

DISABILITY

IV. CONCLUDING OBSERVATIONS

ICCPR

- Japan, ICCPR, A/54/40 vol. I (1999) 36 at para. 173.

While the forced sterilization of disabled women has been abolished, the necessary legal steps should be taken to provide a right of compensation to persons who were subjected to forced sterilization.

- Austria, ICCPR, A/54/40 vol. I (1999) 42 at para. 182.

Legislation to promote the rights and prospects of disabled persons is welcomed.

- Ireland, ICCPR, A/55/40 vol. I (2000) 61 at para. 450.

The State party should ensure the full and equal enjoyment of Covenant rights by disabled persons, without discrimination, in accordance with article 26.

- Australia, ICCPR, A/55/40 vol. I (2000) 71 at para. 503.

The enactment of anti-discrimination legislation in all jurisdictions of the State party, including legislation to assist disabled persons, is welcomed.

- The Netherlands, ICCPR, A/56/40 vol. I (2001) 76 at para. 82(6).

Grave concern is expressed at reports that newborn handicapped infants have had their lives ended by medical personnel. The State party should scrupulously investigate any such allegations of violations of the right to life (article 6 of the Covenant), which fall outside the law on euthanasia.

ICESCR

- Australia, ICESCR, E/1994/23 (1993) 36 at para. 156.

Activities should be undertaken throughout the federal structure of Australia to sensitize society to the situation and different needs of persons with disabilities and other groups. As part of the efforts

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to be undertaken to change and influence attitudes towards vulnerable groups, further measures should be taken to strengthen the human rights education component in formal and non-formal curricula.

- United Kingdom of Great Britain and Northern Ireland, ICESCR, E/1995/22 (1994) 52 at para. 276.

The lack of sufficient opportunities available to persons with disabilities to pursue their right to education within the mainstream is regretted.

- Ukraine, ICESCR, E/1996/22 (1995) 50 at paras. 266, 268 and 275.

Paragraph 266

It is noted with concern that social services are not adequate to ensure a minimum standard of living for the most vulnerable groups, including pensioners, unemployed persons, persons with disabilities and non-citizens.

Paragraph 268

Fulfilment of the right to education involves an obligation to provide free primary education for all, including children with disabilities and children assigned to homes or institutions.

Paragraph 275

The Government should continue to make full use of international assistance in the collection and analysis of data in general, including data regarding the most vulnerable groups of persons, and in addressing their needs. Such categories of persons include pensioners, the unemployed, children with disabilities and children assigned to homes or institutions, members of repatriated minority groups and victims of the Chernobyl accident.

- Guatemala, ICESCR, E/1997/22 (1996) 29 at paras. 127 and 134.

Paragraph 127

Extreme concern is expressed over the adverse effects which the economic and social disparities existing in the country have on the enjoyment of economic, social and cultural rights by the majority of the population, particularly by the indigenous and rural populations of Guatemala, as well as by other vulnerable groups in society, especially children, persons with disabilities and elderly persons.

Paragraph 134

Concern is expressed at the issue of low access to safe water for the rural population, the higher

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incidence of infant mortality within certain socio-economic groups, the situation of persons with disabilities, the prevalence of endemic diseases, the problem of the inadequacy of social welfare and security, the persisting housing shortage and the inadequacy of access to health care. This general situation affecting the most vulnerable in Guatemalan society deprives them of their full enjoyment of the economic, social and cultural rights provided for in the Covenant.

- Dominican Republic, ICESCR, E/1997/22 (1996) 44 at para. 235.

The issues of limited access to safe drinking-water for the rural population and those living in deprived urban areas, the higher incidence of infant mortality in certain socio-economic groups, the deplorable situation of persons with disabilities, the prevalence of endemic diseases, the inadequacy of social welfare and social security, the persisting housing shortage and the inadequacy of access to health care, are of concern.

- Portugal (Macau), ICESCR, E/1997/22 (1996) 48 at paras. 254 and 259.

Paragraph 254

It is noted with concern that no special programme exists to help the physically and mentally disabled to facilitate their access to employment, education and public facilities.

Paragraph 259

It is recommended that appropriate measures be taken to secure the economic, social and cultural rights of disabled persons, particularly through funding for special programmes aimed at helping the physically and mentally disabled to gain better access to employment, education and public facilities.

- United Kingdom of Great Britain and Northern Ireland (Hong Kong), ICESCR, E/1997/22 (1996) 58 at paras. 351 and 364.

Paragraph 351

Concern is expressed at the inadequate care and protection of the mentally ill and disabled in Hong Kong. In particular, it is noted with concern the apparent lack of initiative on the part of the Hong Kong Government to undertake public education to combat discrimination against those with mental disabilities.

Paragraph 364

The Hong Kong Government should review the situation concerning persons with mental illness and disability to ensure that their rights under the Covenant are fully protected.

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- Uruguay, ICESCR, E/1998/22 (1997) 67 at para. 377.

The necessary legislative and economic measures should be adopted to protect the rights of persons with disabilities and street children. Particular importance should be given to information programmes in respect of health care, both physical and mental.

