



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

### Concluding observations on the initial report of Angola\*

#### I. Introduction

1. The Committee considered the initial periodic report of Angola (CRPD/C/AGO/1) at its 626th and 627th meetings held on 8 and 9 March 2023. It adopted the following concluding observations at its 643rd meeting, held on 21 March 2023.
2. The Committee welcomes the initial periodic report of Angola, which was prepared in accordance with the Committee's reporting guidelines, and thanks the State party for its written replies (CRPD/C/AGO/RQ/1) to the list of issues prepared by the Committee (CRPD/C/AGO/Q/1).
3. The Committee appreciates the constructive dialogue held with the large high-level delegation, which included delegates from various ministries, entities and institutions and provided further clarifications to the questions posed orally by the Committee.

#### II. Positive aspects

4. The Committee welcomes the measures taken by the State party to implement the Convention since its ratification. It commends the legislative measures taken to promote the rights of persons with disabilities, in particular the following:
  - (a) The adoption of presidential decree No. 100/20, of 14 April, approving the National Strategy on Human Rights and its action plan;
  - (b) The adoption under Law No. 38/20, of 11 November, approving the new Criminal Code, which criminalizes, among others, acts of discrimination on the grounds of illness, physical or mental disability;
  - (c) The adoption of presidential decree No. 187/17, of 16 August, on the National Policy on Special Education for Inclusive Schooling;
  - (d) The adoption of presidential decree No. 25/19, of 15 January, establishing the National Council for Social Action and including organizations of persons with disabilities in the Council, such as the Angolan Federation of Associations of Persons with Disabilities;
  - (e) The adoption of Law No. 10/16, of 27 July, which establishes the criteria, standards and conditions of accessibility for persons with disabilities and reduced mobility, and presidential decree No. 12/16, of 25 January, which approves the regulations on job reservations and procedures for the recruitment of persons with disabilities;
  - (f) The adoption of presidential decree No. 207/14, of 15 August, approving the intervention strategy for the social inclusion of children with disabilities.

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\* Adopted by the Committee at its twenty-eighth session (6–24 March 2023).



### III. Principal areas of concern and recommendations

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

5. The Committee is concerned about:
  - (a) The definition of persons with disabilities in the legislation;
  - (b) The lack of a mechanism to enforce compliance with the various laws adopted to implement the Convention;
  - (c) The limited involvement of organizations of persons with disabilities in the implementation and monitoring of the rights of persons with disabilities;
  - (d) The lack of a clear distinction in domestic law and applicable policy frameworks between the terms “general obligation to provide accessibility” and “the individual right to reasonable accommodation”.
6. **The Committee recommends that the State party:**
  - (a) **Amend the legislation to bring it in line with the human rights model of disability. In particular, the Committee recommends that article 83 of the Constitution be amended;**
  - (b) **Designate a specific body to monitor and promote compliance with the law and adherence to the policies put in to place to guarantee the rights of persons with disabilities;**
  - (c) **Take measures to develop meaningful partnerships and consultations with organizations of persons with disabilities and take steps to ensure their appropriate resourcing, in order for such partnerships and consultations to be effective in all matters affecting them, and promote meaningful consultation and active involvement in legislative and policy processes to implement the Convention, including the design, production and evaluation of measures, ensuring awareness across the whole public sector of the cross-cutting nature of disability;**
  - (d) **Revise the relevant domestic law and policy to ensure that the individual right to “reasonable accommodation” under domestic law aligns with the positive duty of the State to provide reasonable accommodation under the Convention, which is a modification or adjustment that is necessary and appropriate where it is required in a particular case to ensure that a person with a disability can enjoy or exercise her or his rights.**

#### B. Specific rights (arts. 5–30)

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

7. The Committee observes with concern that:
  - (a) Despite the explicit prohibition of discrimination against persons with disabilities in the Constitution, the anti-discrimination legislation excludes certain categories of such persons;
  - (b) The definition of persons with disabilities in disability-related legislation is not in line with that of the Convention, as it is based on the medical model instead of the human rights model;
  - (c) There is a lack of accessible complaint mechanisms for persons with disabilities whose rights have been violated.
8. **The Committee recalls its general comment No. 6 (2018) on equality and non-discrimination and recommends that the State party:**
  - (a) **Review the existing anti-discrimination legislation, as well as relevant sections of the Constitution, and take appropriate measures to ensure that all persons**

