



# Convention on the Rights of Persons with Disabilities

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## Committee on the Rights of Persons with Disabilities

### Concluding observations on the combined second and third periodic reports of El Salvador\*

#### I. Introduction

1. The Committee considered the combined second and third periodic reports of El Salvador (CRPD/C/SLV/2-3) at its 497th and 498th meetings (see CRPD/C/SR.497 and 498), held on 11 and 12 September 2019. It adopted the present concluding observations at its 510th meeting, held on 20 September 2019.

2. The Committee welcomes the combined second and third periodic reports of El Salvador, which were prepared in accordance with the Committee's reporting guidelines and in response to its list of issues prior to reporting (CRPD/C/SLV/QPR/2-3).

#### II. Positive aspects

3. The Committee welcomes the withdrawal of the reservation to the Convention that had been made upon signature and confirmed upon ratification, which was published in the Official Gazette on 8 January 2015. It also welcomes the adoption of legislation and policies that include provisions regarding the rights of persons with disabilities, especially:

(a) The reform of the Special Law for the Protection of the Cultural Heritage of El Salvador, which recognizes Salvadoran Sign Language as a "natural and official language";

(b) The establishment of the Secretariat for Social Inclusion;

(c) The amendments to the Law on Land Transport, Transit and Road Safety, reserving parking spaces for persons with disabilities; and the General Regulation on Land Transport, of 2014, stipulating that vehicles for public transport must be equipped with a lifting platform or folding ramp to facilitate transport for passengers using a wheelchair;

(d) The first national survey of persons with disabilities, in 2015, which ensures that service centres for issuing identity documents are set up to provide closer access for those in rural areas.

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\* Adopted by the Committee at its twenty-second session (26 August–20 September 2019).



### III. Principal areas of concern and recommendations

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

4. The Committee is concerned that several laws, particularly article 367-A of the Criminal Code, and the new Family Code, do not adhere to the Convention, resulting in the exclusion of and discrimination against persons with disabilities, particularly persons with psychosocial or intellectual disabilities. The Committee is also concerned about:

(a) The lack of progress on enacting the law on the inclusion of persons with disabilities, which would repeal the Equalization of Opportunities for Persons with Disability Act;

(b) The lack of measures adopted to align the criteria for the disability certification mechanism with the Convention;

(c) The pejorative terms used in the Equalization of Opportunities for Persons with Disability Act to refer to persons with disabilities.

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

(a) **Review and amend all its laws, particularly the Family Code and the Criminal Code, to eliminate the concept of the “declaration of incapacity” in order to fully recognize and respect all the rights of persons with disabilities;**

(b) **Expedite the adoption of the law on the inclusion of persons with disabilities, ensuring that it contains the human rights model of disability, and repeal the Equalization of Opportunities for Persons with Disability Act;**

(c) **Ensure the elimination of pejorative language used to refer to persons with psychosocial or intellectual disabilities in legislation.**

6. The Committee is concerned at the lack of budgetary allocation for the implementation of plans and programmes at the national and municipal levels for the protection of the rights of persons with disabilities.

7. **The Committee recommends that the State party allocate and earmark sufficient budget for the implementation of plans and programmes for the protection of the rights of persons with disabilities, in both urban and rural areas.**

#### B. Specific rights (arts. 5–30)

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

8. The Committee is concerned that there is lack of recognition and prohibition of multiple and intersectional discrimination, especially against women, indigenous persons and persons of African descent with disabilities. It is also concerned that legislation, such as the Law on Equality, Fairness, and the Elimination of Discrimination against Women and the Special Comprehensive Law for a Violence-free Life for Women, does not include or consider the perspective of women and girls with disabilities, especially those with psychosocial or intellectual disabilities. It is concerned about the lack of progress in recognizing denial of reasonable accommodation as a form of disability-based discrimination under the law.

