



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 the Marshall Islands*

I. Introduction

1. The Committee considered the initial report of the Marshall Islands¹ at its 827th and 829th meetings,² held on 16 and 17 March 2026. It adopted the present concluding observations at its 838th meeting, held on 24 March 2026.

2. The Committee welcomes the initial report of the Marshall Islands, which was prepared in accordance with the Committee's reporting guidelines, and thanks the State Party for its written replies³ to the list of issues prepared by the Committee.⁴

3. The Committee appreciates the fruitful and sincere dialogue held with the State Party's delegation, which included representatives of the relevant government ministries.

II. Positive aspects

4. The Committee welcomes the legislative, administrative and policy measures taken by the State Party to promote the rights of persons with disabilities and to implement the Convention since its ratification in 2015, in particular the adoption of the following:

- (a) The National Building Code Act, in 2025;
- (b) The Disaster Risk Management Act, in 2023;
- (c) The Gender Equality Act, in 2019;
- (d) The Rights of Persons with Disabilities Act, in 2015;
- (e) The Child Rights Protection Act, in 2015;
- (f) The Marshall Islands Marine Resources Authority Gender, Disability and Social Inclusion Policy, in 2018.

* Adopted by the Committee at its thirty-fourth session (9–27 March 2026).

¹ [CRPD/C/MHL/1](#).

² See [CRPD/C/SR.827](#) and [CRPD/C/SR.829](#).

³ [CRPD/C/MHL/RQ/1](#).

⁴ [CRPD/C/MHL/Q/1](#).



III. Principal areas of concern and recommendations

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

5. The Committee notes with concern:

(a) That the consequential amendments bill for the harmonization of 94 pieces of national legislation with the Convention, introduced in 2019, has not been adopted;

(b) The lack of action taken to extend the National Policy on Disability Inclusive Development beyond 2018, as well as the lack of measures taken to effectively implement the Convention and regional strategies such as the Pacific Strategy on Disability 2016–2025;

(c) That the State Party has not ratified the Optional Protocol to the Convention.

6. **The Committee recommends that the State Party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

(a) **Accelerate the adoption of the consequential amendment bill, as a whole or incrementally, in order to harmonize national legislation and policy frameworks with the Convention;**

(b) **Adopt a new national policy on disability that implements the Rights of Persons with Disabilities Act (2015), allocate a small percentage of each ministry's budget to establish a dedicated disability budget and increase resources and technical skills to strengthen the Disability Coordination Office within the Ministry of Culture and Internal Affairs and allow it to consolidate coordination, collaboration and monitoring across ministries and to work with donor and development partners and regional partners to implement the Convention;**

(c) **Consider ratification of the Optional Protocol to the Convention.**

7. The Committee is concerned that there are insufficient measures and resources to ensure close consultation with and the active involvement of persons with disabilities, through their representative organizations, such as the Marshall Islands Disabled Persons Organization, including on the outer islands, in all decision-making processes on the implementation of the Convention across all ministries.

8. **The Committee recalls 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 recommends that the State Party establish entrenched procedures and provide the resources required to ensure that persons with disabilities, through their representative organizations, are closely consulted and actively involved in decision-making processes on the implementation of the Convention, including in the design, implementation and review of national policies.**

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

9. The Committee is concerned about the prevalence of inequality and discrimination experienced by persons with disabilities throughout the Marshall Islands, the lack of enforcement of the existing provisions on anti-discrimination protection and the lack of redress.

10. **The Committee recalls its general comment No. 6 (2018) on equality and non-discrimination, also recalls targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State Party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations, ensure the enforcement of the provisions of the Rights of Persons with Disabilities Act (2015), expedite the adoption of the provisions in the consequential**

amendments bill and adopt an unequivocal provision on the prohibition of intersectional discrimination.

Women with disabilities (art. 6)

11. The Committee is concerned about:

(a) The lack of adequate information, including disaggregated data, on the situation of women and girls with disabilities, in particular the economic activity of women with disabilities, as well as their representation in decision-making processes at all levels;

(b) The insufficient inclusion of women and girls with disabilities in the design and implementation of gender programmes and policies, such as the Marshall Islands Marine Resources Authority Gender, Disability and Social Inclusion Policy (2018), and in partner programmes with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), such as the Advancing Gender Justice in the Pacific Programme and the Pacific Partnership to End Violence Against Women and Girls.

