



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities Sixteenth session

Summary record (partial)* of the 272nd meeting

Held at the Palais Wilson, Geneva, on Wednesday, 17 August 2016, at 10 a.m.

Chair: Ms. Cisternas Reyes

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by parties to the Convention under article 35

(continued)

Initial report of Ethiopia (continued) (CRPD/C/ETH/1; CRPD/C/ETH/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Ethiopia took places at the Committee table.*

Articles 11-20

2. **Mr. Kidanemariam** (Ethiopian Human Rights Commission) said that the Commission was an independent institution that encouraged government reforms and also actively intervened in certain areas. Various reforms had already been carried out in Ethiopia to improve the lives of persons with disabilities. For example, the public transport system had been made more accessible, while a one-stop-shop system had been established for the delivery of public services along with a more disability-friendly complaints procedure.

3. In the course of monitoring conditions in prisons between 2015 and 2016, the Commission had noted that appropriate services were provided to prisoners with disabilities. Further reforms were planned, however, including the provision of increased living space.

4. With the objective of enhancing access to justice for all citizens, including persons with disabilities, the Government had started formulating a policy to provide legal aid to vulnerable groups. The Commission already provided legal aid to those persons with disabilities who would not otherwise have the means to pursue legal action. The Commission had eight branches and the Ethiopian Institution of the Ombudsman six branches across the country, meaning that persons from all regions were able to lodge complaints with those bodies and obtain remedies.

5. **Mr. Hojelle** (Ethiopia) said that he would reply to some of the questions put under articles 1 to 10, which the delegation had not been able to answer at the previous meeting owing to lack of time. Extensive awareness-raising campaigns had been carried out on the subject of female genital mutilation, targeting women themselves as well as tribal, religious and community leaders and practitioners, in order to bring about a change in attitudes and practices. Surveys conducted at the national level had revealed that the prevalence of female genital mutilation had decreased steadily since 2005. There had been a particularly significant decrease in the number of children under 14 years of age who were subjected to the practice. The results clearly demonstrated the success of the efforts carried out to combat female genital mutilation.

6. Concerning sexual violence, the Government had set up the Federal National Coordination Body, which included representatives of a number of government ministries and institutions, to combat violence against women and children. There was also a national plan of action to combat any form of violence against or sexual abuse of children. The Ministry of Education had produced an anti-harassment code of conduct, which had been implemented in schools across the country. In addition, in 2010 the Federal Supreme Court had issued sentencing guidelines for crimes involving sexual abuse of and violence against women and children, which had subsequently been revised in 2011. As a result of that revision, legal loopholes previously exploited by perpetrators had been eliminated.

7. With regard to the Sustainable Development Goals, Ethiopia had been an active participant in their development within both the United Nations and the African Union. In addition, Ethiopia had hosted the Third International Conference on Financing for

Development, in 2015, which had resulted in a groundbreaking agreement. The Government was striving to achieve the Sustainable Development Goals and was exploring new working methods in order to do so.

8. It was true that disability was not explicitly referred to in article 25 of the Constitution as a prohibited ground of discrimination. However the phrase “or other status” was understood to cover disability, and the Government did not therefore consider it necessary to amend the Constitution. Regarding the assertion that Ethiopia violated articles 1 to 10 of the Convention, the Government respectfully disagreed and believed that Ethiopia had gone beyond what was required by many of the provisions of the Convention, including article 5.

9. Concerning ratification of the Optional Protocol to the Convention, the Government was discussing that possibility and the necessary consultations were taking place. It should be noted that Ethiopia was a State party to almost all core international human rights instruments and in 2014 had ratified the two optional protocols to the Convention on the Rights of the Child.

10. **Mr. Wakene** (Ethiopia) said that, under the Civil Code, the exercise of legal capacity could be restricted on the ground of mental disability so that, for example, an individual was prevented from inheriting property or signing cheques. Discussions were under way on the possible repeal of that provision. The provision in question was not discriminatory, rather it was intended to protect those persons who could not manage their own affairs and were at risk of being exploited by others.