- Saint Vincent and The Grenadines, ICESCR, E/1998/22 (1997) 72 at para. 422.

It is noted that disabled people are effectively discriminated against by the absence of specific legislation to cater for their special needs and to provide them with appropriate facilities.

- Israel, ICESCR, E/1999/22 (1998) 43 at paras. 241 and 264.

Paragraph 241

It is noted with regret that more than 72 per cent of persons with disabilities are unemployed. The new Law of Equality for People with Disabilities 1998 has not set any quota for the employment of such persons.

Paragraph 264

The State party is called upon to complete the process of implementing the Law of Equality for People with Disabilities and to address the problem of accessibility to public buildings, including schools, and public transportation by persons with disabilities.

- Canada, ICESCR, E/1999/22 (1998) 63 at para. 411.

The significant cuts in services on which people with disabilities rely, such as cuts in home care, attendant care and special needs transportation systems, and tightened eligibility rules for people with disabilities, are of concern. Programmes for people who have been discharged from psychiatric institutions appear to be entirely inadequate, and it appears that a large number of those patients end up on the street, while others suffer from inadequate housing, with insufficient support services.

- Ireland, ICESCR, E/2000/22 (1999) 33 at paras. 135, 142 and 149.

Paragraph 135

The persistence of poverty among disadvantaged and vulnerable groups, notably the disabled, the traveller community, children, elderly women and single women with children is of concern. Moreover, it is of concern that social welfare payments are not above the income poverty line and

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that child-care benefits are not sufficient to cover the cost of bringing up a child.

Paragraph 142

It is noted with regret that despite measures adopted by the State party, the traveller community and the disabled are still discriminated against in various respects, such as employment, education and housing.

Paragraph 149

The State party should speed up the enactment of legislation relating to the human rights of the disabled and of the mentally handicapped, including their detention, and should enact legislation to combat discrimination affecting the traveller community.

- Solomon Islands, ICESCR, E/2000/22 (1999) 40 at para. 201.

The recent downsizing of the public sector, which accounts for almost one third of wage employment, has had significant social repercussions, and it is noted that access to employment in the formal sector is particularly limited for disabled persons.

- Georgia, ICESCR, E/2001/22 (2000) 30 at paras. 86 and 99.

Paragraph 86

Concern is expressed about the fact that there are no legislative provisions ensuring disabled persons access to the labour market.

Paragraph 99

The State party should undertake to adopt relevant legislation to ensure that disabled persons have greater access to the labour market.

- Finland, ICESCR, E/2001/22 (2000) 73 at paras. 446 and 458.

Paragraph 446

Particular concern is expressed about certain municipalities that allocate insufficient funds to health care services. This has resulted in inequality with regard to levels of health care service provision depending on the place of residence, to the detriment in particular of children, persons with physical and mental disabilities and older persons.

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Paragraph 458

The State party is called upon to ensure that municipalities provide adequate health services, especially to vulnerable groups such as children, older persons and persons with physical and mental disabilities.

- Hong Kong Special Administrative Region (China), ICESCR, E/2002/22 (2001) 39 at paras. 182, 183, 198 and 207.

Paragraph 182

Regret is expressed that in relation to the care of persons with mental illness, the Hong Kong Special Administrative Region is reluctant to authorize the prescribing of new drugs that are more costly, but more effective and which have been shown to produce fewer side effects for the mentally ill. In addition, the apparent lack of initiative to undertake public education to combat discrimination against those with mental disabilities is noted with concern.

Paragraph 183

There is concern that many individuals, including women who are homemakers, persons with disabilities and older persons, are excluded from the Mandatory Provident Fund Scheme.

Paragraph 198

A comprehensive pension system should be adopted that provides adequate retirement protection for the entire population, in particular for housewives, self-employed persons, older persons and persons with disabilities.

Paragraph 207

It is recommended that a comprehensive review be undertaken of mental health policy and that effective measures be adopted to ensure that persons with mental illness enjoy the right to adequate and affordable health care. The authorities are urged to provide public education to combat discrimination against persons with mental illness.

- Republic of Korea, ICESCR, E/2002/22 (2001) 45 at para. 234.

It is noted with concern that despite the State party's attempts to promote employment of the disabled, the previous 2% quota for workers with disabilities, in relation to all workers in enterprises employing over 300 employees, has not been met, even within Government agencies. Concern is expressed that enforcement mechanisms for this purpose do not seem to have been established.

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- Senegal, ICESCR, E/2002/22 (2001) 61 at paras. 343 and 367.

Paragraph 343

There is a lack of adequate protection and facilities for people with disabilities who are unable to participate in many occupations due to physical barriers and lack of equipment and training opportunities.

Paragraph 367

Specific legislation should be enacted and necessary measures adopted to ensure better living conditions for people with disabilities.

See also:

- Trinidad and Tobago, ICESCR, E/C.12/1/Add.80 (2002) at paras. 15 and 38.

- Ukraine, ICESCR, E/2002/22 (2001) 78 at paras. 494 and 511.

Paragraph 494

The large number of children, especially newborns and children with disabilities, who are abandoned or are otherwise deprived of a family environment is of concern, and the absence of an effective strategy to address this phenomenon is regretted.