**with disabilities are protected from discrimination, such as children, women, persons affected by leprosy and persons with albinism;**

**(b) Ensure that the definition of persons with disabilities in domestic law is brought into line with the Convention;**

**(c) Establish an accessible complaint mechanism for persons with disabilities whose rights have been violated, as well as appropriate means of redress and appropriate sanctions for the perpetrators.**

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

9. The Committee notes with concern:

(a) The lack of adequate information, including disaggregated data, about the situation of women and girls with disabilities;

(b) The lack of inclusion of a gender perspective in disability-related legislation and policy and of a disability perspective in gender-related legislation and policy, which leads to the further marginalization and exclusion from protection of women and girls with disabilities;

(c) The fact that domestic law does not explicitly address intersectional discrimination against women and girls with disabilities and the lack of adequate policy responses to address such discrimination, including the lack of data-driven research carried out on the multiple and intersectional forms of discrimination faced by them;

(d) The limited access to justice for women with disabilities owing to the lack of accessibility and procedural accommodations, including the lack of sign language interpretation and captioning, and the lack of information provided in accessible formats by the relevant authorities;

(e) The lack of programmes designed to promote the empowerment of women with disabilities in public and political life as well as in decision-making, particularly those living in rural areas.

10. **The Committee recalls its general comment No. 3 (2016) on women and girls with disabilities and Goal 5 of the Sustainable Development Goals and recommends that the State party:**

**(a) Ensure that data-collection systems and impact assessments of laws and policies include indicators and disaggregated data on women and girls with disabilities;**

**(b) Mainstream the rights of women and girls with disabilities into all gender legislation, mainstream a gender perspective into disability policies and programmes and ensure consultation with and the effective participation of organizations of women and girls with disabilities, including those in rural areas, in the design and implementation of gender- and disability-related policies and programmes;**

**(c) Recognize the multiple and intersectional forms of discrimination against women and girls with disabilities in domestic law and adopt specific strategies to address those forms of discrimination against them;**

**(d) Ensure that all women with disabilities, including those living in rural areas, women with psychosocial and/or intellectual disabilities and women with albinism, have access to justice and to accessible information on how to vindicate their rights;**

**(e) Adopt measures aimed at achieving the empowerment and full inclusion of women and girls with disabilities in all spheres of life, as well as their involvement in all public decision-making processes and their representation in political life and in decision-making, including in the executive branch and the judiciary.**

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

11. The Committee observes with concern the lack of consideration of the principle of the best interests of the child, in accordance with their views, in all matters relating to children with disabilities.

12. **Recalling the joint statement on the rights of children with disabilities adopted by the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities, the Committee recommends that the State party incorporate in law and in practice the principle of the best interests of children with disabilities and their right to express their views in all matters affecting them, and that these views are given due weight in accordance with the child's age and maturity.**

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

13. The Committee is concerned that:

- (a) Awareness-raising activities and campaigns related to persons with disabilities are rather sporadic and often respond to specific issues and events;
- (b) Traditional and online media and social networks rarely involve persons with disabilities to raise awareness and promote a positive image of them;
- (c) Persons with disabilities are not actively consulted and included in the planning and implementation of public awareness-raising campaigns about them.

