



Convention on the Rights of Persons with Disabilities

Distr.: General
30 September 2016
English
Original: Spanish

Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Colombia*

I. Introduction

1. The Committee considered the initial report of Colombia (CRPD/C/COL/1) at its 281st and 282nd meetings (CRPD/C/SR.281 and SR.282), on 23 and 24 August 2016. At its 292nd meeting, held on 31 August 2016, it adopted the following concluding observations.

2. The Committee welcomes the initial report of the State party and thanks it for its written replies (CRPD/C/COL/Q/1/Add.1) to the Committee's list of issues (CRPD/C/COL/Q/1). The Committee appreciates the constructive dialogue held with the State party's delegation.

II. Positive aspects

3. The Committee commends the State party for adopting:
- (a) Act No. 1618 of 2013 on persons with disabilities;
 - (b) National Public Policy on Disability and Social Inclusion (social policy paper No. 161 issued by the National Economic and Social Policy Council (CONPES));
 - (c) Act No. 1752 of 2015, which defines the offence of discrimination on grounds of disability;
 - (d) Act No. 1448 of 2011 on support, assistance and comprehensive reparation for victims of violence;
 - (e) The standards that formally recognize Colombian sign language as the native language of deaf and deaf-blind persons.

* Adopted by the Committee at its sixteenth session (15 August-2 September 2016).



III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1-4)

4. The Committee is concerned that the State party still has not ratified the Optional Protocol to the Convention.

5. **The Committee encourages the State party to ratify the Optional Protocol to the Convention.**

6. The Committee is concerned that the legislation and case law on the institutionalization of persons on the basis of disability, forced sterilization and procedures that restrict legal capacity have not been brought into line with the Convention.

7. **The Committee recommends that the State party adopt a plan for the review and amendment of all legislation that includes the immediate repeal of provisions that restrict the full recognition of the legal capacity of persons with disabilities, including Acts Nos. 1306 (2009) and 1412 (2010), as well as the Civil Code, the Criminal Code and procedural laws.**

8. The Committee is concerned that derogatory terminology continues to be used in laws, case law, regulations and official documents to refer to persons with disabilities, particularly those with psychosocial or intellectual disabilities.

9. **The Committee recommends that the State party remove all derogatory language that undermines the rights and dignity of persons with disabilities.**

10. The Committee is concerned about the lack of processes for the extensive and accessible consultation of organizations of persons with disabilities in adopting policies and other matters affecting them, and about the fact that their views are not reflected in the decisions adopted. It is concerned that the National Disability System does not provide the necessary resources to promote the effective participation of organizations of persons with disabilities and that the accreditation procedures for such participation are complicated and expensive, especially in rural and remote areas. It is also concerned that not all the seats designated for civil society representatives on the National Council for Persons with Disabilities have been filled.

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

(a) **Establish and strengthen mechanisms for extensive and democratic consultation of organizations of persons with disabilities, including those that represent women and children and older persons with disabilities, and indigenous and Afro-Colombian persons with disabilities, when adopting policies and other matters that concern them, take into account the results of such consultations and reflect them in the decisions adopted;**

(b) **Make accreditation procedures accessible, simple and quick for representatives of organizations of persons with disabilities at all levels of the National Disability System;**

(c) **Facilitate the appointment of representatives of organizations of persons with disabilities to the National Council for Persons with Disabilities.**

12. The Committee is concerned that the single register for locating and classifying persons with disabilities uses criteria based on the medical model of disability for the purposes of calculating pension and social assistance benefits. It is also concerned that to date only 2.59 per cent of the total population has been registered.

13. The Committee recommends that the State party review the criteria used for the single register for locating and classifying persons with disabilities and that it bring them into line with the human rights model of disability. It also recommends that the State party redouble its efforts to expand the register of persons with disabilities, especially in rural areas and the most remote locations. The Committee also recommends that it take steps to ensure data reliability and to update the data on a regular basis.

