



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

### List of issues in relation to the initial report of Mauritania\*

#### A. Purpose and general obligations (arts. 1–4)

1. Please provide information on the measures taken to ensure:

(a) That laws and policies are harmonized with the Convention and that the concept of disability used in the State party, particularly in Ordinance No. 2006-043, fully adheres to the human rights model of disability, as outlined in the Committee's general comment No. 6 (2018) on equality and non-discrimination;

(b) That persons with disabilities, through their representative organizations, are fully and meaningfully involved in all policy and legislative processes on all matters that affect them. Please also explain the achievements of the National Multisectoral Council for the Advancement of Persons with Disabilities and the progress of the national rehabilitation programme in improving the lives of persons with disabilities.

#### B. Specific rights (arts. 5–30)

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

2. Please provide information on:

(a) Legal and other measures taken to prohibit all forms of disability-based discrimination, in accordance with the Convention, in national legislation;

(b) Plans to review the Constitution to include a specific reference to the prohibition of discrimination on the basis of disability;

(c) Whether the State party recognizes the denial of reasonable accommodation as a form of disability-based discrimination;

(d) The types of administrative and judicial remedies available and redress provided to victims, particularly women and girls with disabilities, who are affected by multiple and intersectional discrimination.

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

3. Please provide information on:

(a) The measures taken to develop specific strategies for the advancement, development and empowerment of women with disabilities and to ensure that general gender equality and other strategies have a disability perspective and promote the rights of women and girls with disabilities;

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\* Adopted by the pre-sessional working group at its thirteenth session (30 March–3 April 2020).



(b) The measures to effectively eliminate multiple and intersectional discrimination against women and girls with disabilities, especially those belonging to ethnic and religious minorities and women and girls with intellectual or psychosocial disabilities, in all spheres of their life, including education, employment and health, across the State party, including rural areas.

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

4. Please report on the measures taken:

(a) To ensure the equal enjoyment by children with disabilities of their rights in the State party, describing how children with disabilities benefit from laws and policies that protect the rights of children;

(b) To eliminate barriers, including stigma, preventing access by children with disabilities to social protection, health-care services and an inclusive, quality education system on an equal basis with other children, especially to ensure enrolment in education and the provision of appropriate assistive devices.

5. Please provide information on the measures taken to implement and evaluate the national child protection strategy with respect to the promotion and protection of the rights of children with disabilities, with sufficient budgetary allocations and human, technical and financial resources.

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

6. Please provide information on:

(a) The extent of consultation and effective participation of persons with disabilities, through their representative organizations, including persons with disabilities belonging to minorities, in awareness-raising campaigns, with particular reference to their participation in the planning and implementation of programmes and policies, including in remote and rural areas;

(b) The measures taken to combat stereotypes, prejudices and harmful practices relating to persons with disabilities in all areas of life, including discrimination against persons with disabilities belonging to minority communities and indigenous peoples and persons affected by leprosy.

**Accessibility (art. 9)**

7. Please provide information on the measures taken:

(a) To revise all relevant legislation to ensure that the built environment, goods and services, and facilities in all spheres of life are accessible to persons with disabilities;

(b) To ensure that all buildings that are open to the public are accessible to persons with disabilities, including monitoring mechanisms;

(c) To promote access to information and communications technology for persons with disabilities.

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

8. Please inform the Committee about:

(a) The measures taken to amend all relevant legislation, particularly Ordinance No. 2006-043, to include provisions on situations of risk and humanitarian emergencies and make disaster risk reduction programmes disability-inclusive, including through meaningful consultation and effective participation of persons with disabilities and their representative organizations, and to ensure the provision of equal and safe access, accessible evacuation measures and shelters;

(b) Any disaster risk reduction strategy that includes organizations of persons with disabilities, in accordance with the Sendai Framework for Disaster Risk Reduction 2015–2030.

9. Please provide information on the measures taken to establish a targeted, sustainable humanitarian emergency framework to ensure the protection of the rights of persons with disabilities on an equal basis with others, and specifically in the context of the public health emergency resulting from the coronavirus disease (COVID-19) pandemic. In particular, please inform the Committee about the measures taken to provide persons with disabilities with accessible information concerning the virus's scope and prevention of the virus; to ensure continuous access to support and mainstream community services, including in-home care and personal assistance; and to provide equal access to health care, including life-saving measures.

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

10. Please provide information on :

(a) The measures taken to include in existing legislation the recognition of the legal capacity of all persons with disabilities, especially of persons with intellectual or psychosocial disabilities, in all civil, criminal and administrative matters, including the equal enjoyment of rights related to property, entering into contracts, inheritance, voting and taking decisions;

(b) The number and proportion of persons with disabilities under guardianship, particularly persons with intellectual or psychosocial disabilities, and the measures taken to shift from the guardianship regime to a supported decision-making regime, in accordance with the Convention and the Committee's general comment No. 1 (2014) on equal recognition before the law.

