in the Public Sector”; and the review and creation of various documents that will serve as a guide for institutions that want to implement policies for the inclusion and labour protection of persons with disabilities.

Creation of strengthened instruments for data collection and institutional strengthening workshops

192. The Department of Equal Opportunities for Persons with Disabilities of the Ministry of Labour has taken various measures to promote employment, such as: inclusion of persons with disabilities in decent jobs, including the promotion of respect, equality, equalization and non-discrimination; advice and support for public and private sector employers on the inclusion of persons with disabilities in the labour market; training sessions for a range of social actors on the subject of labour and disability; psychosocial support for persons with disabilities and their families and organizations, through individual, group, family and business sessions, and the provision of tools to support the effective integration of disabled persons into the socio-professional environment; guidance and advice for persons with disabilities and their families and organizations on entering the workforce, self-employment and tools for fostering entrepreneurial activities; and assistance and advice for persons with disabilities who face discrimination in the workplace or who require support to improve conditions in the workplace.

193. Local governments have implemented a number of measures aimed at promoting the inclusion of persons with disabilities in the labour market through the *Empléate Inclusivo* programme, in coordination with the Ministry of Labour and Social Security. Young persons with disabilities aged between 17 and 35 who are in a vulnerable socioeconomic situation (extreme, non-extreme and basic poverty) certified by the Joint Institute for Social Aid’s social information form can be enrolled in the programme.

Employment quotas for persons with disabilities

194. The General Directorate of the Civil Service, as the governing body for public employment, conducted an electronic registration process in May 2016 with the purpose of forming a registry that would allow identification by geographic area, type of disability, and trade or profession, among other variables, thus creating a national registry in which 1,190 people were registered.

195. This process highlighted the need to hold the first ever competitive examination exclusively for persons with disabilities, as a form of affirmative action, in order to comply

with the provisions of Act No. 8862 of 11 November 2010, the Act on Inclusion and Labour Protection of Persons with Disabilities in the Public Sector.

196. According to the data provided by the General Directorate of the Civil Service, in the institutions covered by the civil service regime, 229 persons with disabilities were employed as of December 2018, of whom 109 were women (48 per cent) and 120 were men (52 per cent).

197. According to the data provided by the Unit for Technical Strengthening of Human Resources Management, in the institutions covered by the civil service regime, 271 persons with disabilities were employed as of December 2018.

Adequate standard of living and social protection

198. See below for information on specific measures taken in favour of persons with disabilities in poverty reduction strategies and how these measures have helped improve their quality of life.

199. In terms of adequate standard of living and social protection, the institutions have implemented a number of measures.

200. The provision of financial support to persons living in poverty and/or neglect to cover their basic needs and needs arising from their disability has been established by the Government as one of the sectoral goals of the social welfare and family sector. The Government met its goal of providing financial support to 2,600 families in extreme poverty in the first half of 2018.

201. Within the framework of the Joint Institute for Social Aid's "Bridge to Development" strategy, CONAPDIS affirmed that it would provide preferential, timely and obligatory assistance to the 76 prioritized territories, including persons with disabilities from the families selected by the strategy. It would ensure they received additional support, such as through the provision of diapers, direct assistance, specialized medicines, nutritional supplements, a monthly allowance, educational material and transportation.

202. In addition, the National Housing Financing System has established that the families of persons with disabilities are entitled to receive one and a half times the housing allowance. Through its "Bridge to Development" strategy to reduce poverty, the Joint Institute for Social Aid plans to assist 54,600 families in 78 priority districts.

203. Of the 55,157 families that have benefited from the "Bridge to Development" strategy since it became operational, 12,164 (22 per cent) are families of persons with disabilities.

204. The measures taken in favour of persons with disabilities have been implemented in an attempt to alleviate poverty. As a result, 37,166 persons with disabilities were direct beneficiaries of the Social Protection and Promotion Programme for 2018, with a social investment of 15,778,298,754 Costa Rican colones.

205. Likewise, with regard to communal projects, according to the Department of Communal Socio-Productive Development of the Joint Institute for Social Aid, three projects were carried out in 2018 that benefited persons with disabilities. They required a total social investment of 341,000,000 Costa Rican colones.

206. As an affirmative action measure for the social protection of people with Down syndrome, the Costa Rican Social Insurance Fund made the decision to allow them to retire after having reached 40 years of age and having made 180 social security contributions.