11. In the past, many persons with disabilities had been placed in institutions. The limitations of institutional care were now recognized, however, and current legislation favoured independent living. Families that had a member with a disability were provided with appropriate support by the authorities at the federal and regional levels.

12. **Mr. Weldeyohannes** (Ethiopia) said that training on accessibility had been provided to court staff at various levels and to all those involved in the judicial system. Sign language interpreters were available in courts, and sign language departments had been opened in eight colleges and five universities in the country to train sign language interpreters.

13. Regarding efforts to ensure the protection and safety of persons with disabilities in situations of risk, training had been provided to emergency workers in prioritizing the needs of the most vulnerable sectors of the population, including persons with disabilities, in the event of a natural or man-made disaster. In addition, the Government worked with various development partners through the National Disaster Risk Management Commission on social protection interventions. All spending by the Commission was carried out in consultation with donors and there was full accountability in that respect.

14. In the past, as a result of civil wars and other conflicts in Ethiopia, many children and young people had been abandoned and placed in orphanages and other institutional care facilities. It was true that, under previous governments, the special shelters for persons with disabilities, including children, had been more like concentration camps than rehabilitation institutions. However, the facilities in question now focused on rehabilitation and training, and children and young people with disabilities were admitted to them only as a last resort. In the past year, 10,000 young people who had been living on the street had been trained and placed in jobs through the efforts of such facilities. In general, the Government implemented a strategy encouraging family and community-based care and support for persons with disabilities, as was traditional in Ethiopia, and thus avoided institutionalization. Around 1,500 community care coalitions had been set up, comprising volunteers and supported by professionals, to assist and support persons with disabilities in the community.

15. As stated in paragraph 45 of the replies to the list of issues (CRPD/C/ETH/Q/1/Add.1), the Amharic version of the Family Code did not use the word “disability” at all. The Amharic should of course reflect the English and make explicit reference to disabilities; the Code would be amended accordingly.

Articles 21-33

16. **Mr. Al-Tarawneh** said that the Committee would like to know what measures were being taken to repeal legislation that violated the right of persons with disabilities, including persons with intellectual or psychosocial disabilities, to free and informed consent to medical treatment and to enact legislation to explicitly recognize that right. The Committee was concerned about the lack of placement and training services for persons with disabilities. What measures were being taken to remedy that problem?

17. **Mr. Buntan** asked how the Government interpreted the concept of an inclusive education system, how it planned to implement that concept and what role it saw for so-called “special education schools” in supporting the implementation of inclusive education. In the area of employment, he wondered whether the law prohibiting discrimination on the ground of disability applied to both the private and the public sector. If not, what measures were envisaged to ensure that persons with disabilities were protected from discrimination in both sectors? He would also like to hear the delegation’s views on whether the Charities and Societies Proclamation was in line with article 32 of the Convention, since it appeared to limit collaboration between national and international organizations of persons with disabilities, particularly civil society organizations.

18. **Mr. Tatić** said that it would be useful to have more detailed information on the nature of the complaints that had been submitted to the Ethiopian Institution of the Ombudsman, the types of disabilities involved, the rights that complainants felt were not being upheld and the actions taken by the Institution to resolve the problems identified. Noting that the Government of Ethiopia had undertaken praiseworthy efforts to accommodate students with disabilities, he asked whether any school or other educational institution could legally refuse to enrol a student with a disability and, if so, under what circumstances. He would also like information on whether funding was provided for reasonable accommodation, since without such funding some students with disabilities would not be able to attend a mainstream school. Similarly, he wondered whether it was made clear to the country’s foreign donors that any projects they funded had to be inclusive of and accessible to persons with disabilities. Lastly, he would welcome information on the accessibility of tourist destinations and cultural events in Ethiopia.

19. **Mr. Babu**, observing that Ethiopia had a good track record in combating HIV/AIDS, enquired what steps the HIV/AIDS Prevention and Control Office had taken to ensure that the needs of persons with disabilities were taken into account in the national response to the disease.