12. **The Committee recalls its general comment No. 3 (2016) on women and girls with disabilities, also recalls targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals and recommends that the State Party:**

(a) **Conduct a study on the situation of women and girls with disabilities in the State Party to collect gender-disaggregated data, in order to effectively implement section 1130 of the Rights of Persons with Disabilities Act (2015), as well as the Gender Equality Act (2019) and the Marshall Islands Marine Resources Authority Gender, Disability and Social Inclusion Policy (2018), adopt measures to empower and fully include women and girls with disabilities in all spheres of life and involve them in all public decision-making processes;**

(b) **Work in partnership with and provide sufficient resources to organizations of persons with disabilities, including the Marshall Islands Disabled Persons Organization, to closely consult with and actively involve women and girls with disabilities, including those on the outer islands, in the design, implementation and review of gender policies and programmes, including the Marshall Islands Marine Resources Authority Gender, Disability and Social Inclusion Policy (2018) and partner programmes designed for women and girls.**

Children with disabilities (art. 7)

13. The Committee is concerned:

(a) That, despite the development of the Early Childhood Development Programme (2019), children with disabilities have limited access to social and healthcare services, in particular on the outer islands;

(b) At the lack of disability- and age-appropriate assistance for children with disabilities to participate in and express their views on matters affecting them.

14. **Recalling the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities (2022), the Committee recommends that the State Party:**

(a) **Apply the concept of the best interests of the child in strategies and programmes on the rights of children with disabilities, with careful consideration of their evolving capacities and their circumstances, to ensure their access to social and healthcare services and inclusive education on an equal basis with other children;**

(b) **Establish a framework to operationalize and monitor the application of the principle of the evolving capacity of children with disabilities to ensure that they can form their views and express them freely in all matters affecting them, and ensure that these views are given due weight in accordance with the child's age and maturity.**

Awareness-raising (art. 8)

15. The Committee is concerned about:

(a) The high prevalence of stigma, prejudice, stereotyping, harmful attitudes and negative beliefs about the causes of disability that have a detrimental impact on the lives of children and adults with disabilities throughout the State Party;

(b) The pervasive lack of expertise on the rights of persons with disabilities and their implementation in many administrative and governmental entities.

16. The Committee recommends that the State Party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:

(a) Adopt a national strategy to raise awareness of and combat discriminatory attitudes, negative stereotypes and prejudices against persons with disabilities at the family, church, community and island council levels and across all islands, and monitor its effectiveness;

(b) Provide training on the rights of persons with disabilities for all government ministries, the judiciary, law enforcement officers and the media.

Accessibility (art. 9)

17. The Committee is concerned about the lack of accessibility throughout the State Party, across all mainstream essential services, including housing, transport, information and telecommunications systems and other facilities and services, and the adverse impact on children and adults with disabilities in terms of their participation and inclusion in all aspects of community life.

18. Recalling its general comment No. 2 (2014) on accessibility and recalling also Sustainable Development Goal 9 and targets 11.2 and 11.7 of the Goals, the Committee recommends that the State Party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:

(a) Enforce the National Building Code Act (2025), adopt and implement an action plan to identify existing barriers to access in the private and public sectors and provide the human, technical and financial resources necessary to remove barriers and ensure the accessibility of, inter alia, buildings, transportation, information and communications technologies and other facilities and services open or provided to the public;

(b) Collaborate with the Pacific Region Infrastructure Facility to ensure that its technical advice and coordination of partner investments are disability inclusive and accessible, based on the principles of universal design;

(c) Develop and implement procurement policies to ensure that funding contracts and donor partnerships include disability-inclusive provisions for compliance with accessibility requirements through the principles of universal design.

Situations of risk and humanitarian emergencies (art. 11)

19. The Committee notes the vulnerability of the State Party to disasters and is concerned about the insufficient specific attention paid to the situation of persons with disabilities in the National Disaster Management Office Strategic Plan (2023–2026), as well as in the Disaster Risk Management Act (2023), and that humanitarian aid, including food aid, clean drinking water and proper sanitation, is not available for persons with disabilities, in particular internally displaced persons with disabilities, on an equal basis with others.