207. Below is information on the steps taken to provide social protection to persons with disabilities in situations of extreme poverty, as well as measures to cover, through social security, the additional costs incurred by persons with disabilities in relation to their particular disabilities.

208. Thanks to technical advice from CONAPDIS and in collaboration with the Joint Institute for Social Aid, Costa Rica has incorporated disability into the criteria for assessing poverty and extreme poverty.

209. There are two instruments for collecting information from the user population, which in turn become input for social assessment: the social information form and the social information form for institutionalized persons without a fixed address. Their corresponding variables – variable 54 and variable 37, respectively – make it possible to record individuals' disability type. This typology was collectively defined by the Joint Institute for Social Aid and CONAPDIS.

210. Both instruments have been adjusted to take into account the assessment of the poverty status of persons with disabilities, in application of Act No. 9379 at the institutional level. This assessment is made with reference to the disability poverty line, a measurement that classifies individuals, households and families that do not have the resources to cover the costs of the standard basic basket of expenses, the basic disability-related basket of expenses and the costs of personal assistance.

211. Through the Costa Rican Social Insurance Fund administration, the Government offers persons with disabilities over the age of 65, or those under 65 who are unable to work, a welfare pension, even if they have not contributed to the social security system, known as a non-contributory pension scheme.

212. Through the Social Protection Board, funds are transferred to NGOs that promote the social welfare of persons with disabilities and offer them social assistance.

Participation in political and public life

213. Civil and electoral rights are guaranteed for all persons with disabilities, including persons with intellectual and/or psychosocial disabilities.

214. Civil and electoral rights are guaranteed for persons with intellectual and/or psychosocial disabilities throughout Act No. 9371, specifically in article 5, which recognizes the legal personality, legal capacity and capacity to act of all persons with disabilities and reaffirms that they are the holders of their rights and can legitimately exercise them.

215. Based on the information provided by the tenth national population census and the sixth national housing census regarding the 10.4 per cent of the population with disabilities, and in accordance with articles 95 (4) and 99 of the Constitution and the provisions of Act No. 7600, the Supreme Electoral Tribunal adopted a series of procedural and institutional measures to improve the inclusion of persons with disabilities in electoral processes. As a result, what is now known as the Accessibility Programme for Exercising the Right to Vote is managed through the Directorate of Electoral Registration and Financing of Political Parties, under the supervision of the Department of Electoral Programmes. Through this programme, the Supreme Electoral Tribunal guarantees equal conditions for exercising the right to vote for persons with disabilities and older adults.

216. Prior to national and municipal elections, the Accessibility Programme for Exercising the Right to Vote is responsible for providing training to a number of electoral agents (political parties, advisers and electoral guides) in order to inform them about the rights of persons with disabilities, raise their awareness of the issue and of the support services available that are designed to create an accessible environment, and provide them with tools to work with these citizens in a dignified and respectful manner.

217. This process is used to break down attitudinal barriers that stifle the ability of persons with disabilities to fully enjoy their political rights. On election day, it is usually physical obstacles that most discourage or prevent persons with disabilities from voting. Therefore, the Accessibility Programme for Exercising the Right to Vote must implement measures to facilitate the access of these voters not only to the polling station, but also to the vote itself.

218. Furthermore, the Supreme Electoral Tribunal is in charge of providing the necessary resources so that at the time of voting, citizens with disabilities can choose the voting method that is most convenient for them. Based on the interpretation of article 181 of the Electoral Code, voting methods include the secret ballot, the assisted vote and the public vote. For the municipal elections scheduled for February 2020, and the national elections scheduled for February 2022, the Supreme Electoral Tribunal will continue to implement all the aforementioned measures, which are summarized as follows:

- Mobile identity card campaigns in homes for older adults, mental health centres and prisons.

219. Setting up boards to run voting stations in nursing homes and mental health centres, including the two psychiatric hospitals and the Rehabilitation Centre for Persons with Mental Illness in Conflict with the Law.

220. Provision of support packages to each voting station board. This includes a Braille template, communication cards, a signature template, a magnifying glass, a non-slip template, a movable partition and a crayon cover.

221. Training will continue to be provided to the electoral agents in charge of receiving the votes on election day.

222. Groups of electoral guides will be on hand to assist citizens with disabilities and older adults.

223. In 2018, CONAPDIS, as the coordinating body for the implementation of the Convention, while respecting the exclusive competence of the Supreme Electoral Tribunal in electoral matters, evaluated the national elections (election of the President of the Republic and deputies) in terms of how accessible the process of casting a vote was for persons with disabilities. Persons with disabilities were asked to assist in evaluating the accessibility of the voting process. The evaluation included visits to polling stations and interviews with persons with disabilities. The annexes contain the recommendations issued to the Supreme Electoral Tribunal and the Ministry of Education, among other bodies.