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

- (a) **Adopt a national strategy, in close consultation with and the involvement of persons with disabilities, through their representative organizations, in urban and rural areas, to raise awareness and combat prejudices against them, including persons affected by leprosy and persons with albinism, and that it monitor the impact of such a strategy;**
- (b) **Take appropriate steps, in consultation with persons with disabilities, to ensure that traditional and online media and social networks are used to raise awareness and promote a positive image of them;**
- (c) **With the active involvement of persons with disabilities, introduce training and awareness-raising about their rights at all levels of education, as well as for the general public, in all accessible formats such as Braille, sign language or easy read, in order to foster respect for the dignity, abilities and contributions to society of all persons with disabilities.**

**Accessibility (art. 9)**

15. The Committee notes with concern:

- (a) The lack of a comprehensive accessibility strategy covering physical accessibility, information and communication accessibility, and digital access;
- (b) That despite the enactment of the Accessibility Law in 2016, the level of implementation remains low;
- (c) The lack of access, at an affordable cost, to information and communication technologies for persons with disabilities;
- (d) The barriers in the digital work environment preventing access for persons with disabilities to information and communication, including on government websites, in particular for persons who are blind or visually impaired.

16. **The Committee recalls its general comment No. 2 (2014) on accessibility, and recommends that the State party:**

- (a) **Adopt a national accessibility strategy that is in line with the Convention and strengthen its mechanisms for monitoring accessibility in municipal and rural areas;**

(b) **Ensure the effective implementation of the Accessibility Law and that educational, health and paramedical institutions, as well as other buildings in urban and rural areas, comply with accessibility standards;**

(c) **Ensure universal access to digital technology for all persons with disabilities, in particular for persons who are blind or visually impaired, both in educational facilities and at home;**

(d) **Ensure greater access to information and communication for persons with disabilities in both the public and private sectors, including greater access to information on government websites.**

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

17. The Committee is concerned about the effects of the coronavirus disease (COVID-19) pandemic on persons with disabilities, in particular about the lack of reliable data on how it has impacted them.

18. **The Committee recommends that the State party, guided by the guidance and policy brief on a disability-inclusive response to the COVID-19 pandemic prepared by the Office of the United Nations High Commissioner for Human Rights:**

(a) **Mainstream disability in its COVID-19 response and recovery plans, including ensuring equal access to vaccines, and in other economic and social programmes in order to tackle the negative impact of the pandemic;**

(b) **Adopt measures to deinstitutionalize persons with disabilities in times of emergency and provide them with appropriate support to live in their communities;**

(c) **Involve persons with disabilities and their representative organizations, including those of women and girls with disabilities, at all stages of developing and implementing COVID-19 response and recovery plans;**

(d) **Ensure that all persons with disabilities in situations of risk and in humanitarian emergencies can gain access to information through accessible modes of communication and information.**

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

19. The Committee is concerned that substituted decision-making is still permitted in property management, financial management, contract management and health, among other areas, limiting the capacity to act of persons with disabilities on the basis of their psychosocial and/or intellectual disability.

20. **The Committee recommends that the State party take the necessary measures to ensure that its domestic legislation guarantees the right of all persons with disabilities, including persons with psychosocial and/or intellectual disabilities, to equal recognition before the law, and that it establish supported decision-making mechanisms in all areas of life.**

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

21. The Committee is concerned that persons with disabilities still face barriers to accessing justice, including in the form of attitudinal barriers and prejudices among court officials, the lack of reasonable accommodation for them, the insufficient training of court and other officials to guide them through complex judicial processes and proceedings, and the lack of information as to whether persons with disabilities have participated in the development, delivery or evaluation of such training. The Committee is also concerned that no procedural accommodations have yet been made to guarantee effective access to justice for all persons with disabilities. It further notes the lack of measures adopted to ensure that they have access to the legal profession.

22. **The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities, prepared in 2020 by the Special Rapporteur on the**

rights of persons with disabilities, and target 16.3 of the Sustainable Development Goals and recommends that the State party:

(a) Adopt an action plan on access to justice for persons with disabilities in accordance with the Convention and the International Principles and Guidelines on Access to Justice for Persons with Disabilities;

(b) Take all the necessary legal, administrative and other measures to eliminate all restrictions on the effective participation of persons with disabilities at all stages of the judicial process and adopt measures to ensure their effective participation in judicial proceedings, such as through procedural accommodation and individualized assistance and the use of alternative and augmentative means of information and communication, such as Braille, sign language, easy read formats and audio and video transcription, in accordance with the needs of persons with different disabilities;

(c) Adopt an action plan to ensure physical access to all justice facilities, including through accessible transportation, incorporating the principle of universal design;

(d) Intensify efforts to provide training on the rights and obligations established by the Convention for justice and law enforcement officials, especially in rural areas;

(e) Take measures to ensure that persons with disabilities can enter the legal professions on an equal basis with others and take steps to ensure individualized support for that purpose.