20. **Mr. Basharu** asked whether there were any concrete measures to provide general information to deaf and blind persons in appropriate formats, such as Braille and audio and sign language interpretation, especially in the media. Was information for deaf persons provided on television, for example? He wondered whether statistics were available on the number of organizations of persons with disabilities in Ethiopia, especially organizations working on the rights of such persons, and whether the Government was supporting them in any way to ensure that they were able to express their views. He would also like to know whether any concrete measures were in place to facilitate access to health-care services for persons with disabilities, especially blind and deaf persons, and to enable them to communicate easily with their doctors. In addition, he would appreciate information on any practical steps that had been taken to enable persons with disabilities, particularly those with psychosocial or intellectual disabilities, to participate actively in political processes

and in public life. Lastly, he wondered whether information was available in Braille and sign language to facilitate participation in elections by blind and deaf persons.

21. **Mr. Pyaneandee** said that, while he welcomed the constructive dialogue with the delegation, he did not believe that the Committee's questions concerning article 13 of the Convention had been sufficiently dealt with. The State party had acknowledged that it had difficulty in implementing article 19, on independent living, which for the Committee was the soul of the Convention. If a party was having trouble implementing that article, it would also have difficulty implementing numerous others. He would welcome the State party's views on its weaknesses and its strengths in that regard. With respect to article 33, he wondered whether the State party had plans to strengthen and enhance the impartiality and independence of its monitoring mechanism, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles), and whether, in so doing, it would commit to wide consultation with persons with disabilities and their representative organizations.

22. **Mr. Ruskus** said he had found research that indicated a lack of knowledge and appropriate practice with regard to sexual and reproductive health issues affecting young persons with disabilities in Ethiopia. There appeared to be a lack of youth- and disability-friendly services that ensured confidentiality, coupled with the existence of biases among service providers against persons with disabilities. He would like information about any strategies or programmes in place in the State party to help young persons with disabilities to develop appropriate skills and attitudes for a healthy reproductive life and to ensure the availability and accessibility of health-care services for them. He would also like to know what support currently existed or was planned to assist families in caring for children with disabilities and thereby avoid the institutionalization of those children. Were there, for instance, early intervention programmes or inclusive rehabilitation services?

23. **Ms. Kingston** said that she would like to hear the delegation's views on sheltered workshops, where persons with disabilities worked in a segregated environment, separate from the main labour force. The employment-related legislation in place in Ethiopia seemed good on paper, but she had some concerns regarding its enforcement. She would like information about quotas for the employment of persons with disabilities, particularly in the civil service, and she wondered whether the concept of reasonable accommodation was really understood and applied, especially in vocational training.

24. With regard to social protection mechanisms, it appeared that there were no real disability benefits in Ethiopia. She understood that there was a national productive safety net programme, but it did not appear to apply to non-productive households. She would appreciate clarification in that regard. Of the households that received cash transfers, she wondered how many included persons with disabilities and whether there were extra cash transfers for such persons. It appeared that, because of assessment issues, social cash transfers were not provided to cover additional costs for persons with disabilities. Community committees reportedly decided on the allocation of social cash transfers, and she wondered whether those committees were trained to assess persons with disabilities or whether such persons self-identified. Lastly, she would like to know how disability would be defined in the census to be conducted in 2017 and how the definition would differ from the current one.

25. **Mr. Lovászy**, welcoming the establishment of training programmes for sign language interpreters at various colleges and universities, enquired whether interpreters worked exclusively in special needs education or were also qualified to sign for pupils in mainstream schools. He would also like to know how many primary schoolteachers had received sign language training and how many pupils had been taught by a teacher using sign language, whether there was a sign language version of the Convention and whether there were any organized efforts to produce or improve sign language dictionaries. In

addition, he wished to know how many children were enrolled in special classes or schools for learners with disabilities in comparison with the number enrolled in inclusive mainstream schools. He would also welcome data on progress in implementing the inclusive education approach and on the number of pupils who had been able to take part successfully in mainstream education as a result of the 113 inclusive education resource centres.

26. **Mr. Langvad** enquired what steps the Government was taking to ensure that persons with disabilities were able to pay for disability-related expenses and to enable them to become economically independent of their families. He would like to know how it was ensured that all teachers in inclusive mainstream schools were trained in dealing with children with disabilities. He also wondered what efforts were made to ensure that the Ethiopian Human Rights Commission and the Ethiopian Institution of the Ombudsman consulted regularly with organizations of persons with disabilities on all aspects of monitoring the implementation of the Convention.