Paragraph 511

The State party is urged to take effective measures, including the development of strategies and awareness-raising activities, aimed at reducing and preventing the abandonment of children. In particular, the State party should promote, through counselling and community-based programmes, the family as the best environment for the child and assist parents to keep their children at home. Moreover, effective measures should be taken to increase and strengthen family-based alternative care, so that children are placed in institutions only as a last resort.

- Japan, ICESCR, E/2002/22 (2001) 90 at paras. 604 and 631.

Paragraph 604

It is of concern that discrimination against persons with disabilities continues to exist in law and practice, particularly in relation to labour and social security rights.

Paragraph 631

Discriminatory provisions in statutes should be abolished and a law should be adopted against all kinds of discrimination relating to persons with disabilities. Further, the State party is urged to

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continue and speed up progress enforcing the employment rate for persons with disabilities in the public sector that is provided in legislation.

- Germany, ICESCR, E/2002/22 (2001) 97 at paras. 669 and 687.

Paragraph 669

Concern is reiterated that the State party has not yet established a definition of poverty, nor a poverty threshold. Particular concern is expressed about the fact that social assistance provided to the poor and socially excluded, such as single parents, students and disabled pensioners, under the Federal Social Assistance Act, is not commensurate with an adequate standard of living.

Paragraph 687

A poverty threshold should be established taking into account the parameters used in the State party's first poverty and prosperity report, as well as international definitions of poverty, including the one adopted in the Committee's Statement on poverty and the International Covenant on Economic, Social and Cultural Rights adopted by the Committee on 4 May 2001. In particular, social assistance provided under the Federal Social Assistance Act should be commensurate with an adequate standard of living.

CEDAW

- Republic of Korea, CEDAW, A/53/38/Rev.1 part II (1998) 76 at para. 384.

Special attention should be given to the realization of the right to social security provided by the 1955 Unemployment Insurance Scheme to disabled women, and the policy to provide a variety of programmes for older women, including the promotion of their health, should not be jeopardized by the present economic crisis.

- Belarus, CEDAW, A/55/38 part I (2000) 34 at para. 365.

The economic situation of particularly vulnerable groups of women, such as those with sole responsibility for families, older women and women with disabilities, is a matter of concern.

- Austria, CEDAW, A/55/38 part II (2000) 70 at para. 221.

Programmes relating to sexual violence against persons with disabilities are particularly appreciated.

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- Sweden, CEDAW, A/56/38 part II (2001) 76 at para. 353.

The Government is urged to collect more data on the nature and scope of violence against women, in particular within the family, and to continue its efforts to implement and strengthen current policies aimed at combatting violence, with special attention given to women with disabilities, migrant women and minority women.

CRC

- Russian Federation, CRC, CRC/C/16 (1993) 21 at para. 77.

Concern is expressed over the fact that society is not sufficiently sensitive to the needs and situation of children from particularly vulnerable and disadvantaged groups, such as the disabled.

- Egypt, CRC, CRC/C/16 (1993) 24 at paras. 99 and 105.

Paragraph 99

Of special concern is the situation of children in rural areas and disabled children. In regard to the latter, the very low number of disabled children who are enrolled in schools, which might reflect an insufficient sensitivity of the society to the specific needs and situation of those children, is of concern.

Paragraph 105

Steps should be undertaken to afford adequate protection to disabled children including the possibility, in particular through education, to integrate them into society and to raise the awareness of their families about their specific needs. Efforts for the early detection of the incidence of handicap are important.

- Peru, CRC, CRC/C/20 (1993) 16 at para. 73.

All the necessary steps should be taken to minimize the negative impact of the structural adjustment policies on the situation of children. The authorities should undertake all appropriate measures to the maximum extent of their available resources to ensure that sufficient resources are allocated to children. In that regard, particular attention should be paid to the protection of children living in areas affected by internal violence, displaced children, disabled children, children living in poverty and children living in institutions. International assistance will also be needed to address more effectively the challenge of improving the situation of these children.

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- El Salvador, CRC, CRC/C/20 (1993) 19 at paras. 93 and 94.

Paragraph 93

Strategies and educational programmes along with the adequate dissemination of information should be undertaken in order to counter certain prejudices which affect children negatively, such as gender-based discrimination (known as "*machismo*") and discrimination against disabled children (especially in rural areas), and to enhance the participation of children, in particular within the family.

Paragraph 94

Urgent measures should be adopted for the protection of children belonging to vulnerable groups, in particular displaced and refugee children, disabled and homeless children, as well as children subject to abuse or violence within the family. Such measures should encompass social assistance and rehabilitation programmes oriented towards those groups of children and should be undertaken, with the cooperation and support of the relevant United Nation agencies and international organizations, in the spirit of article 45 (b) of the Convention.

- Sudan, CRC, CRC/C/20 (1993) 22 at para. 117.

Attention should be given to extending the provision of primary health care and primary education in order to improve the general health and nutritional and educational status of children. In addition, future development plans should accord priority to the situation of disabled children.