B. Equality and non-discrimination (arts. 5-30)

Equality and non-discrimination (art. 5)

14. The committee is concerned about discrimination against persons with disabilities, mainly against women and girls. It is also concerned that the denial of reasonable accommodation is not acknowledged as a form of discrimination, and that reasonable accommodation is rarely provided. It is concerned that multiple and intersectional discrimination is not recognized and that the State party has not taken steps to combat it; that few complaints have been filed for denial of reasonable accommodation; and that the complaints filed are not clearly disaggregated by type of disability.

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

(a) **Establish, within anti-discrimination legislation, the denial of reasonable accommodation as a form of discrimination in all areas of participation;**

(b) **Establish penalties under the law and remedies for those affected and recognize the multiple and intersectional dimensions of discrimination;**

(c) **Register the complaints filed for discrimination, disaggregated by sex, ethnicity, age and type of disability, among others;**

(d) **The Committee recommends that the State party be guided by article 5 of the Convention in pursuing targets 10.2 and 10.3 of the Sustainable Development Goals.**

Women with disabilities (art. 6)

16. The Committee is concerned about the limited measures taken to mainstream the disability perspective in the policies adopted by the High-level Presidential Advisory Office for Equality for Women and the national policy on women contained in CONPES social policy paper No. 161, and about the absence of the disability perspective in the policies and legislation designed to combat discrimination and gender-based violence.

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

(a) **Review the policies and strategies of the High-level Presidential Advisory Office for Equality for Women and the national policy on women contained in CONPES social policy paper No. 161 in order to better account for women with disabilities as a priority and in a cross-cutting manner;**

(b) **Incorporate the disability perspective in all the policies and strategies aimed at combating gender-based violence and take account of intersectional discrimination resulting from membership in Afro-Colombian, Raizal and indigenous communities, or from living in rural or remote areas;**

(c) **Be guided by article 6 of the Convention in pursuing targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals.**

Children with disabilities (art. 7)

18. The Committee is concerned about the limited information available on the situation of children with disabilities, mainly those who have been institutionalized or who are living in poverty or in rural or remote areas, and about the steps taken to protect their rights and facilitate their remaining with or return to their families or foster families. It is also concerned about the lack of a ban on corporal punishment of children with disabilities.

19. **The Committee urges the State party to more systematically gather data on children with disabilities and to take steps to prevent their abandonment, abuse and institutionalization. It encourages the State party to adopt a plan on the deinstitutionalization of children with disabilities, including those who are institutionalized on the basis of protection measures ordered by the Colombian Family Welfare Institute, and to provide community-based services and support to families, especially households headed by single mothers, in order to ensure the right of children with disabilities to grow up in a family environment and the right to have a family life. The Committee recommends that the State party repeal the provision in the Civil Code that authorizes adult childminders to correct and discipline children moderately and that it ban corporal punishment in any environment, including within the family and within indigenous and remote communities.**

Awareness-raising (art. 8)

20. The Committee notes with concern that the public and private initiatives carried out to raise awareness about persons with disabilities, such as the Teletón and the Día Blanco celebration, reflect a charity approach to disability.

21. **The Committee urges the State party to promote images that are respectful of the rights of persons with disabilities in all public education campaigns and to combat negative stereotypes, including through private initiatives. The Committee recommends that the State party support ongoing awareness-raising and training initiatives promoting the rights and dignity of persons with disabilities and aimed at public officials at all levels, justice officials, police and civil defence personnel, the media and Colombian society more generally, and, in doing so, work closely with organizations of persons with disabilities.**

Accessibility (art. 9)

22. The Committee notes with concern the absence of a national plan for implementing accessibility standards and the little progress made to ensure accessibility in rural areas, public transport, public service facilities, information and communication means, and accessibility for deaf persons, deaf-blind persons and persons with intellectual disabilities. It is concerned, moreover, that accessibility is not a prerequisite for the purchase and sale of public goods and services.