27. **Mr. You Liang** asked what was being done to address the serious social and cultural challenges faced by women with disabilities and to ensure education for girls with disabilities and foster economic empowerment for women with disabilities. He would also like to know whether there were any programmes to train rehabilitation professionals. In addition, he wished to know how persons with disabilities would be involved in the activities to be undertaken by the State party to achieve the Sustainable Development Goals, particularly in the areas of education and employment.

28. **Mr. Al-Tarawneh** asked what measures the State party was taking to ensure the systematic collection, analysis and dissemination of disaggregated statistical data on persons with disabilities, including migrant workers and refugees with disabilities.

29. **The Chair** enquired whether Ethiopian Sign Language was, or would soon be, formally recognized by law. She would also like to know what steps had been taken to amend the provisions in the electoral law that excluded “notoriously insane persons” from voter registration and obliged courts, hospitals and polling stations to report persons with that type of disability to electoral offices so that they could be removed from the register. Lastly, she wondered what had been done to ensure access to justice for all, one of the targets under Sustainable Development Goal 16.

The meeting was suspended at 11.15 a.m. and resumed at 11.45 a.m.

30. **Ms. Rashid** (Ethiopian Institution of the Ombudsman) said that a significant part of the Institution’s mandate was to investigate complaints from citizens, particularly members of vulnerable groups. While some 45 complaints had been resolved in favour of persons with disabilities, the number of complaints received had been higher. Regrettably, she had not had time to compile any specific information on the 45 cases.

31. **Mr. Kidanemariam** (Ethiopian Human Rights Commission) said that the Commission cooperated with national and international organizations of persons with disabilities. It had worked with Irish Aid, which had provided support to set up several legal aid centres nationwide, thus facilitating access to justice, particularly for vulnerable groups, including persons with disabilities. The Commission had also worked with the United Nations Development Programme for several years on a project to improve the situation of persons with disabilities. Like the Institution of the Ombudsman, the Commission conducted investigations into all the complaints it received.

32. **Mr. Weldeyohannes** (Ethiopia) said that there were no restrictions on the enrolment of children with disabilities in educational establishments. The Government supported inclusive education and encouraged the families of children with disabilities to ensure that the children attended school. There were, nonetheless, difficulties relating to accessibility,

economic factors and gender issues, which meant that some children with disabilities were unable to attend school. The Government was aware of the need to continue working to overcome those difficulties and to collect reliable data on the number of children with disabilities that were not in school. While the federal Government allocated specific funds to education for children with disabilities, the funds were distributed by the regional authorities according to regional priorities.

33. All new buildings that housed health facilities, including those in rural areas, had to be accessible to persons with disabilities. Steps were being taken to assign sign language interpreters when required in order to ensure that deaf persons had access to services, including in the justice system.

34. Some 10 years previously, rehabilitation services had been extremely weak, and all wheelchairs and crutches had had to be imported. Significant investment had been made to improve the facilities available in the country's rehabilitation centres, which were currently equipped with the necessary apparatus and staffed by qualified personnel. However, more investment was needed to enable researchers to work on projects that would result in more advanced physical rehabilitation services. A degree course was being established in prosthetics and orthotics, which should help in the efforts to progressively increase rehabilitation coverage.

35. Proclamation No. 377/2003, as amended by proclamation No. 494/2006, prohibited discrimination on all grounds, including disability, in employment in the private sector. The Government encouraged private companies to employ persons with disabilities, providing targets and tax incentives, but it recognized that more needed to be done in that regard. Social protection safety nets and community-based health insurance were in place, providing coverage for vulnerable persons, including persons with disabilities. There were mechanisms to ensure that persons with disabilities were provided with support services.