- Romania, CRC, CRC/C/24 (1994) 21 at para. 101.

Further efforts are recommended to create a better understanding among the public about the situation of children with disabilities. The promotion of their rights should be further advanced through, for instance, support to parents' organizations and a sustained programme for moving children from institutions to a good family environment.

- Pakistan, CRC, CRC/C/29 (1994) 10 at paras. 42 and 54.

Paragraph 42

Discrimination against disabled children is a matter of concern.

Paragraph 54

An outreach programme should be developed at the community level to address issues relating to disabled children, in view of their particular vulnerability.

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- Madagascar, CRC, CRC/C/34 (1994) 20 at para. 98.

The lasting prejudices and traditional beliefs that affect certain groups of children, including disabled children and children born on a certain day of the week (considered to bring bad luck), preventing them from fully enjoying their rights, is of concern.

- Philippines, CRC, CRC/C/38 (1995) 12 at para. 60.

The lack of practical measures to ensure the full enjoyment of the rights recognized in the Convention by certain categories of children, including girl children, disabled children, children of mixed marriages, children of overseas workers, working children, and children affected by armed conflicts, is of concern.

- Ukraine, CRC, CRC/C/46 (1995) 11 at para. 59.

The absence of a programme involving social work is of concern. In particular, concern is expressed at the situation of the institutionalization as well as the treatment and protection of handicapped children. Alternatives to institutionalization are not sufficiently taken into account; support services to parents who keep their handicapped child at home are inadequate.

- Portugal, CRC, CRC/C/46 (1995) 24 at para. 157.

The principle of non-discrimination is not fully implemented for girls, disabled children and illegal immigrant children, non-accompanied children and children living in rural areas, especially in the fields of education and health, and this is of concern.

- Yemen, CRC, CRC/C/50 (1996) 9 at paras. 34 and 45.

Paragraph 34

Insufficient measures and programmes have been taken for the protection of the rights of the most vulnerable children, in particular girls, children living in rural areas, child victims of abuse, children affected by armed conflicts, disabled children, "akhdam" children and children who are forced to live and/or work in the streets, including child beggars.

Paragraph 45

The State party should undertake all appropriate measures, to the maximum extent of the available resources, to ensure budgetary allocations to services for children, particularly in the areas of

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education and health, and priority attention should be paid to the protection of the rights of children belonging to the most disadvantaged groups, including girls, children living in rural areas, children affected by armed conflicts, disabled children, "akhdam" children and children who are forced to live and/or work in the streets.

- Mongolia, CRC, CRC/C/50 (1996) 13 at paras. 63 and 71.

Paragraph 63

The difficulties encountered by children living in rural and remote areas and by disabled children in their access to basic services such as health care, social services and education are of concern.

Paragraph 71

The State party should take all necessary measures to reinforce the access to basic services for children (health, education and social care) in rural areas and for disabled children throughout the country.

See also:

- Nepal, CRC, CRC/C/54 (1996) 25 at paras. 166 and 181.

- Republic of Korea, CRC, CRC/C/50 (1996) 26 at paras. 161, 169 and 171.

Paragraph 161

The persistent discriminatory attitudes affecting girls, disabled children and children born out of wedlock are of concern.

Paragraph 169

The Government should develop public campaigns with a view to addressing effectively the problem of persisting discriminatory attitudes, in particular towards girls, disabled children and children born out of wedlock, and adopt pro-active measures to improve the status and protection of these groups of children.

Paragraph 171

Legislative measures should be adopted with a view to ensuring the basic rights of all disabled children, in particular the right to education, in the light of article 23.

See also:

- Burkina Faso, CRC, CRC/C/29 (1994) 15 at para. 69.

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- Lebanon, CRC, CRC/C/54 (1996) 7 at para. 63.

Special programmes should be developed for children with disabilities in order to define social, psychological, physical and other needs as well as to educate parents about ways of dealing with them. Further efforts are recommended to encourage schools to ensure the participation of these children in all activities.

- China, CRC, CRC/C/54 (1996) 18 at para. 116.

Inadequate measures taken in the field of social security may have led to an over-reliance on children providing future care and support to their parents. This may have contributed to the perpetuation of harmful traditional practices and attitudes such as a preference for boys, to the detriment of the protection and promotion of the rights of girls and of disabled children.

- Guatemala, CRC, CRC/C/54 (1996) 31 at para. 228.

Further efforts are required to ensure the active participation of disabled children in the community in conditions which ensure their dignity and promote their self-reliance, as well as to ensure that disabled children are separated from adults suffering from mental ill-health.

- Morocco, CRC, CRC/C/57 (1996) 7 at para. 50.

Special protective measures should be implemented in relation to children living in rural areas, children who are victims of abuse, children of single-parent families, children born out of wedlock, abandoned, institutionalized and disabled children, children involved with the juvenile justice system, particularly when deprived of their liberty, children involved in child labour and children who, in order to survive, are forced to live and/or work in the streets.

- United Kingdom of Great Britain and Northern Ireland (Hong Kong), CRC, CRC/C/57 (1996) 23 at para. 153.