20. Recalling the Sendai Framework for Disaster Risk Reduction 2015–2030, the Inter-Agency Standing Committee Guidelines on the Inclusion of Persons with Disabilities in Humanitarian Action and the Committee’s guidelines on

deinstitutionalization, including in emergencies,⁵ the Committee recommends that the State Party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations, ensure the protection and safety of persons with disabilities in situations of risk, including by:

(a) Applying a disability lens to include the unique and specific issues for persons with disabilities in the review of the National Disaster Management Office Strategic Plan (2023–2026) and relevant national legislation, such as the Disaster Risk Management Act (2023), as well as policies and guidelines, including the disaster legislation under review, to ensure that they are disability inclusive;

(b) Ensuring that persons with disabilities, including internally displaced persons with disabilities, have access to humanitarian aid on an equal basis with others, including through adequate funding, and that related information and communication, including on protocols for evacuation in situations of risk, humanitarian emergencies and natural disasters, evacuation centres, emergency relief assistance, early warning systems, community needs assessments and assistive devices, as well as decision-making processes, are accessible for persons with disabilities.

Equal recognition before the law (art. 12)

21. The Committee is concerned that the Marshall Islands Guardianship Act (1984) denies persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities, legal capacity. It is also concerned about the absence of national decision-making principles, including supported decision-making mechanisms, for persons with disabilities to exercise their legal capacity on an equal basis with others.

22. **The Committee recommends that, in line with its general comment No. 1 (2014) on equal recognition before the law and in close consultation with and with the active involvement of persons with disabilities, through their representative organizations, the State Party:**

(a) **Review the Marshall Islands Guardianship Act (1984) and other relevant legislation to ensure that persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities, are not deprived of their legal capacity and are recognized as persons before the law on an equal basis with others, adopt national decision-making principles that ensure the provision of individualized support and respect for the autonomy, will and preferences of persons with disabilities and replace substitute decision-making systems, including guardianship, with supported decision-making;**

(b) **Develop awareness-raising campaigns and capacity-building programmes for all stakeholders, including on the outer islands (families of persons with disabilities, faith-based groups, Indigenous leaders, community members and the media) on the recognition of the legal capacity of persons with disabilities and supported decision-making;**

(c) **Provide training to health professionals, public officials, the judiciary and Members of Parliament on the recognition of the legal capacity of persons with disabilities and on national decision-making principles, including supported decision-making mechanisms.**

Access to justice (art. 13)

23. The Committee is concerned about:

(a) The lack of progress in reviewing national legislation, in particular the All Atoll Access to Justice Act (2006);

(b) Access to justice for persons with disabilities, including the lack of physical access to police stations and courthouses, the lack of free legal advice services and age- and gender-appropriate procedural accommodations, the lack of accessible information and

⁵ CRPD/C/5.

communication in the justice system, the lack of knowledge, training and awareness among lawyers, including legal aid lawyers, police officers and members of the judiciary on working with and representing persons with disabilities, and the lack of knowledge among persons with disabilities about their rights and how to claim their entitlements and about processes to obtain remedies.

24. 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) Review the All Atoll Access to Justice Act (2006), adopt and implement effective mechanisms to ensure procedural, age-appropriate and gender-sensitive accommodation in judicial and administrative proceedings for persons with disabilities, including women with disabilities, persons with intellectual and/or psychosocial disabilities and persons with physical and sensory disabilities, and measures to provide information in accessible formats and ensure the accessibility of police stations, court buildings and all judicial and administrative facilities for all persons with disabilities;

(b) Strengthen capacity-building programmes for the judiciary and justice-sector professionals, such as prosecutors and law enforcement officials, including police and prison officers, on the provisions of the Convention and on access to justice for persons with disabilities, including procedural accommodation for persons with disabilities.

Liberty and security of person (art. 14)

25. The Committee is concerned about:

(a) Reports of persons with disabilities being removed by the police from streets, the airport and other public spaces without their consent for the purpose of psychiatric assessment and the lack of progress in the review of the Public Health, Safety and Welfare Act in order to prevent the involuntary detention of persons with disabilities;

(b) The lack of data on the number of persons with disabilities in detention and the lack of information on measures taken to ensure adequate conditions of detention, including accessibility and reasonable accommodation.