224. The electoral process planned for 2018 will include all persons with disabilities, including those who continue to be deprived of their legal capacity and/or deprived of liberty due to their disability, such as those in psychiatric hospitals.

225. For the 2018 electoral process, all persons with disabilities who had been excluded from the electoral roll on the grounds of a declaration of insanity were now included in the electoral roll, in compliance with transitional provision I of Act No. 9379.

Positions occupied by persons with disabilities

226. The data on employed persons with disabilities in the public sector are presented below.

Table 4

Costa Rica, number of persons with disabilities working in public institutions as of February 2019

<i>Institution</i>	<i>Sex</i>		<i>Type of disability</i>				
	<i>Male</i>	<i>Female</i>	<i>Physical</i>	<i>Visual</i>	<i>Hearing</i>	<i>Intellectual</i>	<i>Mental</i>
Supreme Electoral Court	3	2	4	1			
Attorney General's Office	2		1	1			
Ministry of Foreign Affairs	1			1			
Ministry of the Environment and Energy	1				1		
National Insurance Institute	17	20	11	17	7	1	1
National Statistics and Census Institute	8	7	9				6
Rural Development Institute	1				1		
Institute on Alcohol and Drug Dependency	1	2		3			
National Fund for Social Solidarity Grants	1	3	3		1		
National Directorate for Community Development	2	1	1	1		1	

<i>Institution</i>	<i>Sex</i>		<i>Type of disability</i>				
	<i>Male</i>	<i>Female</i>	<i>Physical</i>	<i>Visual</i>	<i>Hearing</i>	<i>Intellectual</i>	<i>Mental</i>
Office of the Ombudsperson of the Republic	3	4					
Ministry of the Office of the President	3	2	2		2	1	
Costa Rican postal service	6	2	3		5		
Office of the Comptroller-General	3	2		3	1		1
National Council for Older Persons	1		1				
National Risk Prevention and Disaster Response Commission	0	0					
Total	53	45	35	27	18	3	8
Total number of persons with disabilities							98

Source: Produced by the authors based on data provided by the aforementioned institutions. 2019.

Steps taken to disseminate comprehensive information about legislative and electoral processes in accessible formats, including through Costa Rican Sign Language interpretation.

227. Costa Rican Sign Language is widely used across the different units of the Supreme Electoral Tribunal. The institution has invested in teaching this language to various employees, who are distributed throughout the institutional structure. Deaf people who come to the Tribunal's premises can easily communicate with the support of staff who speak Costa Rican Sign Language.

228. In addition, an application (avatar) that describes written texts in sign language has been incorporated into the Tribunal's webpage, specifically in the tab dedicated to the 2018 national elections. This same tool was made available in the electoral app "#VOTOINFORMADOOCR".¹

Participation in cultural life, recreation, leisure and sport

Cultural participation

229. The Ministry of Culture and Youth reported that adaptations have been made to facilitate access to cultural facilities (ramps, lifts, provision of preferential spaces for persons with disabilities) and activities. Due to budgetary limitations, total accessibility has not yet been achieved.

230. Although progress has been made, the Ministry of Culture and Youth indicates that there is a lack of training and an insufficient budget and number of staff to move forward more quickly on this issue. It has cited the infrastructure improvements made in the National Library System in 2017, including to facilities at the San Ramón de Alajuela Public Library (remodelling of the children's room, offices and restrooms) and the Centre for Research and Conservation of Historical and Cultural Heritage, which safeguards the country's historical and architectural heritage, including guidelines for incorporating the perspective of persons with disabilities when remodelling historic buildings.

Touristic areas

231. Through the Institutional Commission on Accessibility and Disability, the Costa Rican Tourism Board has stated, with supporting photographic evidence, that in the main building of the Costa Rican Tourism Board and tourist stops and viewpoints its administrative actions are duly compliant with the applicable regulatory framework on universal design (Act No. 7600). Specific examples include the Ujarrás and Orosí viewpoints in Cartago

¹ <http://resultados2018.tse.go.cr/comunicado471.htm>.