23. **The Committee recommends that the State party be guided by the Committee's general comment No. 2 (2014) on accessibility and that it:**

(a) **Develop and carry out an accessibility plan for the physical environment of public facilities, transport, and information and communication means, including related technology that complies with internationally recognized standards, throughout Colombia, with specific deadlines and non-compliance penalties and, in doing so, work closely with organizations of persons with disabilities, and seek to involve them in particular in monitoring the plan's implementation;**

(b) **Take into consideration the accessibility requirements of persons with disabilities who need more extensive support;**

(c) **Include accessibility as a prerequisite when issuing licences for provision of public goods or services;**

(d) **Be guided by article 9 of the Convention in pursuing targets 11.2 and 11.7 of the Sustainable Development Goals.**

Right to life (art. 10)

24. The Committee is concerned about reports that persons with disabilities were extrajudicially executed and later falsely reported as guerrillas in 10 cases of “false-positives”.

25. **The Committee recommends that the State party increase efforts to investigate the execution of persons with disabilities in “false-positive” cases during the armed conflict and establish criminal responsibility, and that it adopt measures to restore the dignity of victims and grant reparations to their families.**

Situations of risk and humanitarian emergencies (art. 11)

26. The Committee notes with concern the limited participation of persons with disabilities in the development and implementation of risk reduction strategies and the lack of information accessibility.

27. **The Committee recommends that the State party take measures, in the light of the Sendai Framework for Disaster Risk Reduction, for the inclusion of persons with disabilities in strategies for climate change adaptation and disaster risk reduction; for the inclusion of accessibility in infrastructure and evacuation routes; and for the provision of information on disaster risk reduction, including in Braille and sign language and using alternative modes and formats of communication.**

28. The Committee is concerned at:

(a) The fact that during the peace negotiations between the Government of the State party and the Fuerzas Armadas Revolucionarias de Colombia — Ejército del Pueblo (FARC-EP), the disability perspective has not been considered a priority in the context of the rehabilitation and social reintegration of victims with disabilities;

(b) The lack of accessibility of the Central Register of Victims and the shortage of reliable information and statistics on victims with disabilities;

(c) The large number of victims of anti-personnel mines and the limited efforts to ensure their full rehabilitation and community reintegration;

(d) The lack of accessibility and of the disability perspective in victim reparation programmes, such as that operated by the Land Restitution Unit, and the requirement of judicial interdiction in order to benefit from compensation as victims.

29. **The Committee recommends that the State party include the disability perspective in all victim reparation and assistance programmes, in coordination with the National Disability System and in consultation with victims with disabilities and the organizations representing them, in particular by:**

(a) **Adopting rehabilitation and social inclusion policies for persons with disabilities who are victims of the armed conflict, including measures for their rehabilitation and community reintegration with a gender approach, aimed specifically at persons who have developed psychosocial disabilities as a consequence of the armed conflict;**

(b) **Ensuring the accessibility of all procedures related to the Central Register of Victims, especially in rural areas and the most remote locations;**

(c) **Eliminating the interdiction requirement for victims of the armed conflict to benefit from reparation and support programmes.**

Equal recognition before the law (art. 12)

30. The Committee is concerned that the State party's Civil Code and case law still provides for restrictions on the exercise of legal capacity for persons with disabilities and that, as a result, they are denied access to justice and free and informed consent.

31. **The Committee recommends that the State party repeal any provisions of the Civil Code and other legislation that partially or fully restrict the legal capacity of persons with disabilities, and take legal and administrative measures to provide the necessary support to persons with disabilities to fully exercise this right and to take decisions in such areas as health, sexuality and education, while fully respecting their will and preferences, as established in the Committee's general comment No. 1 (2014), on equal recognition before the law.**

32. The Committee is concerned about the provision made, in Decree No. 1500 of 2014 of the Medellín Mayoral Office, for judicial interdiction in programmes for persons with disabilities living in the streets.