26. Recalling its guidelines on the right to liberty and security of persons with disabilities and its guidelines on deinstitutionalization, including in emergencies, the Committee recommends that the State Party:

(a) Review its national legislation, in particular the Public Health, Safety and Welfare Act, to guarantee the constitutional right to liberty for all persons with disabilities, including those with intellectual and/or psychosocial disabilities;

(b) Accelerate the review of the monitoring mechanism to ensure that persons with intellectual and/or psychosocial disabilities are not subjected to arbitrary detention and ensure that reasonable accommodation and safety are provided to persons with disabilities who come into conflict with the law;

(c) Collect and publish data on persons with disabilities in all places of deprivation of liberty, disaggregated by, among other things, sex, age, type of disability, location and detention conditions.

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

27. The Committee is concerned about the use of restrictive practices, coercion and forced treatment on persons with disabilities, including older persons in family homes and children with disabilities at schools, as well as the lack of complaint mechanisms to report these practices and obtain redress.

28. **Recalling its guidelines on deinstitutionalization, including in emergencies, the Committee recommends that the State Party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

(a) **Monitor, investigate, document and remedy any allegations of the use of restrictive practices on, as well as coercion or forced treatment of, persons with disabilities, including in schools, in medical facilities, in interactions with the police and at home;**

(b) **Establish a competent and effective legal complaint mechanism procedure with sufficient financial, human and technical resources accessible to all persons with disabilities and investigate and sanction perpetrators of practices that may amount to torture or cruel, inhuman or degrading treatment or punishment against persons with disabilities, including in police custody, imposing sanctions proportional to the conduct.**

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

29. The Committee is concerned about the gender-based violence experienced by women and girls with disabilities and about the lack of protocols and inter-agency agreements to protect persons with disabilities from exploitation, violence and abuse. It is also concerned about differing penalties for gender-based violence in the Domestic Violence Prevention and Protection Act (2011) and the Criminal Code (2011).

30. **Recalling its statement of 25 November 2021 on the elimination of gender-based violence against women and girls with disabilities⁶ and targets 5.1, 5.2 and 5.5 of the Sustainable Development Goals, the Committee recommends that the State Party:**

(a) **Harmonize the penalties for crimes involving gender-based violence against women and girls in the Domestic Violence Prevention and Protection Act (2011) and the Criminal Code (2011);**

(b) **Take all steps necessary to raise awareness about measures for the protection of persons with disabilities from exploitation, violence and abuse, adopt a comprehensive strategy to prevent the exploitation of and violence against and abuse of persons with disabilities, especially women and girls with disabilities, including older women, persons with intellectual and/or psychosocial disabilities and persons with disabilities who are confined to their family homes, and ensure that persons with disabilities have information about how to avoid, recognize and report cases of exploitation, violence and abuse and have access to independent complaint mechanisms and appropriate remedies, such as redress and adequate compensation, including rehabilitation;**

(c) **Provide training for the families of persons with disabilities and for their support persons, church groups, health professionals and law enforcement officers to enable them to recognize all forms of exploitation, violence and abuse and to better communicate and work with persons with disabilities who are victims of violence.**

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

31. The Committee is concerned about the limited possibilities for persons with disabilities to choose their place of residency and where and with whom they live, in particular due to the lack of in-home residential and other community support services, including personal assistance, which leaves persons with disabilities dependent on their families for their care and without the possibility to enjoy their right to independent living.

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, and recommends that the State Party, in close consultation**

⁶ See https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2021/12/CRPD-Statement-25_11_2021-End-violence-against-Women-1.pdf.

with and with the active involvement of persons with disabilities, through their representative organizations and development partners:

(a) **Develop national strategies and guidelines on community-based inclusive development, work with donors and development partners, faith-based organizations and community leaders to implement community-based inclusive programmes, across all islands, with an established time frame and allocation of sufficient resources and ensure that community-based services are available and aimed at enabling persons with disabilities to live independently and participate in the community;**

(b) **Work closely with families, community leaders and faith-based groups to raise awareness to promote understanding of the right of choice and self-determination of persons with disabilities concerning 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;**

(c) **Transform mainstream services in the community, including education, employment, health, leisure, cultural and social activities, to be disability inclusive and accessible and provide personal assistants;**

(d) **Establish programmes to support, including financially, families with members who have disabilities to adapt their houses, improve their accessibility and gain access to assistive technologies.**

Personal mobility (art. 20)

33. The Committee is concerned about:

(a) The limited availability and affordability of mobility aids, devices and assistive technologies, including training for use, repairs and maintenance, which remain largely dependent on external donor support and disability organizations, including on the outer islands;

(b) The lack of clarity in the process to allocate assistive devices to persons with disabilities, as well as the limited support for and training of professionals.