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

23. The Committee is concerned that persons with disabilities, especially those with psychosocial and/or intellectual disabilities, are still subjected to laws that deprive them of their liberty based on impairment and that there is a lack of information on the measures taken to ensure that those persons are not subjected to arbitrary treatment, including confinement. It is also concerned at the lack of monitoring mechanisms to ensure the rights and reasonable accommodation issues of persons with disabilities in correctional facilities.

24. The Committee recalls its guidelines on the right to liberty and security of persons with disabilities<sup>1</sup> and recommends that the State party:

(a) Repeal all relevant legislative provisions allowing for the involuntary deprivation of liberty on the grounds of impairment and perceived dangerousness and introduce legislation that ensures non-discrimination through, for example, procedural accommodation for persons with disabilities, including during interrogation and detention, and explicitly prohibit forced institutionalization of such persons, particularly persons with psychosocial and/or intellectual disabilities and older persons with disabilities;

(b) Ensure the rights of persons with psychosocial and/or intellectual disabilities to liberty and security of person on an equal basis with others;

(c) Establish an independent monitoring mechanism to prevent persons with psychosocial and/or intellectual disabilities being subjected to arbitrary and forced treatment;

(d) Provide training to health professionals, law enforcement and prison officials on the rights and dignity of persons with disabilities and monitoring mechanisms to ensure their rights in correctional and detention facilities.

<sup>1</sup> [A/72/55](#), annex.

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

25. The Committee observes with concern:

(a) That involuntary or forced admission to institutions is still allowed upon a decision by a medical board and that persons with disabilities, and in particular persons with psychosocial disabilities, are therefore still subjected to forced treatment;

(b) That despite the authority of the national police to investigate, address and resolve grievances at the local and national level, that body does not consider that forced treatment of any type amounts to torture.

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

(a) **Review all relevant legislation, policies and practices that allow for forced treatment;**

(b) **Ensure that all persons with disabilities still in institutions have access to procedures to handle complaints relating to forced treatment;**

(c) **Ensure that the national police effectively investigate all suspected cases of cruel, inhuman and degrading treatment or torture, including those resulting from the forced treatment of persons with disabilities;**

(d) **Prosecute and, where relevant, punish those responsible for acts amounting to torture or cruel, inhuman or degrading treatment or punishment committed against persons with disabilities.**

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

27. The Committee notes with concern:

(a) The lack of awareness among the general population, and particularly among persons with disabilities, about the measures in place for the protection of persons with disabilities from exploitation, violence and abuse, and the lack of a comprehensive strategy to deal with such actions in all settings, including in the family, at school and in the workplace;

(b) The limited availability of information and statistical data regarding violence against persons with disabilities and the complaints submitted relating to such violence;

(c) The lack of accessible shelters for women and girls who are victims of violence, including women with psychosocial and/or intellectual disabilities;

(d) The inadequate training of the caregivers and families of persons with disabilities, health personnel and law enforcement officials to enable them to recognize all forms of exploitation, violence and abuse.

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

(a) **Adopt a comprehensive strategy to prevent the exploitation of violence against and abuse of persons with disabilities, especially persons with psychosocial and/or intellectual disabilities and those who are institutionalized, raise awareness about measures in place for their protection from exploitation, violence and abuse, and ensure that they have information about how to avoid, recognize and report cases of exploitation, violence and abuse, and ensure that those who are victims of exploitation, violence or abuse have access to effective remedies, such as restorative justice, including rehabilitation;**

(b) **Ensure that data collected on violence against persons with disabilities disaggregate cases of gender-based violence against women and girls with disabilities, in the private and public spheres, and take measures to ensure access to support services for those who are victims of gender-based violence, including through appropriate funding;**