9. **Recalling its general comment No. 6 (2018) on equality and non-discrimination, the Committee recommends that the State party adopt effective legal and policy measures, including the prohibition of all forms of discrimination against persons with disabilities, particularly on the grounds of disability, sex, age, ethnicity and gender identity. It also recommends that denial of reasonable accommodation be recognized as a form of disability-based discrimination under the law.**

10. The Committee is concerned that governmental entities such as the General Inspectorate of Public Security and the Human Rights Unit of the National Civil Police are responsible for receiving complaints of discrimination against persons with disabilities.

11. **The Committee recommends that the State party designate an independent and impartial mechanism to receive complaints of discrimination against persons with disabilities, and maintain a system for collecting disaggregated data, including by age, sex, and reason for complaint.**

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

12. The Committee is concerned about:

(a) Gender equality policies and specific programmes for women which are not inclusive of women and girls with disabilities;

(b) The low rate of participation of organizations of women with disabilities in all matters affecting them, particularly crimes related to gender-based violence.

13. **With reference to its general comment No. 3 (2016) on women and girls with disabilities, the Committee recommends that the State party:**

(a) **Adopt effective measures to ensure that women and girls with disabilities are included in gender equality policies and programmes, and ensure that public and private service providers working for or with women with disabilities mainstream a gender and disability perspective in their work;**

(b) **Ensure that organizations of women and girls with disabilities are closely consulted in the formulation of policies and programmes at the urban and rural levels, including those relating to addressing gender-based violence.**

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

14. The Committee is concerned that children with disabilities are institutionalized on the basis of impairment, and that the State party continues to invest in residential institutions, without taking measures to ensure deinstitutionalization or investing in programmes for independent living in the community. It is also concerned:

(a) At the lack of information and disaggregated data on the number of children with disabilities living in rural and indigenous communities and on measures taken to combat poverty in rural and urban areas;

(b) At the lack of measures taken by the State party to ensure that children with disabilities can express their views freely on all matters affecting them, and concerned that their views are given due weight in accordance with their evolving capacities, on an equal basis with other children, and also concerned at the lack of measures to closely consult with and actively involve organizations of persons with disabilities, including of children with disabilities;

(c) At the lack of transparency in legal proceedings concerning children with disabilities.

15. **The Committee recommends that, in close consultation with organizations of persons with disabilities, including organizations of children with disabilities, the State party take immediate measures to deinstitutionalize children with disabilities living in residential centres, by developing and implementing comprehensive plans, with an adequate budget, for support services in the community, as well as social inclusion programmes. It also recommends that the State party:**

(a) **Strengthen the collection of disaggregated data on the number of children with disabilities living in rural and indigenous communities, with a view to designing adequate public policies to combat marginalization and poverty among children with disabilities and their families;**

(b) **Ensure that all children with disabilities can express their views freely in all matters affecting them, and that their views are given due weight in accordance with their evolving capacities, on an equal basis with other children, and that it consult and actively involve organizations of children with disabilities;**

(c) **Take all measures necessary in order to ensure that legal proceedings are transparent and give effect to the principle of the best interests of the child in decisions concerning children with disabilities.**

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

16. The Committee is concerned that the State party's awareness-raising efforts remain limited to isolated and sporadic campaigns and training programmes, which lack a focused plan for raising awareness in all spheres about respect of the rights of persons with disabilities, including among education personnel, the judiciary, law enforcement officials, staff in the health sector, and at the family and community levels.

17. **The Committee recommends that the State party launch an intensive awareness-raising strategy, that includes training programmes and media campaigns, based on the human rights model of disability, for judges, lawmakers, law enforcement officials and health and education personnel, in order to eliminate prejudices, stereotypes and harmful practices against persons with disabilities, especially persons with psychosocial or intellectual disabilities, and to promote recognition of their rights in society.**

#### **Accessibility (art. 9)**

18. The Committee is concerned at:

(a) The insufficient measures taken to improve physical accessibility and communication accessibility, including transport, resulting in a lack of accessible public transport in remote and rural areas, including the lack of training for transport operators and the limited sanctions for violations;

(b) The fact that the Salvadoran Technical Standard on Accessibility to the Physical Environment, Urbanism and Architecture is not aligned with the principles of the Convention.