(physical accessibility in reserved car parks, restroom facilities, adequate slopes on ramps and paths) and the new National Centre for Congresses and Conventions in Heredia, a building that received an award from the Federation of Engineers and Architects for its high level of accessibility and universal design.

232. CONAPDIS, which has taken the lead on the issue of accessible tourism, reports affirmative action measures in universal accessibility for the development of inclusive environments, spaces and services with a universal design approach, in support of the National System of Conservation Areas and other non-governmental entities. Accessible trails have been put in place in the following national parks: Santa Rosa (2016), La Selva (2016), Arenal Volcano (2017), Guayabo (2017), Caño Negro (2017), Manuel Antonio (2018), Cahuita (2018), Bahía Ballena (2018–2019) and Corcovado (2018–2019).

233. In 2019, the first beach with an accessible walkway was inaugurated in Jacó, Puntarenas, and work on similar projects is also being carried out through such bodies as the National Institute of Pacific Ports in Puntarenas, the Costa Rican Tourism Board in Papagayo and ProParques in Cahuita.

Specific obligations

Statistics and data collection

234. In reference to specific measures to update statistical data and information on disability, the Costa Rican Disability Information System project has established the Statistics and Indicators Subsystem, which consists of the production, compilation, processing, analysis, interpretation and presentation of systematic statistical information related to disability in the Costa Rican context. Its components are:

- National statistics. In conjunction with the National Statistics and Census Institute, between September and November 2018, the national survey on disability was conducted in 13,440 households. All the information provided by the survey will make it possible to monitor compliance with national and international commitments, as well as to consider the issue of disability from an accessibility perspective and on the basis of data that highlight the needs and contexts of people with disabilities. With regard to the national household survey, since 2011, the National Statistics and Census Institute has included a question on disability in this statistical survey, which is conducted annually. Other surveys have also incorporated a question on disability, such as the national youth survey conducted by the Council of Young Persons and the national culture survey conducted by the Ministry of Culture and Youth. As for the 2020 census, in conjunction with the National Statistics and Census Institute, 150 persons with disabilities were consulted in order to provide feedback on the proposal for measuring disability, obtained from the Washington Group on Disability Statistics, created by the United Nations.
- An indicator system has been incorporated into the Costa Rican Disability Information System platform. It is designed to put together a proposal of indicators and indexes on the status of the rights of persons with disabilities, which will serve as a basis for measuring the issue of disability in different areas of daily life. These indicators are divided into:

235. Structural indicators, which provide information on the ratification and adoption of legal instruments and the creation of basic institutional mechanisms; process indicators, which help to evaluate a State's efforts through its implementation of policy measures and action agendas; and outcome indicators, which capture individual, collective and institutional achievements that reflect the enjoyment of human rights in a given context.

236. In 2019, training was provided to the different institutions that make up the national disability information network.

237. Repository of digital documents on disability: the objective of this subsystem is the collection, management, long-term preservation and provision of accessible, open access to domestic scientific data on disability.

Costa Rican Disability Information System

238. In response to the recommendations of the Committee on the Rights of Persons with Disabilities that Costa Rica should gather disaggregated data on persons with disabilities that is consistent with the human rights model, and consult organizations of persons with disabilities regarding the criteria used in gathering that data and systematize gathering, analysis and publication of statistical data taking account of specific sectors of persons with disabilities, the Costa Rican Disability Information System was created through Decree No. 39419-MP-MTSS-MDIS-MREC-MIDEPLAN-MS and declared a system of public interest.

239. CONAPDIS is the institution responsible for coordinating the implementation of the Costa Rican Disability Information System, for which it has developed several measures, as described below.

240. This is an official platform for coordination and institutional linkage and the sectoral organization of the Costa Rican Government to facilitate the management and distribution of knowledge of national data on disability and associated rights. The platform uses an open access modality and contains information produced by institutions, academics, researchers and NGOs related to disability.

241. For the operation of the Costa Rican Disability Information System, a national disability information network has been formed. It is coordinated by CONAPDIS and composed of information nodes on disability – related to the production and use of institutional information – which are public, centralized and decentralized entities, NGOs, private sector organizations, the judicial and legislative branches and the Supreme Electoral Tribunal.

International cooperation

Main activities and goals for planning and implementation of the 2030 Agenda for Sustainable Development (2015–2018)

242. The implementation of the 2030 Agenda in Costa Rica has an established model that seeks to incorporate all sectors and actors in its governance system. This governance has four levels of application headed by a High-level Council, operationalized by the Technical Secretariat which comes under the Ministry of Planning and Economic Policy. It is complemented by the levels of coordination, which are implemented by the various sectors and actors and include the decentralized entities in which CONAPDIS is an adviser.