(c) **Take the measures necessary to ensure funding and support for shelters for victims of violence and ensure that the facilities and services provided therein are accessible to persons with disabilities, particularly women and girls;**

(d) **Ensure that health professionals and law enforcement officers are trained to recognize all forms of exploitation, violence and abuse and to better communicate and work with persons with disabilities who are victims of violence, and offer such training for their families and caregivers.**

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

29. The Committee is concerned about the prevalence of forced medical treatments and the use of drugs and treatment methods for patients with psychosocial and/or intellectual disabilities without their free and informed consent and about the forced sterilization of women and girls with disabilities.

30. **The Committee recommends that the State party prohibit forced medical treatment and interventions, including the forced sterilization of persons with disabilities, in both public and private institutions, and provide training to all health practitioners, including traditional healers, on the rights of persons with disabilities.**

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

31. The Committee observes with concern:

(a) That, notwithstanding the integrated social support centres in the State party, there is still a lack of awareness in society and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;

(b) The absence of a deinstitutionalization strategy for persons with disabilities placed in existing residential institutions and the lack of programmes for resettling them, in particular persons with psychosocial and/or intellectual disabilities who cannot afford housing.

32. **The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and its guidelines on deinstitutionalization, including in emergencies (2022)<sup>2</sup> and recommends that the State party:**

(a) **Adopt a strategy that includes awareness-raising activities to promote understanding of the right of persons with disabilities to choose their living arrangements, the right not to be obliged to live in a particular living arrangement and the value of inclusion in, as opposed to segregation from, the community;**

(b) **Commence the deinstitutionalization of those persons with disabilities who are still in a residential setting and increase the availability of community-based services aimed at enabling persons to live and participate in their communities.**

#### **Personal mobility (art. 20)**

33. The Committee notes that the Angolan executive supports the mobility of persons with disabilities through the provision of assistive aid grants, however, it is concerned that only those who are registered can benefit from the grants, that many of the assistive devices are not locally made yet and therefore depend on importation by private suppliers involving high prices, and that there are reported delays in delivery of assistive devices owing to long processes to approve applications. The Committee also notes that the Angolan executive intends to build a facility to produce assistive devices to lower the cost of those technologies, however it is concerned that persons with disabilities are not aware of this.

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

(a) **Take available measures to ensure access to quality mobility aids, devices and assistive technologies for all persons with disabilities, irrespective of their registration status, in particular for those who are unemployed or are low-income earners;**

<sup>2</sup> CRPD/C/5.



(b) **Ensure appropriate budget allocations for assistive aid grants to meet the costs and demand for assistive devices and to ease the burden on the part of the individuals who need them;**

(c) **Consider the introduction of measures to reduce the costs of acquiring assistive equipment and devices, such as tax or customs exemptions for their purchase, and fiscal and capacity support for local enterprises with the interest and ability to manufacture aids for local markets;**

(d) **Ensure that persons with disabilities through their representative organizations are meaningfully consulted in the construction of facilities to produce assistive devices for their benefit.**

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

35. The Committee is concerned about the insufficient provision of information in accessible formats and information and communications technology, such as easy read, plain language, captioning, sign language, Braille, audio-description and tactile, augmentative and alternative means of communication, in both public and private media outlets, and in particular on the websites that provide public information. It is also concerned about the lack of access to information and communications technology for persons with disabilities.

36. **The Committee recommends that the State party ensure the accessibility of all public information, including television and media services, for all persons with disabilities in accessible communication formats, such as Braille, deaf-blind interpretation, sign language, easy read, plain language, audio description, captioning and subtitles, through the allocation of adequate funding for their development, promotion and use, and ensure access to information and communications technology adapted to the diversity of persons with disabilities. It further recommends that the State party continue to strengthen and expand sign language training.**

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

37. The Committee is concerned about the level of support for persons affected by leprosy and persons with albinism, and the extent to which they are supported by their families.