The efforts being undertaken to integrate disabled children into regular schools, including through investment in structural changes to schools and support to the training of teachers to assist them in adjusting and adapting their teaching methods to the needs of disabled children, are encouraged.

- Mauritius, CRC, CRC/C/57 (1996) 29 at para. 175.

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The absence of supervision of private schools and the difficulties encountered by disabled children in gaining access to regular primary schools are matters of concern.

- Myanmar, CRC, CRC/C/62 (1997) 25 at para. 152.

The insufficient measures taken to offer appropriate and accessible social, rehabilitation and educational services to disabled children are of concern.

- Ghana, CRC, CRC/C/66 (1997) 15 at para. 86.

The persistence of discriminatory attitudes against some groups of children, especially girls and children with disabilities as well as children living in rural areas, which often results in limited access to basic social facilities such as health and education, remains of concern.

See also:

- Uganda, CRC, CRC/C/69 (1997) 21 at para. 131.

- Bangladesh, CRC, CRC/C/66 (1997) 22 at para. 165.

Efforts are required for the treatment of children with disabilities and their prevention, and to raise awareness about the need to facilitate the active participation of such children in the community. Efforts should be pursued to ensure the implementation of integrated mental health programmes and approaches and to make available the necessary resources and assistance for these activities.

- Azerbaijan, CRC, CRC/C/66 (1997) 41 at para. 296.

All appropriate measures should be undertaken to integrate children with disabilities into mainstream education.

- Trinidad and Tobago, CRC, CRC/C/69 (1997) 33 at para. 234.

Measures should be developed to better include children with disabilities in society.

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- Togo, CRC, CRC/C/69 (1997) 39 at para. 275.

All appropriate measures should be undertaken, including public information campaigns, to prevent and combat all forms of prevailing discriminatory attitudes against girls and children with disabilities, especially those living in rural areas, with a view to facilitating their access to basic services.

- Libyan Arab Jamahiriya, CRC, CRC/C/73 (1998) 9 at para. 56.

The approach by which disabled children are included in mainstream facilities and their natural environment, while still receiving specialized programmes and facilities as needed, should be enhanced. Attention should be given to the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (1993).

- Ireland, CRC, CRC/C/73 (1998) 14 at paras. 82 and 100.

Paragraph 82

The lack of a national policy to ensure the rights of children with disabilities and the lack of adequate programmes and services addressing the mental health of children and their families are matters of concern.

Paragraph 100

Programmes should be developed to facilitate the active participation of children with disabilities in the community. Efforts should be further pursued to ensure the implementation of integrated mental health programmes and approaches and to make available the necessary resources and assistance for these activities.

- Democratic People's Republic of Korea, CRC, CRC/C/79 (1998) 13 at paras. 80 and 97.

Paragraph 80

The *de facto* discriminatory attitudes that may occur against children with disabilities and the insufficient measures taken to ensure that these children have effective access to health, education and social services and to facilitate their full inclusion in society are of concern. The small number of well-trained professionals dealing with children with disabilities is also of concern.

Paragraph 97

Early identification programmes should be developed to prevent disabilities, alternative measures to the institutionalization of children with disabilities should be implemented, and awareness-raising campaigns should be envisaged in order to reduce discrimination against disabled children and

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encourage their inclusion into society.

See also:

- Czech Republic, CRC, CRC/C/69 (1997) 28 at paras. 177 and 194.
 - Fiji, CRC, CRC/C/79 (1998) 18 at para. 120.
 - Maldives, CRC, CRC/C/79 (1998) 31 at para. 215.
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- Fiji, CRC, CRC/C/79 (1998) 18 at para. 133.

A more active approach should be taken to eliminate discrimination against certain groups, in particular the girl child, children with disabilities, children in institutional care, children living in rural areas, poor children such as those living in slums, and children born out of wedlock (ex-nuptial children).

See also:

- Maldives, CRC, CRC/C/79 (1998) 31 at para. 230.
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- Japan, CRC, CRC/C/79 (1998) 25 at paras. 166 and 187.

Paragraph 166

The insufficient measures taken, notwithstanding the principles laid down in the Fundamental Law for People with Disabilities, 1993, to ensure effective access of disabled children to education and to facilitate their full inclusion in society are of concern.

Paragraph 187

In light of the Standard Rules for the Equalization of Opportunity for Persons with Disabilities (General Assembly resolution 48/96), further efforts should be made to ensure practical implementation of the existing legislation, to provide alternative measures to institutionalization of children with disabilities, and to conduct awareness-raising campaigns to reduce discrimination against children with disabilities and encourage their inclusion into society.

- Maldives, CRC, CRC/C/79 (1998) 31 at paras. 210 and 235.

Paragraph 210

Insufficient measures have been adopted to ensure the full enjoyment of rights by children with disabilities.

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Paragraph 235

In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96), early identification programmes should be developed to prevent disabilities, alternative measures to the institutionalization of children with disabilities should be implemented, awareness-raising campaigns to reduce their discrimination should be envisaged, special education programmes and centres should be established, and their inclusion in society should be encouraged. Research on the causes of disabilities should be undertaken. Furthermore, technical cooperation for the training of professional staff working with and for children with disabilities is recommended. International cooperation from UNICEF and the World Health Organization (WHO) can be sought to this effect.