19. **With reference to its general comment No. 2 (2014) on accessibility and taking into account Sustainable Development Goal 9 and targets 11.2 and 11.7, the Committee recommends that the State party establish a comprehensive monitoring mechanism to ensure strict implementation of accessibility standards and recommends that sanctions for non-compliance be increased and enforced. The Committee also recommends that the State party:**

(a) **Increase the number of transport routes that are accessible to persons with disabilities, particularly in rural areas, and allocate adequate budget for equipping public transport with accessibility features;**

(b) **Develop, promulgate, and monitor the implementation of minimum standards and guidelines regarding the accessibility of facilities and services that are open to or provided to the public.**

#### **Right to life (art. 10)**

20. The Committee is deeply concerned at the killings of persons with disabilities, often perpetrated by criminal gangs, at the alarming rise in femicides, which also affect women and girls with disabilities, and at the low rate of prosecution and conviction of the perpetrators.

21. **The Committee recommends that the State party immediately adopt measures to effectively address killings of persons with disabilities perpetrated by criminal gangs, and in particular femicides of women and girls with disabilities, and ensure that the perpetrators are prosecuted and convicted.**

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

22. The Committee is concerned that only a few persons with disabilities, through their organizations, contributed to the Road Map for Inclusion, Protection and Attention to Persons with Disabilities in Emergencies and Disasters. Taking into consideration the fact

that the State party is at risk from natural hazards, the Committee is also concerned that no budget has been allocated for the implementation of the road map and of the Strategic Plan of Action scheduled for 2020.

**23. The Committee recommends that the State party, in consultation with persons with disabilities:**

(a) **Ensure that budget is allocated for implementation of the road map and of the Strategic Plan of Action scheduled for 2020, and establish a contingency budget for humanitarian emergencies and disasters;**

(b) **Implement the Strategic Plan of Action and monitor the accessibility of the shelters that are usually set up in emergencies;**

(c) **Ensure that the specific requirements of all persons with disabilities are taken into consideration, and that they are provided with information in accessible formats.**

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

24. The Committee is concerned that no progress has been made to repeal article 74 of the Constitution, which suspends citizenship rights due to “mental alienation” and “judicial interdiction”, and which severely restricts the rights of persons with disabilities, particularly persons with intellectual or psychosocial disabilities and persons with hearing impairments, whose equal recognition before the law is restricted.

**25. The Committee recalls its general comment No. 1 (2014) on equal recognition before the law, and recommends that the State party repeal the regime of declaration of incapacity in its legislation, particularly in the Constitution and the Family Code. The Committee also recommends that the State party allocate human and budgetary resources to replace substituted decision-making with a supported decision-making regime for persons with disabilities, particularly persons with psychosocial, intellectual or hearing disabilities.**

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

26. The Committee remains concerned about the lack of measures taken to establish procedural adjustments, including gender and age accommodations, to ensure access to justice for persons with disabilities, in rural and urban areas.

**27. Taking into account target 16.3 of the Sustainable Development Goals, the Committee recommends that the State party repeal any legislation that creates barriers for persons with disabilities to access justice and establish the necessary safeguards to guarantee the participation of persons with disabilities in all legal proceedings, on an equal basis with others, including a gender and age focus, and individualized accommodations, such as accessible modes and formats of communication – Braille, Easy Read, captioning, alternative communication devices and professional sign language interpreters, among others.**

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

28. The Committee is concerned at:

(a) Legislation such as the Mental Health Act, 2017, and articles 436 and 437 of the Criminal Procedure Code, which allow for the forced medication of, use of physical restraints on and involuntary institutionalization of persons with psychosocial or intellectual disabilities;

(b) The Family Code, which allows relatives or guardians of persons with psychosocial or intellectual disabilities to hospitalize them, without the consent of the person concerned, under the presumption of being “mentally ill”;

(c) Lack of sufficient accessibility and individualized accommodations for persons with disabilities in detention centres and police stations.