33. **The Committee recommends that the State party repeal Decree No. 1500 of 2014 of the Medellín Mayoral Office, review programmes to provide persons with disabilities with access to the support they may require in the exercise of their legal capacity, and adopt a plan for housing and support services for persons with disabilities to enable them to live independently and be included in the community.**

Access to justice (art. 13)

34. The Committee is concerned that the State party's General Code of Procedure bars persons with disabilities from appearing as witnesses, that procedural accommodations for persons with disabilities involved in judicial proceedings are not provided, and that accessibility aids, such as the use of Braille, sign language, or easy-to-read materials, are not available.

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

- (a) **Repeal article 210 of the General Code of Procedure;**
- (b) **Adopt procedural accommodations to facilitate the participation of persons with disabilities in any role and stage in judicial proceedings;**
- (c) **Ensure the accessibility of physical facilities, materials, information and communications throughout the justice system, including the availability of guide-interpreters, sign-language interpreters, and materials in easy-to-read and electronic format;**
- (d) **Strengthen training programmes on the rights of persons with disabilities for magistrates, judges, court, police, security and prison personnel and public defenders;**
- (e) **Be guided by article 13 of the Convention in pursuing target 16.3 of the Sustainable Development Goals.**

Liberty and security of the person (art. 14)

36. The Committee is concerned about the lack of detailed information on the number and situation of persons institutionalized and detained because of their disability. It is also concerned that persons with psychosocial disabilities are deprived of their liberty on the

grounds that they require medical treatment and with only the consent of their legal representative.

37. **The Committee recommends that the State party explicitly prohibit forced institutionalization on the basis of disability, and that it adopt protocols to guarantee the exercise of the right to free and informed consent of persons with disabilities.**

38. The Committee notes with concern that the Criminal Code still provides for the absence of criminal responsibility by reason of an intellectual or psychosocial disability, and that the protective measure of deprivation of liberty is applied without procedural guarantees.

39. **The Committee recommends that the State party amend its criminal legislation in line with the Convention, provide reasonable procedural accommodation for persons with disabilities involved in criminal proceedings and guarantee their right, on an equal basis with others, to due process, the presumption of innocence, and legal assistance and qualified defence counsel.**

40. The Committee notes with concern that centres of deprivation of liberty for convicted persons are not accessible and do not have specific health and rehabilitation services for persons with disabilities. It is also concerned about the fact that detained persons with disabilities do not have access to administrative benefits on an equal basis with others, for example, participation in vocational activities.

41. **The Committee recommends that the State party adopt an accessibility plan for all centres of deprivation of liberty for persons subject to criminal proceedings, and provide health and rehabilitation services and professional and vocational training for persons with disabilities. It also recommends that the State party, in implementing these recommendations, follow the guidelines on liberty and security of person (art. 14 of the Convention).**

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

42. The Committee notes with concern that the State party has not ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and that there are no national mechanisms to prevent or protect against torture, or legislation establishing as separate offences specific forms of torture committed against persons with disabilities.

43. **The Committee urges the State party to ratify the Optional Protocol to the Convention and to establish a national mechanism for the prevention of torture, whose mandate should include monitoring of institutions for the seclusion or internment of persons with disabilities, including psychiatric hospitals and long-term residential centres, within its mandate.**

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

44. The Committee is concerned at the high levels of violence caused by the armed conflict, which have significantly affected women and girls with disabilities, including civilians and former combatants, displaced women with disabilities, and victims of the conflict, for instance, as a result of anti-personnel mines or paramilitary activity, particularly in rural and remote areas. It is particularly concerned that such acts are tried in military courts.

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

(a) **Identify women and girls with disabilities, both civilians and former combatants, who were the victims of sexual violence during the conflict;**

(b) **Investigate and initiate proceedings in civilian courts to determine the criminal liability of the military and self-defence groups in cases of sexual violence against women and girls with disabilities during the armed conflict and in the period of transition towards peace;**

(c) **Give priority to programmes for preventing, eliminating and recovering from violence against women and girls with disabilities in conflict areas, as well as the return of displaced populations.**

Protecting the integrity of the person (art. 17)

46. The Committee is concerned that the sterilization of persons with disabilities without their consent, and with the authorization of a judge, is a legal practice, and has been confirmed by decisions of the Constitutional Court (C-182 of 13 April 2016 and T-303 of 2016), including the ordering of exceptions to Act No. 1412 of 2010 to authorize the sterilization of children with cognitive and psychosocial disabilities (C-131 of 2014).