See also:

- Iraq, CRC, CRC/C/80 (1998) 15 at para. 81.
- Austria, CRC, CRC/C/84 (1999) 7 at para. 45.

Existing legislation should be reviewed so as to make sterilization of mentally disabled children require the intervention of the courts, and care and counselling services should be provided to ensure that this intervention is in accordance with the provisions of the Convention

- Belize, CRC, CRC/C/84 (1999) 12 at para. 85.

The absence of legal protection and the lack of adequate facilities and services for persons with disabilities, including children, are matters of concern. In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96), early identification programmes should be developed to prevent disabilities, efforts to implement alternatives to the institutionalization of children with disabilities should be increased, special education programmes for children with disabilities should be established and their inclusion in society should be further encouraged. Technical cooperation for the training of professional staff working with and for children with disabilities should be sought from UNICEF and WHO.

See also:

- Thailand, CRC, CRC/C/80 (1998) 35 at para. 177.
- Guinea, CRC, CRC/C/84 (1999) 21 at para. 118.
- Barbados, CRC, CRC/C/87 (1999) 9 at para. 54.

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The practice of focussing on the provision of separate services to children with disabilities rather than on their inclusion is of concern.

- Honduras, CRC, CRC/C/87 (1999) 26 at para. 123.

Regarding children with disabilities, there is a lack of adequate infrastructure, qualified staff and specialized institutions. The lack of a governmental policy and programmes for children with disabilities and the lack of governmental monitoring of private institutions for these children is also of concern. In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted on its day of general discussion on "Children with Disabilities," early identification programmes should be developed to prevent disabilities, alternative measures to the institutionalization of children with disabilities should be implemented, awareness-raising campaigns should be envisaged to reduce discrimination against them, special education programmes and centres should be established as needed, their inclusion in the educational system and in society should be encouraged, and adequate monitoring of private institutions for children with disabilities should be established.

See also:

- Costa Rica, CRC, CRC/C/94 (2000) 37 at para. 232.
- Peru, CRC, CRC/C/94 (2000) 64 at para. 376.
- Malta, CRC, CRC/C/97 (2000) 75 at para. 435.
- Colombia, CRC, CRC/C/100 (2000) 64 at paras. 372 and 373.

- Benin, CRC, CRC/C/87 (1999) 35 at paras. 147 and 158.

Paragraph 147

The continued practice of infanticide, particularly in rural communities and on infants with disabilities, is of concern. Measures, including those of a legal nature, should be taken to prevent and discourage infanticide and to protect infants and guarantee their right to life, survival and development. In this regard, education and awareness-raising programmes should be introduced to change societal attitudes.

Paragraph 158

The absence of legal protection and the lack of adequate programmes, facilities and services for children with disabilities, particularly mental disabilities, is of concern. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on "The Rights

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of Children with Disabilities” (CRC/C/69), early identification programmes should be developed to prevent disabilities, efforts to implement alternatives to the institutionalization of children with disabilities should be increased, special education programmes for children with disabilities should be established, and their inclusion in society should be further encouraged. Technical cooperation for the training of professional staff working with and for children with disabilities should be sought. International cooperation from UNICEF and WHO can be sought to this effect.

See also:

- Saint Kitts and Nevis, CRC, CRC/C/87 (1999) 17 at para. 88.
 - Mali, CRC, CRC/C/90 (1999) 43 at para. 222.
 - South Africa, CRC, CRC/C/94 (2000) 81 at para. 445.
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- Chad, CRC, CRC/C/87 (1999) 45 at paras. 191 and 200.

Paragraph 191

In relation to the situation of children with disabilities, the limited infrastructure, qualified staff and specialized institutions are matters of concern. The lack of legislation protecting children with disabilities against discrimination, and the difficulties encountered in addressing the special needs of children with mental disabilities are also of concern. Efforts should be increased to give adequate attention to the special needs of children with mental and physical disabilities, and to encourage the inclusion of disabled children in society. Technical cooperation for the training of professional staff working with and for children with disabilities should be sought.

Paragraph 200

The situation of traumatized or permanently disabled former child soldiers and their lack of access to compensation or other support services is particularly of concern. Efforts should be redoubled to allocate the necessary resources, if necessary with international assistance, to the rehabilitation and social reintegration of former child soldiers, and in particular to provide compensation and support services to traumatized or permanently disabled former child soldiers.

- Nicaragua, CRC, CRC/C/87 (1999) 54 at para. 240.

There is a lack of adequate infrastructure, limited qualified staff and specialized institutions for children with disabilities and this is of concern. In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on “Children with Disabilities” (CRC/C/69), the State party should develop early identification programmes to prevent disabilities, implement alternative measures to the institutionalization of children with disabilities, envisage

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awareness-raising campaigns to reduce discrimination against them, establish special education programmes and centres for them, encourage their inclusion in the educational system and in society, and establish adequate monitoring of private institutions for children with disabilities.

See also:

- Yemen, CRC, CRC/C/84 (1999) 33 at para. 177.