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

(a) **Take measures, including with relevant donors and development partners, to facilitate access for all persons with disabilities, including children with disabilities, to quality mobility aids, devices and assistive technologies at an affordable cost, including through training for the use, repair and maintenance of such devices and accessible transport, particularly on the outer islands;**

(b) **Work closely with development partners to identify measures for the training and accreditation of orientation and mobility instructors for persons with disabilities to enhance competencies in the use of assistive mobility aids and ensure sustainability;**

(c) **Ensure the affordability of vehicles and assistive devices and develop a transparent process for prioritizing the allocation of assistive devices to persons with disabilities.**

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

35. The Committee is concerned about:

(a) The insufficient provision of information in accessible and assistive formats, including digital information and communications, 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 websites that provide public information and services

(b) The limited access to information and communications technology devices by persons with disabilities;

(c) The lack of recognition of sign language as a national language and insufficient training of persons with disabilities throughout the Marshall Islands in the use of sign language and the lack of interpreters.

36. **The Committee recommends that the State Party:**

(a) **Take all measures necessary, including legislative and policy measures, beyond the Rebbelib project, to ensure the accessibility of all public information, including digital content, for all persons with disabilities in accessible and assistive formats, such as Braille, deafblind interpretation, sign language, Easy Read, plain language, audio description, captioning and subtitles, in education and beyond, by allocating adequate funding for its development, promotion and use, and ensure access to information and communications technology devices appropriate for the diversity of persons with disabilities, including on remote islands;**

(b) **Adopt and implement legislative and policy measures aimed at ensuring that public and private websites are made accessible;**

(c) **Develop a sign language development strategy and a pool of qualified sign language interpreters to teach and interpret sign language, including on the outer islands.**

Respect for privacy (art. 22)

37. The Committee is concerned about the lack of measures taken to operationalize section 1114 of the Rights of Persons with Disabilities Act (2015) to promote and protect the privacy of persons with disabilities in all settings, on an equal basis with others, particularly with regard to personal, health and rehabilitation information, as well as the lack of measures to impose penalties and provide remedies for any violations. It is also concerned that the Personal Data Protection Act (2025) contains an exception allowing for the collection, use, storage, processing, disclosure and transfer of data for law enforcement.

38. **The Committee recommends that the State Party adopt legal and policy measures to operationalize section 1114 of the Rights of Persons with Disabilities Act (2015), including timelines, ensure that national legislation, including the Personal Data Protection Act (2025), guarantees the right to privacy to persons with disabilities, particularly with regard to personal, health and rehabilitation information, and adopt measures to provide penalties for violations, as well as remedies to the victims.**

Respect for home and the family (art. 23)

39. The Committee is concerned:

(a) That, despite the provisions of the Rights of Persons with Disabilities Act (2015) stating that persons with disabilities have the right to marry, retain their fertility and exercise full sexual, reproductive and parental rights on an equal basis with others, many persons with disabilities in the State Party do not enjoy these rights and the Adoptions Act (2002) prevents persons with disabilities, in particular persons with psychosocial disabilities, from adopting a child;

(b) About the lack of data on the impact of the cultural practice of *kajiriri* for the adoption of children whose parents are considered not to be able to care for them, and the possibility to legally remove children from their parents without their consent.

40. **The Committee recommends that the State Party:**

(a) **Accelerate the adoption of the consequential amendments bill to the Rights of Persons with Disabilities Act (2015) or, if the piecemeal approach is followed, to change the Adoptions Act (2002) and other relevant national legislation related to the right of persons with disabilities to respect for home and the family in order to harmonize with the Convention;**

(b) **In close consultation with and with the active involvement of persons with disabilities and their representative organizations, raise awareness in the community, in particular, faith-based groups, on the rights of persons with disabilities with respect**

to sexual expression, choice of relationships, family and parenthood, including adoption, as well as about all forms of discrimination that might arise from traditional and cultural practices, and remove all obstacles preventing persons with disabilities, in particular women with disabilities and persons with intellectual and/or psychosocial disabilities, from exercising their rights on an equal basis with others.