38. **The Committee recommends that the State party strengthen its efforts to ensure support for persons affected by leprosy and persons with albinism, including support for their families.**

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

39. The Committee notes that some measures have been taken by the State party to introduce inclusive education, such as the establishment of the national policy for inclusive special education, however it is concerned about:

(a) The lack of full implementation of the practice of inclusive education throughout the education system, the prevalence of special schools and classes and the greater barriers to education faced by children requiring higher levels of support;

(b) The lack of accessible transport to school for children with disabilities;

(c) Insufficient training for teachers and non-teaching staff on the right to inclusive education;

(d) Insufficient accessible learning materials, alternative communication and information methods or teachers fluent in Angolan sign language.

40. **Recalling its general comment No. 4 (2016) on the right to inclusive education and target 4.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Develop a strategy for implementing quality, inclusive education with specific targets, timelines and a budget, share responsibilities between the national and municipal levels and ensure that children with disabilities consistently interact with those without disabilities;**

(b) **Take all measures to ensure that children with disabilities can attend school, including through appropriate arrangements for transportation;**

(c) **Provide students with disabilities with assistive compensatory aids and learning materials in alternative and accessible formats, such as inclusive digital access, modes and means of communication, including easy read, communication aids and assistive and information technology;**

(d) **Ensure continuous training for teachers and non-teaching staff on inclusive education at all levels, including training in sign language and other accessible formats of information and communication.**

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

41. The Committee notes with concern:

(a) Information about the barriers faced by persons with disabilities in gaining access to health-care services and equipment, including the physical barriers faced by persons with visual impairments, attitudinal barriers and the lack of solar protection and skin cancer preventive measures for persons with albinism;

(b) The lack of specific access to sexual and reproductive health-care services for persons with disabilities, particularly all women with disabilities, including those with psychosocial and/or intellectual disabilities;

(c) Information about the lack of awareness of health-care service managers and medical staff of the rights of persons with disabilities, including persons with hearing impairments, and the lack of accessible communication with users of health services;

(d) The obstacles for persons with disabilities in procuring specific medication and long delays for scheduling and waiting for medical appointments;

(e) That persons with disabilities have faced obstacles in gaining access to health care throughout the COVID-19 pandemic;

(f) The insufficient early intervention and alternative care with regard to leprosy, including support from families;

(g) That between 2019 and 2020, only 454 persons with disabilities were referred by the Ministry of Social Action, Family and Women's Promotion to various services with references on health.

42. **Taking into account the links between article 25 of the Convention and targets 3.7 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Strengthen action plans to ensure the accessibility and availability of health services, including preventive services and equipment for persons with disabilities, and protection and treatment for persons with albinism;**

(b) **Provide persons with disabilities, in particular women and girls, with access to sexual and reproductive health care and services and ensure supported decision-making for women with psychosocial and/or intellectual disabilities so that they can affirm their sexual and reproductive autonomy;**

(c) **Develop training for health-care professionals on the rights of persons with disabilities, support measures and information and communication means and methods, and provide information in accessible formats, including Braille, sign language and easy read, for them, particularly for persons with psychosocial and/or intellectual disabilities and women and girls with disabilities;**

(d) **Ensure that there is available medication for disability-related health conditions;**

(e) **Provide all persons with disabilities with access to all the health-care services available for the general population during the COVID-19 pandemic, prioritizing access to diagnostic, vaccination and recovery treatments;**

(f) **Intensify campaigns on leprosy awareness to destigmatize leprosy and encourage early use of health services by all members of the community.**

#### **Habilitation and rehabilitation (art. 26)**

43. The Committee notes with concern that notwithstanding the 11 orthopaedic and rehabilitation centres across Angola, the barriers faced by persons with disabilities in gaining access to rehabilitation services, including in rural areas and for persons who have been victims of landmines.