47. **The Committee urges the State party to take the necessary steps to abolish the sterilization of persons with disabilities without their free and informed consent, including the repeal of article 6 of Act No. 1412 of 2010. It recommends immediately reviewing the decisions of the Constitutional Court, with a view to maintaining the prohibition, without exception, of sterilization of persons with disabilities, particularly children, without their free and informed consent, and taking measures, including the training of judges and prosecutors, with the involvement of organizations of persons with disabilities, on the rights of persons with disabilities and the international obligations of the State party, mainly those relating to non-discrimination on grounds of disability and the personal integrity of children with disabilities.**

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

48. The Committee is concerned that the transition of persons with disabilities from institutions to living in the community has not begun, and that there is a lack of support services for independent living.

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

(a) **Implement a plan for the deinstitutionalization of persons with disabilities, in close consultation with organizations of persons with disabilities, with specific timelines and sufficient resources for its implementation;**

(b) **Ensure that community services are available to persons with disabilities and are inclusive of persons with disabilities, and develop and make available at all levels, including municipalities and communities, the support services required by persons with disabilities, including personal assistance, to enable them to choose their place of residence and to live independently.**

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

50. The Committee is concerned about the limited progress made to provide persons with disabilities with access to information, using accessible modes, means and formats of communication, and the lack of resources for implementing Act No. 1680 of 2013.

51. **The Committee recommends that the State party ensure the provision of adequate economic, human, technical, digital and other resources to facilitate access**

to information in accessible modes, means and formats of communication and to adequately implement Act No. 1680 of 2013, in consultation with organizations of persons with disabilities.

Respect for home and the family (art. 23)

52. The Committee expresses its concern that persons with disabilities whose legal capacity is restricted owing to a declaration of judicial interdiction cannot marry or form a family without judicial authorization.

53. **The Committee urges the State party to repeal any restrictions that limit or prevent persons with disabilities from marrying and forming a family on the basis of the prior consent of the couple. It further recommends that the State party take steps to explicitly prohibit by law the placement of children outside their families on the basis of disability and to ensure that community support mechanisms are available to parents with disabilities.**

Education (art. 24)

54. The Committee is concerned at the low levels of enrolment of persons with disabilities at all levels of education, and the prevalence of publicly funded “special classrooms” located within mainstream schools. The Committee expresses its concern that discrimination on the basis of disability is one of the main reasons that persons with disabilities are turned away by mainstream schools, particularly in municipalities and local administrations, and that that rejection impacts on families’ access to means-tested poverty-reduction programmes. It is also concerned about the lack of teaching and reading materials in accessible formats and modes of communication.

55. **In line with the Committee’s general comment No. 4 (2016) on the right to inclusive education, the Committee recommends that the State party take the necessary legal and administrative measures to prohibit and punish discrimination on grounds of disability in the education system, including by municipalities and other local community authorities. In particular, it recommends that the State party:**

(a) **Adopt a national plan to transform the system into one that provides inclusive and quality education for all persons with disabilities, at all levels, and prohibits discrimination on grounds of disability;**

(b) **Guarantee the observance of the right to inclusive education through the adoption of a policy of non-rejection at public and private schools, and redouble efforts to enrol all persons with disabilities, especially those who require more intensive support, in rural and remote areas;**

(c) **Ensure the accessibility of environments, provide reasonable accommodation, and furnish pedagogical materials and techniques that are accessible to students with disabilities, including in Braille and Colombian sign language;**

(d) **Make inclusive education and the rights of persons with disabilities key components of teacher training from the outset and compulsory in the training of instructors before and during the exercise of their functions;**

(e) **Be guided by article 24 of the Convention in pursuing targets 4.1, 4.5 and 4.a of the Sustainable Development Goals.**

Health (art. 25)

56. The Committee is concerned at:

- (a) The low level of compliance with Act No. 1616 on mental health, in relation to informed consent for invasive surgical procedures and psychiatric treatment;
- (b) The lack of accessibility in the provision of sexual and reproductive health services, including those relating to HIV/AIDS;
- (c) The prejudice and negative attitudes of health-care service providers, both generally and in services specializing by type of disability;
- (d) Inadequate or non-existent coverage in rural areas and very remote locations.