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

11. Please provide information on:

(a) The measures taken to provide procedural and gender- and age-appropriate accommodation in judicial and administrative proceedings for persons with disabilities, including persons with intellectual or psychosocial disabilities and persons who are deaf, hard of hearing or deafblind, particularly measures to provide information in accessible formats, such as Braille, Easy Read and sign language, and to ensure the physical accessibility of court buildings and all judicial and administrative facilities;

(b) Training programmes for judicial and security officials on the rights enshrined in the Convention, and for persons with disabilities to enable them to participate in the judicial system as lawyers, judges and other law enforcement personnel;

(c) The availability of legal aid for persons with disabilities.

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

12. Please provide information and statistical data on the number of persons with disabilities in mental health facilities and in detention, on the basis of actual or perceived impairment, without their free and informed consent, disaggregated by sex and impairment, and indicate any measures in place to ensure their right to liberty and security. Please provide information on the measures taken to protect the security of women with disabilities who are detained with men in prisons and psychiatric and other facilities and who are at risk of sexual exploitation and violence.

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

13. Please provide information on:

(a) Legal and other measures taken to prevent persons with disabilities, on an equal basis with others, from being subjected to torture or cruel, inhuman or degrading treatment or punishment, and measures adopted to sanction perpetrators and implement monitoring mechanisms;

(b) The measures taken to ensure the training of police and detention officers on the prohibition of the use of torture and cruel, inhuman or degrading treatment or punishment against persons with disabilities.

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

14. Please indicate the measures taken to:

(a) To harmonize national legislation with the Convention and prohibit all forms of exploitation, violence and abuse against persons with disabilities, including domestic and sexual violence against or neglect of persons with disabilities;

(b) To provide the necessary accessible services for recovery, rehabilitation and social reintegration to victims and to include considerations as to age, disability and gender in that regard;

(c) To create a safe environment for the reporting, investigation and prosecution of cases of exploitation, violence or abuse against persons with disabilities.

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

15. Please provide information on the measures taken to prohibit all forms of exploitation and the carrying out of medical procedures, including sterilization, castration and contraception, on persons with disabilities, particularly persons with intellectual or psychosocial disabilities, without their free and informed consent. Please also provide information on the measures taken to abolish harmful practices such as female genital mutilation against women with disabilities.

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

16. Please provide information on the measures taken to ensure that persons with disabilities, especially children with disabilities living in rural and remote areas, have access to birth registration and certificates on an equal basis with others, so as to exercise their rights to liberty of movement, to freedom to choose their residence and to a nationality.

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

17. Please provide information on community-based services, including financial support, available to assist persons with disabilities to exercise their right to live independently and be included in the community, particularly women with disabilities, persons with intellectual or psychosocial disabilities and persons affected by leprosy.

**Personal mobility (art. 20)**

18. Please provide information on the measures taken to guarantee the accessibility of mobility aids and assistive devices, and their affordability, for persons with disabilities. Please provide information on the proportion of persons with disabilities entitled to mobility aids and assistive devices distributed by the Government, especially in rural areas.

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

19. Please provide information on the measures taken:

(a) To promote and protect the freedom of expression of persons with disabilities, including persons with intellectual or psychosocial disabilities;

(b) To recognize the adoption of a national sign language as an official language of the State party, in close consultation with the deaf community;

(c) To improve access to information in accessible formats, including Braille, Easy Read and other augmentative and alternative means and modes of communication, and to make public information and communications technology available to persons with disabilities on an equal basis with others;

(d) To make television programming accessible to persons with disabilities through the use of audio description, sign language and captioning, and adopt the World

Wide Web Consortium's Web Accessibility Initiative standards when developing or publishing content on the Internet.

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

20. Please provide information on the measures adopted to amend legislation and to adopt a provision to eliminate discrimination against persons with disabilities in all matters relating to marriage, family, parenthood and relationships, on an equal basis with others. Please also provide information on the measures taken to protect children from neglect and abandonment and from being separated from their parents on the basis of the disability of either the child or one or both of the parents.

**Education (art. 24)**

21. Please provide information on:

(a) How the legislative guarantees of non-discrimination in education is being enforced;

(b) The measures taken to ensure the right of persons with disabilities, in particular girls with disabilities, to inclusive, quality education and to ensure the enrolment and retention in education of all students with disabilities in mainstream settings at all levels and in all regions, such as through the provision of individualized support;

(c) The efforts made to provide accessible materials, adaptive learning environments and sufficient individualized accommodation for students with disabilities at all levels, including for vocational schools and in rural areas;

(d) The level of financial and human resources allocated to inclusive education and, in particular, the training of teachers at all levels of education on the core values and competencies necessary to accommodate inclusive learning environments, particularly in rural areas.