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

(a) **Immediately adopt measures to repeal or revise all legal provisions in order to prohibit medical treatment and forced institutionalization based on “unfitness to stand trial”;**

(b) **Ensure the dignity, autonomy and independence of persons with disabilities on matters affecting them and establish a mechanism for monitoring detention centres and for the lodging of complaints;**

(c) **Remove barriers preventing physical accessibility and communication accessibility in police stations and detention centres.**

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

30. The Committee is deeply concerned that legislation in the State party continues to allow ill-treatment and the use of physical restraints, electric shocks and drug sedation on persons with disabilities without their free and informed consent in psychiatric and other institutions.

31. **Recalling its general comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention and taking into account target 16.1 of the Sustainable Development Goals, the Committee recommends that the State party, in consultation with organizations of persons with disabilities:**

(a) **Amend the Mental Health Law and mental health policies to prohibit corporal punishment, isolation, restraint measures and anti-seizure therapies and eliminate any cruel, inhuman or degrading treatment of persons with disabilities;**

(b) **Establish an independent monitoring mechanism, in consultation with organizations of persons with disabilities, to investigate, monitor and receive complaints of ill-treatment, and apply sanctions for the conducting of any practice without the free and informed consent of persons with disabilities.**

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

32. The Committee is concerned about:

(a) The persistence of violence against persons with disabilities, especially sexual and gender-based violence against women and girls with psychosocial or intellectual disabilities, at home and in institutions, violence against older persons with disabilities, persons of African descent with disabilities, and persons with disabilities living in conditions of hardship in rural or remote areas;

(b) Insufficient rehabilitation services and ineffective complaint and redress mechanisms for persons with disabilities who are victims of violence, as well as a lack of protection against reprisals against persons with disabilities who are victims of violence and of human and organ trafficking which may arise from filing complaints against the perpetrators;

(c) Ineffective preventive measures taken against trafficking in persons with disabilities and in organs;

(d) A lack of data on cases of sexual and gender-based violence against persons with disabilities in psychiatric hospitals, detention facilities and in the home, and on complaints reported and cases decided on trafficking in persons with disabilities and in organs.

33. **The Committee recommends that the State party, in accordance with the Committee’s general comment No. 3 (2016) on women and girls with disabilities, and taking into account target 16.2 of the Sustainable Development Goals, take measures to:**

(a) **Protect persons with disabilities, particularly women and girls with disabilities, in the home and in institutions, older persons with disabilities, persons of**

**African descent with disabilities, persons with psychosocial or intellectual disabilities, and persons with disabilities living in conditions of hardship in rural or remote areas, from all forms of violence, including sexual and gender-based violence;**

**(b) Provide rehabilitation services, including emergency shelter and medical and psychological assistance, and effective complaint and redress mechanisms, including protection against reprisals arising from filing complaints against perpetrators, to persons with disabilities who are victims of violence and of human and organ trafficking;**

**(c) Prevent trafficking in persons with disabilities and in organs, by, inter alia, providing gender-sensitive training on preventing and identifying trafficking in persons with disabilities and in organs to public officials, including the National Civil Police, the judiciary and health and social workers;**

**(d) Collect data, disaggregated by age, sex, form of violence and disability, on victims of violence against persons with disabilities in psychiatric hospitals, detention facilities and in the home, and on the number of complaints reported and cases decided on trafficking in persons with disabilities and in organs.**

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

34. The Committee is concerned that women and girls with disabilities continue to be subjected to forced sterilization and abortion, without their consent, and that the Counsel-General's Office issues opinions to hospitals on medical treatment including forced sterilization without the consent of the person concerned but with the consent of a third party. It is also concerned that no cases of forced sterilization were reported by hospitals.