- Venezuela, CRC, CRC/C/90 (1999) 10 at para. 45.

Effective measures should continue to be taken to reduce economic and social disparities. Measures to prevent discrimination against the most disadvantaged groups of children, including girls, children belonging to indigenous and other ethnic groups, children with disabilities, children born out of wedlock and children living and/or working in the streets, should be reinforced.

- Russian Federation, CRC, CRC/C/90 (1999) 18 at paras. 87 and 102-104.

Paragraph 87

Measures should be intensified to reduce economic, social and regional disparities. Further steps should be taken, along the lines of the Committee's 1993 recommendation, to prevent any discrimination against children or disparities in their treatment, including children with disabilities and children belonging to religious and ethnic minorities.

Paragraph 102

The situation of children with disabilities, especially children with mental disabilities and children living in institutions, is of concern. Moreover, the current diagnostic system and practices, conditions for disabled children living in institutions, the lack of adequate professional assistance for the development, treatment and rehabilitation of children with disabilities and the slow process of inclusion of children with disabilities in mainstream education, are matters of particular concern.

Paragraph 103

Efforts to improve the early diagnosis of children with physical and mental disabilities should be pursued and placement in institutions should be prevented as far as possible. Professional treatment services and support and counselling provided to families should be strengthened in order to enable children to live at home and promote social inclusion.

Paragraph 104

Efforts to benefit from international cooperation should be strengthened, with a view to enhancing

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policies on integrating children with disabilities into society.

- Vanuatu, CRC, CRC/C/90 (1999) 29 at para. 154.

Insufficient efforts have been made thus far to protect the rights of children with disabilities. The necessary resources should be allocated for programmes and facilities for children with disabilities. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on "The Rights of Children with Disabilities," the State party should develop early identification programmes to prevent disabilities, establish special education programmes for children with disabilities and further encourage their integration into the educational system and their inclusion in society. In this connection, technical cooperation for the training of persons working with and for children with disabilities should be sought from UNICEF and the WHO.

See also:

- Marshall Islands, CRC, CRC/C/100 (2000) 89 at paras. 531 and 532.
- Mexico, CRC, CRC/C/90 (1999) 34 at para. 177.

The measures implemented to protect the rights of children belonging to vulnerable groups need to be reinforced. Measures need to be increased to reduce economic and social disparities, including between urban and rural areas, to prevent discrimination against the most disadvantaged groups of children, such as girls, children with disabilities, children belonging to indigenous and ethnic groups, children living and/or working on the streets and children living in rural areas.

- India, CRC, CRC/C/94 (2000) 10 at paras. 78 and 79.

Paragraph 78

Noting the 1995 Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, the Committee nonetheless is concerned at the very poor level of and access to care for children with disabilities, especially those living in rural areas; and the lack of assistance provided to persons responsible for their care. In the light of article 23 of the Convention, the Committee emphasizes the need to ensure the implementation of policies and programmes to guarantee the rights of mentally and physically disabled children and to facilitate their full inclusion in society.

Paragraph 79

The State party should increase the capacity of institutions for the rehabilitation of children with

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disabilities and improve access to services for such children living in rural areas. Awareness campaigns which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities need to be undertaken. Adequate training should also be made available to persons working with these children. The State party is encouraged to undertake greater efforts to make available the necessary resources and to seek assistance from, *inter alia*, UNICEF, WHO and relevant NGOs.

- Sierra Leone, CRC, CRC/C/94 (2000) 24 at paras. 146 and 171-173.

Paragraph 146

It is recommended that the State party review the Constitution and other relevant national legal instruments, enlarging the list of prohibited grounds of discrimination to include “disability, birth, other [than political] opinion”, as provided for in article 2 of the Convention.

Paragraph 171

Recognizing that children with disabilities may be especially disadvantaged by the conditions inherent in armed conflicts, concern is expressed about the limited information provided by the State party on the situation of children with disabilities. Respect for the rights of children with disabilities requires an integrated approach to the overall situation of such children.

Paragraph 172

In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96), the Committee’s recommendations adopted at its day of general discussion on “The Rights of Children with Disabilities” (see CRC/C/69), and with particular reference to article 23 of the Convention, it is recommended that the State party conduct an assessment of the number of children with disabilities, the type of disabilities and the needs of children with disabilities with regard to rehabilitative and other forms of care, and make every effort to improve the facilities and services available. The State party’s efforts to include children with disabilities in the mainstream education process is supported. These efforts should be pursued.

Paragraph 173

The State party is encouraged to make every effort to benefit from international cooperation in favour of children with disabilities, in accordance with article 23, paragraph 4 of the Convention.

- The Former Yugoslav Republic of Macedonia, CRC, CRC/C/94 (2000) 45 at paras. 264 and 271-273.

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Paragraph 264

The State party should strengthen community services in favour of families with economic, social or other difficulties and families caring for children with disabilities and with emotional or behavioural problems.

Paragraph 271

While aware of the State party's efforts to integrate children with disabilities into formal education and into regular recreation programmes, concern remains that children with disabilities are excluded from many activities. The quality of educational, health and other facilities available is a concern.