36. Proclamation No. 532/2007, amending the electoral law, ensured the rights of persons with disabilities to vote and be elected, and provided for the processing of complaints concerning violations of those rights. Action was taken to ensure that persons with disabilities could participate in elections, regardless of the type of disability. The Government recognized the importance of gathering accurate data on the number of persons with disabilities and the types of disability in order to ensure that no one was excluded from participating in elections.

37. In principle, Charities and Societies Proclamation No. 621/2009 did not contradict the provisions of article 32 of the Convention. Thousands of civil society organizations had been licensed by the Government to operate in the country. The Proclamation did not hinder efforts to invest in social development or international cooperation. Ethiopia was investing in the productive safety net, with almost US\$ 4 billion being invested over five years, most of which came from development partners. The Government's investment amounted to almost US\$ 500 million. In addition, the Government had allocated over US\$ 150 million to a pilot project on the urban safety net that would be delivered over the following five years. It was hoped that the project would eventually reach more than 900 towns. Persons with disabilities would benefit from improved services in many areas under both the urban and the rural safety net projects.

38. Awareness campaigns on HIV/AIDS and female genital mutilation were ongoing. Sign language, pictures and other methods were used to ensure that the campaigns reached persons with disabilities. The media made a significant contribution to promoting the rights of persons with disabilities, through films and radio and television broadcasts. The Government faced resource constraints but was aware of the need to pursue its efforts to uphold the human rights of persons with disabilities.

39. **Mr. Hojelle** (Ethiopia) said that his delegation had appreciated its fruitful, comprehensive dialogue with the Committee members, whose comments and constructive engagement had proved extremely valuable. The Government was well aware that the progressive implementation of the Convention required long-term plans and sustainable efforts. The Government and civil society, particularly grass-roots organizations, and the international community should work together to that end. The promotion and protection of human rights and participatory democracy were critical for Ethiopia to create an inclusive society and achieve broad-based sustainable development. The Government was therefore committed to building a disability-friendly environment in the country. As a founding member of the United Nations and the seat of the African Union, Ethiopia was unwavering in its commitment to its international and regional obligations.

40. **The Chair** welcomed the State party's commitment to improving the situation of people with disabilities in accordance with the Convention and the Sustainable Development Goals.

41. **Mr. Kidanemariam** (Ethiopian Human Rights Commission) said that he had found the dialogue extremely useful, particularly as part of the Commission's work was to encourage the Government to improve the situation of all citizens, especially those in vulnerable situations, including persons with disabilities.

42. **Mr. Babu** (Country Rapporteur) praised the delegation for the sincere, honest and cooperative approach it had taken to the interactive dialogue. The State party, like many other developing countries worldwide, was grappling with a plethora of development challenges, the setting of priorities amidst resource limitations and dwindling external development assistance. However, the State party should recognize that the resource limitations would not end soon. Therefore, the excuse that disability concerns could not be addressed owing to the lack of financial and other resources was unacceptable, especially when persons with disabilities were not included in national, federal and regional development programmes. That lack of inclusion across the political, social and economic spectrum had a significant adverse impact on the livelihoods of persons with disabilities, their dignity and the respect they commanded in the community, perpetuating negative stereotypes and attitudes about their abilities among their non-disabled counterparts. The observance of the human rights of persons with disabilities was possible only if States and non-State actors adopted strategies and measures in the areas of budgeting, programming, monitoring and evaluation to alleviate the hardships that persons with disabilities faced on a daily basis. The failure to take specific measures to promote the inclusion of all persons with disabilities could be understood only as a systematic form of human rights violation and could never be excused. It was incumbent on all States to implement the 2030 Agenda for Sustainable Development and the goals that emphasized inclusion for all.

43. **The Chair** recalled that the Committee had decided to celebrate the tenth anniversary of the Convention in Addis Ababa, with the support of the Office of the United Nations High Commissioner for Human Rights, at the headquarters of the African Union. All Ethiopian citizens, especially those with disabilities, were cordially invited to join the celebrations, the main aim of which was to promote the universal ratification and full implementation of the Convention. The Committee trusted that the excellent interactive dialogue it had held with the delegation would serve as the basis for concrete legislative and policy measures to improve the human rights of all persons with disabilities in the State party.

The discussion covered in the summary record ended at 12.20 p.m.