35. **The Committee urges the State party to:**

**(a) Repeal article 147 (3) of the Criminal Code and abolish the practice of forced sterilization of women and girls with disabilities, and ensure that decisions regarding medical procedures are taken with the free and informed consent of the person with disability and not as per the opinions issued by the Counsel-General's Office;**

**(b) Establish an independent mechanism to monitor, register and investigate cases of forced sterilization in hospitals and private clinics.**

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

36. The Committee is concerned that the new Migration Law and the Passport Issuance and Revalidation Law enforce legal impediments to leaving the country for persons with hearing impairments and persons with intellectual or psychosocial disabilities. The Committee is also concerned at cases of some persons with disabilities still not having access to identity documents.

**37. The Committee recommends that the State party review and reform its legislation on migration to eliminate discriminatory restrictions and ensure that all persons with disabilities who wish to leave or enter the country have access to procedures on an equal basis with others. The Committee also recommends that the State party take measures to ensure that all persons with disabilities have a birth certificate or identity document.**

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

38. The Committee is concerned about:

**(a) The lack of a strategy for the deinstitutionalization of persons with disabilities currently in reception centres or psychiatric hospitals, principally, and the lack of involvement of organizations of persons with disabilities in that regard;**

**(b) Insufficient foster care programmes to ensure the right to family life of children with disabilities;**

(c) Insufficient housing loans granted to persons with disabilities, and the lack of accessibility in individual homes that are part of social housing programmes.

39. **In accordance with its general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party adopt and implement, in close consultation with and with the active involvement of organizations of persons with disabilities, a comprehensive national strategy with clear time-bound measures, benchmarks and the allocation of sufficient funds for effective deinstitutionalization at all levels, which should include community programmes, family and social support networks in the community and personal and domiciliary assistance.**

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

40. The Committee notes that there is no comprehensive mobility plan that includes technical aids, subsidies for the repair and maintenance of such aids and ergonomics for the individual manufacture of wheelchairs, particularly for persons who do not benefit from any social security programme or scheme.

41. **The Committee recommends that the State party establish a comprehensive mobility plan, for both urban and rural areas, which takes into account the individual technical assistance requirements of persons with disabilities, including those who do not benefit from any social security programme or scheme.**

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

42. The Committee is concerned:

(a) By several government websites that continue to be inaccessible, and that there is no legal provision ensuring the existence and availability of information in accessible formats;

(b) About the limited availability of professional Salvadoran Sign Language interpreters, and the lack of an official register of Salvadoran Sign Language interpreters and of technical aids for persons who are deaf or hard of hearing.

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

(a) **Ensure that all government sites are accessible, and adopt measures to promote the use of accessible communication formats by the media sector such as websites and television and radio programmes that are provided to or open to the public;**

(b) **Increase training courses for qualified Salvadoran Sign Language interpreters, and establish a register of Salvadoran Sign Language interpreters.**

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

44. The Committee is concerned:

(a) That laws, particularly articles 171, 292 and 301 of the Family Code and articles 1317 and 1318 of the Civil Code, continue to restrict rights and declare persons with disabilities incapable of marrying, forming a family and being parents on an equal basis with others;

(b) About the lack of information on the rights of persons with disabilities to retain parental responsibility, as well as on rights to adoption on an equal basis with others.

45. **The Committee recommends that the State party review and repeal any legislation or policy, particularly the Family Code and the Civil Code, that restricts the rights of persons with disabilities to marriage, to form a family and to be a parent, including adoption on an equal basis with others.**

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

46. The Committee is concerned:



(a) That limited progress has been made with regard to the right to inclusive education for persons with disabilities;

(b) At the lack of information on the number of children with disabilities in segregated schools and in mainstream schools;

(c) That the Ministry of Education's Comprehensive Sexuality Education Strategy does not include persons with disabilities in a multidimensional and intersectional manner.