**Health (art. 25)**

22. Please provide information on the measures taken to ensure equality and non-discrimination for persons with disabilities in terms of access to quality health-care services on an equal basis with others, particularly persons belonging to minorities and persons affected by leprosy, such as by improving the accessibility of hospitals and rehabilitation centres and public health information, including in rural areas. Please also provide information on:

(a) The measures taken to enable access for persons with disabilities, particularly women and girls with disabilities, to comprehensive health-care services, including those relating to sexual and reproductive health and rights, on an equal basis with others;

(b) Training provided to health-care personnel on the rights of persons with disabilities;

(c) The measures taken to ensure that persons with disabilities are not arbitrarily subjected to medical treatment or procedures without their free and informed consent.

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

23. Please indicate the steps taken:

(a) To ensure that the measures adopted through Decree No. 2015-062 also apply equally to the private sector;

(b) To promote technical and vocational training for persons with disabilities, to encourage the employment of persons with disabilities and to ensure equal pay for work of equal value for persons with disabilities;

(c) To prevent and address harassment and discrimination against persons with disabilities in work and employment, especially against women with disabilities, persons with disabilities belonging to minorities and persons affected by leprosy;

(d) To promote appropriate measures, including affirmative action programmes, for the employment of persons with disabilities in the open labour market, including persons with intellectual or psychosocial disabilities, and to provide training to employers on the rights of persons with disabilities and reasonable accommodation.

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

24. Please provide information on the measures taken to ensure that all persons with disabilities have access to social protection programmes and poverty-reduction support services on an equal basis with others, and to specific programmes and services for persons with disabilities living in situations of poverty to enable them to meet the additional cost of disability-related expenses. Please also provide information on the measures taken to ensure that persons with disabilities in all regions have access on an equal basis with others to initiatives such as the distribution of cash-transfer benefits and plots of land for residential use.

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

25. Please indicate legal and other measures taken:

(a) To review all relevant legislation, in particular electoral laws and policies, to provide for the full and meaningful participation of persons with disabilities in all aspects of the electoral processes and political and public life;

(b) To ensure the physical accessibility of all polling stations and the use of accessible formats, including Braille, in electoral material, and to ensure that persons with disabilities are guaranteed secrecy in the voting process;

(c) To increase the number of persons with disabilities, particularly women, in political and public life, including as elected representatives, and to support candidates with disabilities to stand for elections. Please also indicate the percentage of persons with disabilities among elected representatives;

(d) To provide civic education to persons with disabilities on electoral processes and participation in political and public life.

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

26. Please provide information on the measures taken:

(a) To eliminate social and environmental barriers hindering the participation of persons with disabilities, including children with disabilities, in cultural life and in recreational, leisure and sports activities and their use of facilities;

(b) To ratify the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

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

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

27. Please indicate legal and other measures taken:

(a) To collect appropriate information to inform public policies, including disaggregated qualitative and quantitative data and statistics on persons with disabilities, including women and girls with disabilities, persons with disabilities belonging to minorities, migrants, refugees and older persons with disabilities, persons with intellectual or psychosocial disabilities and persons affected by leprosy;

(b) To include all persons with disabilities, including those belonging to minorities, in the forthcoming national census to be conducted by the National Statistics Office. Please also inform the Committee as to whether the State party is considering using the Washington Group short set of questions on disability.

28. Please indicate the type of information kept in the database on persons with disabilities maintained by the department dealing with matters affecting persons with disabilities in the Ministry of Social Affairs, Children and the Family, and whether the methodology used to collect such information is consistent with the Convention and the human rights model of disability, in accordance with the Committee's general comment No. 6.

**International cooperation (art. 32)**

29. Please indicate how persons with disabilities, through their representative organizations, are meaningfully consulted and involved in the design and implementation of international cooperation agreements. Please also provide information on the measures taken to ensure that bilateral and multilateral international cooperation funds and the Strategy for Accelerated Growth and Shared Prosperity cover the rights of persons with disabilities.

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

30. Please provide information on the measures taken:

(a) To designate one or more focal point(s) for the implementation of the Convention;

(b) To establish an independent mechanism to monitor the implementation of the Convention, with sufficient budgetary allocations and taking into account the principles relating to the status of national institutions for the protection and promotion of human rights (the Paris Principles);

(c) To ensure the participation of persons with disabilities and their representative organizations in monitoring processes.

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