Education (art. 24)

41. The Committee is concerned that:

(a) Despite the fact that the Rights of Persons with Disabilities Act (2015) provides for inclusive education, its provisions are not implemented and there is no specific national policy on inclusive education and a lack of support for students with disabilities;

(b) Many children with disabilities, including those with sensory and intellectual disabilities, remain at home and do not receive support to access inclusive education;

(c) Students with disabilities face barriers in access to higher education.

42. **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, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

(a) **Effectively implement the Rights of Persons with Disabilities Act (2015) and amend other national legislation that is not in line with it, such as the Marshall Islands Public School System Act (2013), adopt a national policy with timelines on inclusive quality education that includes the transition from special schools to inclusive mainstream education, and ensure that inclusive quality education covers all children with disabilities, regardless of their type of disability, throughout the country, including in the outer islands;**

(b) **Provide students with disabilities with assistive aids and learning materials in accessible formats, such as accessible digital access, as well as modes and means of accessible and assistive communication, including Braille, sign language and deafblind interpretation and Easy Read, and remove other practical barriers such as lack of accessible transport;**

(c) **Analyse the root causes of unequal opportunities of persons with disabilities regarding their access to higher education and develop a comprehensive policy to promote access to higher education.**

Health (art. 25)

43. The Committee is concerned about:

(a) The limited access of persons with disabilities to healthcare services and accessible equipment, in particular on the outer islands, in conjunction with the lack of transparent and human rights-based process for assessing needs and determining benefits;

(b) The very limited availability of community-based mental health services and support for persons with disabilities as part of general health services;

(c) The scarcity of medicines and qualified health personnel, including rehabilitation, in health services, as well as the lack of training of healthcare professionals on the rights of persons with disabilities;

(d) The lasting effects of the nuclear testing programme conducted by the United States of America from 1946 to 1958, and its disproportionate intergenerational health impact on the State Party's population.

44. **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) **Develop a plan based on a needs assessment to ensure that persons with disabilities have access, on an equal basis with others, to inclusive and accessible health services and medical equipment;**

(b) **Ensure the availability of community-based mental health services and support, including peer-led support, and allocate adequate resources for quality facilities and services of mental healthcare provision, including by increasing the number of home visits;**

(c) **Develop compulsory training for healthcare professionals on the rights of persons with disabilities, including on their skills, support measures, free and informed consent and information and communication means and methods, provide information in accessible formats, including Braille, sign language and Easy Read, for persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities and women and girls with disabilities, and ensure the physical accessibility of health facilities and equipment;**

(d) **Address, beyond undertaking research, the long-term effects of nuclear testing on persons with disabilities and ensure that persons with disabilities have access to affordable, accessible and quality health services on an equal basis with others.**

Habilitation and rehabilitation (art. 26)

45. The Committee is concerned about the scarcity of habilitation and rehabilitation services for persons with disabilities and the lack of therapeutic services, such as speech therapy, psychotherapy and occupational therapy, as well as the lack of use of assistive technology, in particular on the outer islands. The Committee is also concerned about the lack of staff and resources for the community-based rehabilitation programme.

46. **Recalling the link between article 26 of the Convention and target 3.7 of the Sustainable Development Goals, the Committee recommends that the State Party:**

(a) **Ensure that all public hospitals providing habilitation and rehabilitation, including vocational training programmes and other social services, are equipped and provided with the financial, technical and human resources necessary to adequately provide those services to persons with disabilities, including by ensuring the adequate training of service providers;**

(b) **Establish a community implementation monitoring mechanism for assessing the quality and availability of habilitation and rehabilitation services in relation to the needs, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations, and avoid the requirement of travel to Majuro and Ebeye to access specialized services, complementing and reinforcing the Clinic Without Walls programme and outer islands mobile visits.**

Work and employment (art. 27)

47. The Committee notes with concern the low levels of employment of persons with disabilities in the open labour market, the limited measures in place to facilitate their access to employment, including through the provision of reasonable accommodation in the workplace, the lack of inclusive vocational training opportunities and the barriers created by stigmatization and inaccessible workplaces, as well as the insufficient monitoring of the employment gaps between persons with and without disabilities.