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

- (a) **Ensure the observance of the right of free and informed consent of persons with disabilities regarding health care, including sexual and reproductive health, services related to HIV/AIDS, and psychiatric services and interventions, through the use of protocols;**
- (b) **Train health personnel on the rights and dignity of persons with disabilities, including the right to free and informed consent;**
- (c) **Take steps to ensure the accessibility of all health-care services, in terms of both information and communications, and physical facilities, equipment and furniture;**
- (d) **Provide the financial and human resources necessary to extend health care to all persons with disabilities, in particular those who are victims of armed conflict, women, children or older persons with disabilities; Afro-Colombian, Raizal or indigenous persons; living in rural and remote areas; or lesbian, gay, bisexual, transgender or intersex;**
- (e) **Be guided by article 25 of the Convention in pursuing targets 3.7 and 3.8 of the Sustainable Development Goals.**

Habilitation and rehabilitation (art. 26)

58. The Committee is concerned about the fact that the State party delegates some of its obligations related to the habilitation and rehabilitation of persons with disabilities to the private company Teletón, without proper auditing or oversight, and without consulting organizations of persons with disabilities. The Committee is also concerned that rehabilitation measures focus on physical or deficiency-related aspects of persons with disabilities, and don't take into consideration such areas as education and employment.

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

- (a) **Monitor, in consultation with organizations of persons with disabilities, the habilitation and rehabilitation services offered by private companies;**
- (b) **Make habilitation and rehabilitation services comprehensive and thus in line with the Convention.**

Work and employment (art. 27)

60. The Committee is concerned that, in addition to the obvious intersectional inequalities, efforts to promote the inclusion of persons with disabilities in the labour market have been limited and of little impact. It is also concerned about the persistence of discrimination based on disability and the lack of regulation of reasonable accommodation.

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

(a) **Take steps to expedite the full employment of persons with disabilities in the open labour market by adopting affirmative action measures and combating discrimination based on disability;**

(b) **Adopt regulations governing reasonable accommodation in the area of employment;**

(c) **Bear in mind the linkages between article 27 of the Convention and target 8.5 of the Sustainable Development Goals to ensure that all persons, including persons with disabilities, obtain productive and decent employment, in keeping with the principle of equal pay for work of equal value.**

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

62. The Committee notes that the majority of persons with disabilities in situations of poverty and extreme poverty, particularly those who are women, children or older persons, Afro-Colombian, Raizal or indigenous, or living in rural or remote areas, do not receive assistance or benefit from social protection programmes on the basis of disability that address their disability and related additional costs, despite being at greater risk of poverty, exclusion and violations of their rights. It is also concerned about the absence of a disability perspective in the policy on free or social housing, particularly the limited access of persons with disabilities in these programmes and their lack of accessibility.

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

(a) **Incorporate a disability perspective on a priority basis in poverty reduction and social inclusion strategies;**

(b) **Eliminate the interdiction requirements to benefit from social protection measures and strengthen programmes of social protection and assistance, with a gender, ethnicity and age perspective, to cover the additional costs incurred as a result of disability in acquiring goods and services and, in particular, that it provide for the revision of the interpretations made in relevant rulings of the Constitutional Court and the practices of retirement and pension funds in order to guarantee the inclusiveness of such programmes;**

(c) **Give priority to persons with disabilities, particularly women and persons belonging to ethnic or racial minorities and victims of armed conflict, by including accessibility as part of social housing policy;**

(d) **Be guided by article 28 of the Convention in pursuing target 10.2 of the Sustainable Development Goals.**

Participation in political and public life (art. 29)

64. The Committee is concerned about the restrictions on the political participation of persons with disabilities, in particular that persons for whom a declaration of judicial interdiction has been issued cannot exercise their right to vote, and that accessibility is not ensured in elections.