243. The document entitled “La Gobernanza de los Objetivos de Desarrollo Sostenible” (The Governance of the Sustainable Development Goals) can be found on the website ods.cr.

244. The 2030 Agenda comprises 17 Sustainable Development Goals with 169 targets and at least 169 indicators. It is up to each country to propose how the indicators should be measured at the national level. In the case of Costa Rica, the proposed indicators are available at the following link: <http://www.inec.go.cr/objetivos-de-desarrollo-sostenible>.

245. The National Statistics and Census Institute, the agencies of the United Nations (UNICEF, the United Nations Population Fund, the United Nations Entity for Gender Equality and the Empowerment of Women and the United Nations Development Programme) and the Ministry of Planning and Economic Policy are working on the analysis to develop statistical methods on the indicators and the data disaggregation prioritized for the Agenda. These disaggregated factors include: area (urban-rural), sex, age group, planning region, income, Indigenous Peoples and persons with disabilities.

246. Within the framework of international cooperation engaged in by Costa Rica, disability has been taken into account in initiatives such as: the Plan for the Inclusion of Persons with Disabilities in the Labour Market (United Nations Development Programme), the drafting and printing of 14,000 copies of an informative brochure on violence against persons with disabilities (United Nations Population Fund), the project on the participation and protection of persons with disabilities in emergencies and disasters sponsored by the United States Office of Foreign Disaster Assistance of the United States Agency for

International Development and by the Coordination Centre for Disaster Prevention in Central America and the Dominican Republic, whose implementing unit is the UNICEF country office; feedback on the adjustment of the model disability survey to prepare the questionnaire for the national survey on disability and the measurement of disability, for which international technical collaboration was provided by the World Health Organization and the Pan American Health Organization; and technical advice from an expert appointed by the Pan American Health Organization that feeds back into the disability certification procedure carried out by CONAPDIS. The Emprande project, aimed at women with disabilities, was also developed with the participation of CONAPDIS, women with disabilities and the National Institute for Women, with the support of the European Union.

247. In addition, disability-related initiatives are also being undertaken in the Central American Integration System, such as the project on the adoption of responsive, inclusive, participatory and representative decisions for the drafting of public policy on the care of persons with disabilities in the Central American Integration System, based on evidence and statistical data from the Secretariat for Central American Integration.

248. Also of note is the creation of the Ibero-American Programme on the Rights of Persons with Disabilities, which was approved at the twenty-sixth Ibero-American Summit of Heads of State and Government in Antigua, Guatemala, in November 2018.

National implementation and monitoring

249. The Office of the Ombudsman is in charge of the National Monitoring Mechanism of the Convention on the Rights of Persons with Disabilities. The monitoring process is carried out by the technical, professional and support staff assigned to the Mechanism, under the direction of the Office and with the oversight of a coordinator.

250. It was established through executive decree No. 39386-MRREE, on the designation of the Office of the Ombudsman to assume the functions of the National Monitoring Mechanism of the Convention on the Rights of Persons with Disabilities, No. 39386-MRREE, published in Official Gazette No. 40 of 26 February 2016. Agreement No. 00002137 provided for the incorporation of this mechanism into the Autonomous Statute of Organization of the Office of the Ombudsman, in addition to the redrafting of the manual on the macroprocess for the defence of rights, which introduces accessibility as a principle in the procedure for processing complaints and establishes that support services are to be provided for persons with disabilities.

251. With respect to article 33 of the Convention, Costa Rica has managed to establish the institutional framework within the administrative structure of the executive branch to coordinate the implementation of the Convention through the creation of CONAPDIS in 2015, as well as the designation in 2017 of the Office of the Ombudsman, an institution of the Legislative Assembly, as the independent body in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

Consultation process and collection of input from NGOs on the combined second and third periodic reports of Costa Rica to the Committee on the Rights of Persons with Disabilities

252. In order to comply with the principle of transparency, the Costa Rican Government decided to submit the report to organizations of persons with disabilities for consultation, which was facilitated by CONAPDIS and the Committee on Information of Organizations of Persons with Disabilities. The objective was to generate input for the preparation of an alternative report to the official report and to broaden and strengthen the knowledge of organizations of persons with disabilities in their active role as bodies monitoring the implementation of the Convention.