48. **Recalling its general comment No. 8 (2022) on the right of persons with disabilities to work and employment, the Committee recommends that the State Party, in line with target 8.5 of the Sustainable Development Goals:**

(a) **Ensure that persons with disabilities have access to work and employment in the regular labour market and are included in private and public work environments,**

on an equal basis with others, and introduce entrepreneurial programmes and development schemes for the creation of opportunities for self-employment and entrepreneurship;

(b) Address the limited access to education and vocational training and take measures to address attitudes and practices by employers and inaccessible workplaces that discriminate against persons with disabilities;

(c) Develop incentives to promote the employment of persons with disabilities, combat discrimination in hiring processes and conditions of employment, provide reasonable accommodation for persons with disabilities in the workplace and collect data to monitor the employment levels of persons with disabilities;

(d) Ensure support for persons with disabilities, in particular women with disabilities, through livelihood programmes, including on the outer islands, on an equal basis with others.

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

49. The Committee notes with concern:

(a) The disproportionately high risk of poverty among persons with disabilities and the insufficient support for disability-related expenses to ensure an adequate standard of living;

(b) The lack of a formal mechanism to identify the needs of persons with disabilities and clarify their eligibility rights to social protection and benefits on an equal basis with others under the Senior Citizens Act (2018), the Social Security Act (1990) and the Social Support Scheme Act (2023);

(c) The lack of measures to support those persons with disabilities who are ineligible for disability benefits.

50. **Recalling the links between article 28 of the Convention and target 10.2 of the Sustainable Development Goals, the Committee recommends that the State Party:**

(a) In close consultation with and with the active involvement of persons with disabilities, through their representative organizations, review the national social protection programme and establish a formal mechanism to identify the needs of persons with disabilities and ensure equal access to support for costs associated with disabilities, regardless of whether they receive other types of allowance;

(b) Streamline social security support systems to ensure that they are inclusive of and accessible to all persons with disabilities, as a measure to tackle poverty, take measures to support persons with disabilities who are ineligible for disability benefits and ensure equal access to timely support for costs associated with disabilities.

Participation in political and public life (art. 29)

51. The Committee notes with concern that:

(a) Despite the fact that the Rights of Persons with Disabilities Act (2015) provides for a right to vote and be elected for all persons with disabilities, the Elections and Referenda Act (1980) excludes persons with intellectual and/or psychosocial disabilities from the right to vote or be elected;

(b) Despite the establishment of the Elections Disability Accessibility Working Group in 2024, the level of participation of persons with disabilities in political and public life remains unclear and there is limited information about the availability of accessibility and support measures to allow persons with disabilities to participate in political life on an equal basis with others.

52. **The Committee recommends that the State Party amend the Elections and Referenda Act (1980) in order to harmonize it with the Rights of Persons with Disabilities Act (2015) and the provisions of the Convention, particularly articles 12 and 29 thereof, promote the participation of persons with disabilities, in particular**

persons with intellectual and/or psychosocial disabilities and women with disabilities, in political and public life and public administration and ensure accessible environments, the provision of assistive devices and the availability of personal assistance to facilitate persons with disabilities holding public office and performing public functions at all levels on an equal basis with others. It also recommends that the State Party monitor the rebuilding of the parliament building to ensure that the renovation is in conformity with accessibility standards and that the State Party conduct accessibility audits in close consultation with and with the active involvement of persons with disabilities.

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

53. The Committee is concerned about:

- (a) Recreational, cultural and sports spaces not being accessible to persons with all types of disabilities across all islands;
- (b) The lack of information on the resources allocated to ensure the effective participation in cultural life, recreation, leisure and sports by persons with disabilities;
- (c) The lack of measures taken to implement the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

54. **The Committee recommends that the State Party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

- (a) **Ensure that all public buildings, including cultural, recreation, leisure and sporting facilities, provide for accessibility and other accommodations, including assistive devices, to facilitate the private and independent enjoyment of the right of persons with disabilities to cultural life, recreation, leisure and sports;**
- (b) **Ensure the effective development and participation of persons with disabilities in sport, encourage those who choose to pursue art and sport by supporting them with the devices and equipment necessary for meaningful careers in art and sport and provide sufficient support to the Special Olympics Marshall Islands to develop sports for persons with disabilities, in particular children with disabilities;**
- (c) **Take measures to 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)

55. The Committee notes that the Economic Policy, Planning and Statistics Office utilized the Washington Group short set of questions on functioning in the census in 2021, as well as in the Household Income and Expenditure Survey in 2019 and the Multiple Indicator Cluster Survey in 2023. However, it is concerned about:

- (a) The coordination and consistency of disaggregated data and statistics on the situation of children and adults with disabilities, including on the outer islands, to assist with policy development and review;
- (b) The lack of dissemination and accessibility of data and statistics on children and adults with disabilities to ministries, development partners and persons with disabilities and their representative organizations;
- (c) The lack of the processing of available data into a disability monograph that would form the basis of future political and technical planning.