**47. The Committee recalls its general comment No. 4 (2016) on the right to inclusive education, and targets 4.5 and 4.A of the Sustainable Development Goals, and recommends that the State party:**

(a) **Establish a national strategy for the inclusion of children with disabilities in mainstream education and redirect budget from segregated to mainstream classrooms and schools, ensure full accessibility in educational premises, adopting measures to remove architectural and communication barriers, ensure that teaching and non-teaching staff are trained, and ensure the availability of accessible learning material in Easy Read and Braille and the availability of sign language interpreters;**

(b) **Establish a system to collect disaggregated data on the number of children with disabilities, especially children with intellectual or psychosocial disabilities still in segregated education and those in mainstream education, and the types of support provided to them, with a view to designing adequate public policies;**

(c) **Ensure that all the educational policies and strategies aimed at the general population, including the Comprehensive Sexuality Education Strategy, are applicable to persons with disabilities.**

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

48. The Committee is concerned that the State party highlights various programmes to contribute to women's health, but makes no specific reference to access to health insurance on an equal basis with others and access to sexual and reproductive health services for girls and women with disabilities, persons with psychosocial or intellectual disabilities, and deaf, blind and deafblind persons. The Committee remains concerned at the lack of adaption to health-care infrastructure and equipment.

**49. The Committee recommends that the State party ensure that in its nationwide health programmes, including its sexual and reproductive health programmes, it include persons with disabilities, especially women and girls with disabilities, persons with psychosocial or intellectual disabilities, and deaf, blind and deafblind persons. It also recommends that persons with disabilities have access to health insurance on an equal basis with others. The Committee recommends that the State party allocate resources to ensure accessibility of health services and equipment and that medical professionals be duly trained on the rights of persons with disabilities when providing them with treatment and counselling, in both urban and rural locations.**

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

50. The Committee is concerned that:

(a) Legislation does not recognize denial of reasonable accommodation in employment as discrimination on the basis of disability;

(b) There is a low rate of representation of persons with disabilities in employment, particularly as public servants;

(c) No national strategy has been established to provide vocational training programmes for persons with disabilities in either urban or rural areas and to ensure the creation of job opportunities in the open labour market.

**51. Taking into account target 8.3 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Review and modify its labour legislation to ensure that denial of reasonable accommodation in the workplace is considered discrimination on the basis of disability;**

(b) **Establish affirmative measures, with quotas, and with sanctions for non-compliance, to increase the proportion of persons with disabilities in the open labour market in the public and private sectors, especially women with disabilities, and in that regard monitor the work and employment situation of persons with disabilities;**

(c) **Design and implement a national strategy with a focus on providing vocational training programmes in urban and rural areas and creating job opportunities in the open labour market.**

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

52. The Committee is concerned at the high illiteracy rate, and that the 2015 poverty index does not take into account multidimensional factors that result in high levels of poverty among persons with disabilities, including women with disabilities, persons of African descent with disabilities, indigenous persons with disabilities, and persons with disabilities living in remote and rural areas. It is also concerned there are no statistical data available to reflect the number of persons with disabilities who have benefited from social programmes and State schemes.

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

(a) **Establish a national programme to address the higher levels of poverty among persons with disabilities, that includes social protection schemes inclusive of a disability perspective, and strengthen efforts to achieve Sustainable Development Goal 1 on reducing poverty;**

(b) **Allocate budget to improve the standard of living of persons with disabilities, particularly women with disabilities, migrants with disabilities, indigenous persons with disabilities, persons of African descent with disabilities and persons with disabilities living in rural and remote areas.**

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

54. The Committee is concerned about discriminatory provisions in the Electoral Code and under article 1317 of the Civil Code which restrict the political participation of persons with disabilities declared “incapable” by law, especially persons with psychosocial or intellectual disabilities and persons with hearing impairments. The Committee is also concerned that infrastructural and communication barriers continue to exist in voting centres.