44. **The Committee recommends that the State party expand habilitation and rehabilitation systems and take the measures necessary to ensure that persons with disabilities, including children with disabilities in rural areas and persons who have been victims of landmines, have access to rehabilitation on the basis of their individual requirements.**

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

45. The Committee notes with concern that:

(a) Despite the provision in presidential decree No. 12/16 approving the new regulations for the reservation of places and procedures for the recruitment of persons with disabilities for a minimum of 4 per cent of jobs in the public sector and 2 per cent in the private sector, based on available estimates, those targets are not being met;

(b) While a fine is imposed on private sector companies that do not comply with presidential decree No. 12/16, there is no similar penalty for public sector entities that fail to comply;

(c) The measures taken to promote the employment of persons with disabilities are insufficient to ensure access to the open labour market by persons with disabilities living in rural areas, persons with intellectual disabilities, persons with hearing impairments and persons with psychosocial disabilities. It is also concerned about the attitudinal barriers deterring employers from hiring persons with disabilities alongside the physical barriers in the work environment, in particular the reported lack of accessible transportation and accessible information, including for job seekers;

(d) The limited participation of persons with disabilities in market-oriented job training programmes is reportedly due to the lack of physical access and sign language interpretation, resulting from the limited number of sign language interpreters available and the high cost of services;

(e) There is a lack of official data or statistics on persons with disabilities employed in the public and private sectors.

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

(a) **Enforce the implementation of the quotas of employment for persons with disabilities in both the public and private sectors, such as through the application of penalties, as provided in presidential decree No. 12/16, while taking effective measures to combat discrimination, particularly in relation to advertising and the recruitment process, and ensure reasonable accommodation and the right to work;**

(b) **Strengthen measures to ensure that persons with disabilities have access to work and employment in the open labour market and to inclusive work environments, including persons with disabilities taking part in deinstitutionalization processes, persons with disabilities living in rural areas, persons with hearing impairments and persons with psychosocial and/or intellectual disabilities;**

(c) **Adopt measures to combat attitudinal barriers among employers, adopt an action plan to periodically assess accessibility in workplaces, including access to transportation, alternative means of information and communication, sign language and speech-to-text interpretation and pictograms for job seekers and employees, and**

**adopt policies and procedures that establish and support the development of infrastructure for the provision of personal assistance in the workplace;**

**(d) Enhance the participation of persons with disabilities in market-oriented job training programmes by taking measures to ensure physical access and the availability and affordability of sign language interpretation;**

**(e) Expand national employment programmes to enhance the transition from education into the labour market for persons with disabilities, in particular persons with psychosocial and/or intellectual disabilities;**

**(f) Collect and publicize disaggregated data on the employment of persons with disabilities in the public, private and informal sectors.**

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

47. The Committee notes with concern the high number of persons with disabilities living in poverty and the absence of a comprehensive social protection system guaranteeing them and their families access to an adequate standard of living, including the resources to cover the expenses related to disability.

**48. Recalling the links between article 28 of the Convention and target 10.2 of the Sustainable Development Goals, which seek to empower and promote the economic inclusion of all persons, irrespective of disability status, the Committee recommends that the State party:**

**(a) Develop social protection and poverty reduction strategies targeting persons with disabilities;**

**(b) Consider the adoption of a universal social protection scheme to ensure an adequate standard of living for persons with disabilities, such as through systems of subsidies or allowances permitting them to cover disability-related costs;**

**(c) Include disability perspectives in programmes designed to promote an adequate standard of living, including programmes and initiatives to increase access to safe and affordable drinking water and sanitation, including in rural and remote areas.**

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

49. The Committee notes with concern:

**(a) The lack of access to polling stations, voting procedures, facilities and materials, as well as to information about elections, including public electoral debates, electoral programmes and online or printed election materials, all of which limits the effective political participation of persons with hearing impairments and persons with intellectual disabilities;**

**(b) The lack of information available to electoral officers on the different needs of persons with disabilities registered to vote in their electoral stations;**

**(c) The lack of representation of persons with disabilities in the current term of the parliament (2022–2027) owing to the fact that the political parties that presented candidates with disabilities in the last general elections ranked them very low in their list of proposed deputies;**

**(d) That there is no participation of persons with disabilities in the public life in leadership positions to serve as role models.**

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

**(a) Ensure that polling stations and other relevant facilities are physically accessible, as well as the electoral and voting procedures and online or printed election materials, including through the use of plain language and easy read;**