56. **The Committee recommends that the State Party adhere to the Convention in its efforts to achieve Sustainable Development Goal 17, in particular target 17.18 thereof,**

significantly increase the availability of high-quality, timely and reliable data disaggregated by income, gender, age, race, ethnicity, migratory status, disability status, geographical location and other characteristics relevant in national contexts and, in particular:

(a) Closely consult and actively involve persons with disabilities, through their representative organizations, in its efforts to increase the collection of data and statistics on disability;

(b) Ensure that data-collection measures, censuses and surveys are disability inclusive and incorporate the Washington Group short set of questions on functioning, and provide training and capacity-building to statistical officers;

(c) Develop an accessible disability monograph from all data sources and statistics for dissemination to ministries, development partners and persons with disabilities and their representative organizations and ensure that such data are available in Braille, sign language, Easy Read and electronic formats, including for persons with disabilities on the outer islands.

International cooperation (art. 32)

57. The Committee is concerned about insufficient donor investment and partnerships to make progress in the implementation of policies and programmes for persons with disabilities and to focus on addressing specific critical gaps for children and adults with disabilities, such as through the provision of assistive devices and wheelchairs and an associated repair capability, the development of sign language and the provision of sign language interpreters and the provision of technical assistance for developing accessibility standards and an anti-discrimination framework. It notes the need to strengthen regional awareness of the Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities, 2023–2032, its operational guide and other regional disability standards.

58. **The Committee recommends that the State Party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

(a) **Work with donors to ensure that investment and partnerships are focused on specific critical gaps for persons with disabilities and that all donor investment includes disability-specific indicators and disability-inclusive design and delivery;**

(b) **Ensure, through human rights-based budgeting, adequate and sustainable domestic funding for disability inclusion and social spending, reducing reliance on external donor support and ensuring programme continuity;**

(c) **Take measures to strengthen cooperation for the implementation of the Jakarta Declaration on the Asian and Pacific Decade of Persons with Disabilities, 2023–2032, the Pacific Framework for the Rights of Persons with Disabilities and the Incheon Strategy to “Make the Right Real” for Persons with Disabilities in Asia and the Pacific.**

59. The Committee is concerned about persons with disabilities not always being able to benefit from bilateral cooperation agreements and programmes, such as international worker schemes and study abroad programmes.

60. **The Committee recommends that the State Party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations, in its negotiations on bilateral cooperation agreements and programmes, ensure that persons with disabilities in the Marshall Islands benefit from these programmes on an equal basis with others.**

National implementation and monitoring (art. 33)

61. The Committee notes with concern that there is no national human rights institution in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) in the State Party.

62. The Committee recommends that the State Party establish a national human rights institution with a broad mandate on the protection of human rights and with adequate human, technical and financial resources, in full compliance with the Paris Principles, and apply for accreditation with the Global Alliance of National Human Rights Institutions.

63. The Committee is concerned that, despite the establishment of the National Human Rights Committee as the coordinating body for the implementation of international human rights treaties, including the Convention, across all ministries, it may lack adequate resources to implement its mandate.

64. The Committee recommends that the State Party provide sufficient human, financial and technical resources to the National Human Rights Committee to enable it carry out its mandate for ensuring that the rights of persons with disabilities are mainstreamed across all policies and programmes.

IV. Follow-up

Dissemination of information

65. 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 6, on general principles and obligations, 56, on statistics and data collection, and 58, on international cooperation.

66. 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, 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.

67. 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.

68. 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.

Next periodic report

69. The combined second to sixth reports are in principle due on 17 April 2037, under the simplified reporting procedure. The Committee will establish and communicate the exact due date of the combined periodic reports of the State Party in line with a future clear and regularized schedule for reporting by States Parties⁷ and following the adoption of a list of issues and questions prior to reporting for the State Party. The combined periodic reports should cover the entire period up to the time of their submission.

⁷ General Assembly resolution 79/165, para. 6.