65. **The Committee recommends that the State party take measures, including the repeal of legislation, in order to:**

(a) **Ensure the right to vote and participate in political life to all persons with disabilities, including those whose legal capacity is legally restricted owing to interdiction procedures;**

(b) **Provide for the accessibility of voting procedures, facilities and materials in urban and rural areas alike;**

(c) **Ensure the full and effective participation of persons with disabilities in public life, including in the referendum on the Final Agreement for Ending the Conflict and Building a Stable and Long-lasting Peace, and make available promotional and informational materials in accessible formats.**

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

66. The Committee is concerned that the State party has not ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.

67. **The Committee encourages the State party to ratify and implement the Marrakesh Treaty as soon as possible.**

C. Specific obligations (arts. 31-33)

Statistics and data collection (art. 31)

68. The Committee is concerned about the lack of updated information and statistics on the number of persons with disabilities in the State party, as well as on the status of their human rights enjoyment throughout the territory.

69. **The Committee recommends that the State party collect and update data and statistics on persons with disabilities using a rights-based model. The data should be disaggregated by age, sex, type of disability, existing barriers, ethnicity and geographical location and include the type of residence or institution and cases of discrimination or violence against those persons. These processes should be undertaken in consultation with organizations of persons with disabilities. In addition, the Committee recommends that the State party be guided by article 31 of the Convention in pursuing target 17.18 of the Sustainable Development Goals.**

International cooperation (art. 32)

70. The Committee is concerned by the fact that the rights of persons with disabilities enshrined in the Convention are absent from the national implementation and monitoring of the 2030 Agenda for Sustainable Development, including in local development plans.

71. **The Committee recommends that the State party mainstream the rights of persons with disabilities in its implementation and monitoring of the 2030 Agenda for Sustainable Development at all levels and that these processes be carried out in close collaboration with organizations of persons with disabilities.**

National implementation and monitoring (art. 33)

72. The Committee is concerned at the State party's failure to comply with its obligation under Statutory Act No. 1618 to designate an independent mechanism for monitoring the implementation of the Convention. It is also concerned that the Ombudsman's Office has assigned the defence of the rights of persons with disabilities to the Office of the Specialized Ombudsman for Health, Social Security and Disability, thereby reinforcing the medical model of disability.

73. **The Committee recommends that the State party designate an independent mechanism for monitoring the Convention, in accordance with article 33 of the Convention and the Paris Principles, and that it acquire the material and human**

resources sufficient in quality and quantity to carry out its functions and involve organizations of persons with disabilities in fulfilling its mandate. It also encourages the State party to protect and promote the human rights of persons with disabilities.

Technical assistance

74. The State party may also seek technical assistance from United Nations specialized agencies to implement these recommendations.

IV. Follow-up

Dissemination of information

75. The Committee requests the State party to provide, within 12 months and in accordance with article 35 (2) of the Convention, information on the measures taken to implement the Committee's recommendations as set forth in paragraphs 29 (on including the disability perspective in all victim reparation and assistance programmes) and 47 (on the measures needed to abolish the sterilization of persons with disabilities without their free and informed consent) above.

76. The Committee requests the State party to implement the recommendations contained in the present concluding observations. It recommends that the State party transmit the concluding observations for consideration and action to members of the Government and parliament, officials in relevant ministries, members of the judiciary and relevant professional groups, such as education, medical and legal professionals, as well as to local authorities and the media, using modern social communication strategies.

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

78. The Committee requests the State party to disseminate the present concluding observations widely, including to non-governmental organizations and representative organizations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, and to make them available on the government website on human rights.

Next periodic report

79. The Committee requests the State party to submit its combined second to fourth periodic reports by 10 June 2021 and to include in them information on the implementation of the recommendations made in the present concluding observations. The Committee invites the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the combined reports of a State party. The replies of a State party to such a list of issues constitute its next report.