55. **The Committee recommends that the State party repeal the provisions of the Electoral Code and Civil Code that restrict the rights of persons with psychosocial or intellectual disabilities and those with hearing impairments to participate in political and public life on an equal basis with others, to stand in elections and to hold public office. The Committee also recommends that the State party adopt measures to strengthen the participation of persons with disabilities and their organizations in political and public life. The Committee further recommends that the State party take measures to ensure the accessibility of voting centres for persons with disabilities.**

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

56. The Committee is concerned that accessible tourist viewing points, as well as the development of accessibility for sporting events in general, have focused on physical accessibility.

57. **The Committee recommends that the State party take measures to ensure that all tourist viewing points and sports events open to the public use accessible communication modes, means and formats and that persons with disabilities, particularly children with disabilities, have full access to sports, cultural and other leisure centres, in both urban and rural areas. It also recommends that the State party**

**collect disaggregated data on the number of persons with disabilities who participate in mainstream sports and recreation programmes, particularly those living in rural and remote areas.**

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

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

58. The Committee is concerned that organizations of persons with disabilities were not included when preparing the sustainable development report for the high-level political forum on sustainable development and that the report did not take into account indicators relevant to persons with disabilities. The Committee is also concerned that the first national survey of persons with disabilities using the Washington Group’s short set of questions on disability lacked data disaggregated by barriers within society, human rights violations, gender-based violence, living conditions and other intersectional dimensions to better understand the situation of persons with disabilities.

59. **The Committee recommends that the State party involve organizations of persons with disabilities in its progress report on the Sustainable Development Goals. It also recommends that the State party, based on the results of the first national survey, widely disseminate the results, and establish, in consultation with organizations of persons with disabilities, a database to gather information from the population census and other statistics in order to better understand the situation of persons with disabilities, with the purpose of adequate public policy design.**

#### **International cooperation (art. 32)**

60. The Committee is concerned about the lack of information reflecting the participation of persons with disabilities through their representative organizations in international cooperation programmes, including the lack of information on the impact and results of the implementation of such programmes. It also notes the low budget earmarked from the total international economic assistance budget for the transformation of educational centres to ensure inclusive education.

61. **The Committee recommends that the State party increase the participation of persons with disabilities through their representative organizations in inclusive projects in all areas of international cooperation programmes. It also recommends that the State party expedite the implementation of the Mesoamerica Project for the development of inclusive education systems in the Mesoamerican region, and of the Italian Agency for Development Cooperation project for the promotion of inclusive education, ensuring that they adhere to the Convention throughout their progress, and that the State party includes information on their outcomes in the next periodic report.**

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

62. The Committee is concerned that the Office for the Defence of Human Rights, designated as the entity to evaluate the implementation of the Convention, lacks the independence, in practice, and the resources and mechanisms, for the systematic involvement of persons with disabilities and their organizations that would allow it to adequately carry out its functions.

63. **Taking into account the Committee’s 2016 guidelines on independent monitoring frameworks and their participation in the work of the Committee (CRPD/C/1/Rev.1, annex), the Committee recommends that the State party allocate specific resources, including budget and personnel, for the Office to carry out monitoring of the implementation of the Convention and ensure the involvement both of persons with disabilities and of their organizations so as to guarantee compliance with article 33 of the Convention.**

## **IV. Follow-up**

### **Dissemination of information**

64. The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that must be taken, the Committee would like to draw the State party's attention to the recommendations contained in paragraphs 5 on general principles and obligations, and paragraph 63 on national implementation and monitoring.

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

66. 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.

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

### **Next periodic report**

68. The Committee requests the State party to submit its combined fourth and fifth periodic reports by 14 January 2026 and to include in them information on the implementation of the recommendations made in the present concluding observations.

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