**(b) Develop, in a manner compatible with the right to privacy, a voter registration database with information on voters with disabilities, disaggregated by sex, age and impairment, and provide that information to election officers prior to voting to**

**enable them to prepare for and ensure the full participation of persons with disabilities, ensuring confidentiality and respect for their privacy;**

**(c) Adopt the measures necessary to guarantee the representation of persons with disabilities in the parliament at all times;**

**(d) Take measures to facilitate the participation of persons with disabilities in public life in leadership positions so that they can serve as role models.**

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

51. The Committee is concerned about:

**(a) The lack of accessibility of all museums, cultural and recreational centres, tourist attractions and stadiums, including the lack of provision in public libraries of information in accessible formats for persons who are blind or visually impaired and the lack of sufficient funding to enable persons with disabilities to participate actively in sports and recreational activities, including in rural and remote areas;**

**(b) The fact that the State party has not yet ratified the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled.**

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

**(a) Take concrete measures to eliminate all barriers to the participation of persons with disabilities in cultural life and recreational and sports activities, and encourage their participation on an equal basis with others, including expediting action on the establishment of the national disability sports centre;**

**(b) Ratify and implement 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)**

53. While noting some efforts undertaken by the State party to collect data on persons with disabilities through the National Statistics Institute, the Committee notes with concern:

**(a) The gaps in collecting disaggregated data and statistics on persons with disabilities in all areas covered by the Convention;**

**(b) The lack of systematic and comprehensive research about the living conditions of persons with disabilities and the need to identify the barriers faced by them in exercising their rights.**

54. **The Committee recalls the Washington Group on Disability Statistics short set of questions on disability and the policy marker on the inclusion and empowerment of persons with disabilities of the Development Assistance Committee of the Organisation for Economic Co-operation and Development and recommends that the State party:**

**(a) Develop a system and procedures for collecting data on persons with disabilities, disaggregated by age, sex, gender identity, race, ethnicity, income, migration status, level of education, employment situation and place of residence, ensuring confidentiality and respect for their privacy;**

**(b) Allocate funds to undertake periodic research on the rights of persons with disabilities, with the aim of identifying barriers to the effective enjoyment of their rights, support independent and participatory research to inform measures affecting their rights and consider capacity-building measures to permit municipal authorities to periodically collect data on their status, consistent with their right to privacy.**

**International cooperation (art. 32)**

55. The Committee notes with concern that organizations of persons with disabilities are not always consulted in the scope of international cooperation programmes.

**56. The Committee recommends that organizations of persons with disabilities be meaningfully consulted and involved at all stages of the development and implementation of international cooperation plans, programmes and projects.**

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

57. The Committee is concerned that:

(a) While noting the establishment of the Office of the Ombudsman as an institution, it does not meet the requirements of the principles relating to the status of national institutions for the protection and promotion of human rights (the Paris Principles);

(b) Persons with disabilities have not been adequately involved through their representative organizations in the implementation and monitoring of the Convention.

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

(a) **Consider making the necessary adjustments to ensure that the Office of the Ombudsman meets the requirements of the Paris Principles or establishing a separate independent national human rights institution meeting those requirements;**

(b) **Ensure that persons with disabilities, including women and girls with disabilities, are meaningfully involved in monitoring the implementation of the Convention through their representative organizations.**

**IV. Follow-up****Dissemination of information**

59. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations and would like to draw the attention of the State party to the recommendations contained in paragraphs 20 (equal recognition before the law) and 46 (work and employment).

60. 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 the parliament, officials in relevant ministries, local authorities and members of relevant professional groups, such as education, medical and legal professionals, as well as to the media, using modern social communication strategies.

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

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

**Next periodic report**

63. The Committee requests the State party to submit its combined 2nd, 3rd, 4th and 5th periodic reports by 19 June 2028 and to include therein information on the implementation of the recommendations made in the present concluding observations. The Committee also requests the State party to consider submitting the above-mentioned reports under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the due date set for the report of a State party. The replies of a State party to such a list of issues constitute its report.

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