Paragraph 272

Further efforts should be made to integrate children with disabilities into educational and recreational programmes currently used by children without disabilities. With particular reference to article 23 of the Convention, the State party should continue with its programmes to improve the physical access of children with disabilities to public service buildings, including schools, review the facilities and assistance available to children with disabilities and in need of special services, and improve these services in accordance with the provisions and spirit of the Convention.

Paragraph 273

With reference to article 23, paragraph 3, of the Convention, the State party is encouraged to strengthen its efforts to benefit from international cooperation, including from UNICEF, in favour of children with disabilities, with a view to improving State policy and action.

- Armenia, CRC, CRC/C/94 (2000) 53 at paras. 318, 319, 328 and 329.

Paragraph 318

Concern is expressed at the discrepancies in the enjoyment of rights in relation to certain vulnerable groups: children with disabilities, children living in rural areas, refugee children, children from poor families, children living and/or working on the streets, and those living in institutions.

Paragraph 319

Concerted efforts should be made at all levels to address social inequalities through a review and reorientation of policies, including increased budgetary provision for programmes targeting the most vulnerable groups. The State party is encouraged to ensure the effective enforcement of protective laws, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, to sensitize society to the situation and needs of children within the society and particularly within the family, where needed within the framework of international cooperation.

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Paragraph 328

While noting the protection afforded to children with disabilities under the 1996 Rights of the Child Act, the Committee is nevertheless concerned at the prevailing poor situation of children with disabilities, who are often institutionalized.

Paragraph 329

In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly Resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on "Children with Disabilities" (see CRC/C/69), the State party is encouraged to make greater efforts to implement alternatives to the institutionalization of children with disabilities, including community-based rehabilitation programmes. The State party is encouraged to undertake a comprehensive national study on the situation of children with disabilities. Awareness campaigns, which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities need to be undertaken. Adequate training should also be made available to persons working with these children, and the State party is encouraged to develop special education programmes for children with disabilities.

- Peru, CRC, CRC/C/94 (2000) 64 at para. 369.

The State party should increase measures to reduce economic and social disparities, including between urban and rural areas, to prevent discrimination against the most disadvantaged groups of children, such as girls, children with disabilities, children belonging to indigenous and ethnic groups, children living in and/or working on the streets and children living in rural areas, and to guarantee their full enjoyment of all the rights recognized in the Convention.

See also:

- Colombia, CRC, CRC/C/100 (2000) 64 at para. 355.

- Grenada, CRC, CRC/C/94 (2000) 72 at para. 406.

The absence of legal protection and the lack of adequate facilities and services for children with disabilities are matters of concern. Insufficient efforts have been made by the State party to facilitate the inclusion of children with disabilities in the educational system and generally within society. In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general Discussion on the Rights of Children with Disabilities (see CRC/C/69), it is recommended that the State party develop early identification programmes to prevent disabilities, increase its efforts to implement alternatives to the institutionalization of children with disabilities, establish special

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education programmes for children with disabilities and further encourage their inclusion in society. The State party should take all appropriate measures to ensure that adequate resources are allocated for the effective implementation of the Early Intervention Programme for Children with Disabilities. It is recommended that the State party undertake a study on the situation of mental health with a view to addressing this concern. Further, it is recommended that the State party undertake an awareness raising campaign to sensitize the public to the rights and special needs of children with disabilities as well as children with mental health concerns.

See also:

- Georgia, CRC, CRC/C/97 (2000) 18 at paras. 124 and 125.
- Suriname, CRC, CRC/C/97 (2000) 84 at paras. 495 and 496.

- Islamic Republic of Iran, CRC, CRC/C/97 (2000) 8 at paras. 62 and 63.

Paragraph 62

While there are support mechanisms for the care of children with disabilities, inadequate efforts have been made to include such children in mainstream society.

Paragraph 63

Existing policies and practices should be reviewed in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on children with disabilities (CRC/C/69), and it should be ensured that they enjoy all the rights contained in the Convention. The State party is encouraged to make greater efforts to promote community-based rehabilitation programmes and inclusive education.

- Jordan, CRC, CRC/C/97 (2000) 31 at paras. 189 and 190.

Paragraph 189

Concern is expressed about the poor situation of children with disabilities, and in particular that only a very small percentage receive specialized services.

Paragraph 190

Existing policies and practices should be reviewed in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on children with disabilities (CRC/C/69), and ensure that they enjoy all the rights contained in the Convention. The Welfare of the Disabled Act No. 12 of 1993 should be

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effectively implemented, and the allocation of resources, human and financial, should be increased to ensure that children with disabilities have access to rehabilitation, education and other services. Efforts to promote inclusive education and expand and strengthen community-based rehabilitation projects should be continued.

- Norway, CRC, CRC/C/97 (2000) 43 at paras. 247 and 248.

Paragraph 247

Concern is expressed that children with disabilities do not have the best possible social integration with their peers.

Paragraph 248

Recognizing the State party's efforts to ensure that the rights of children with disabilities are fully realized, efforts should be continued to ensure that children with disabilities are able to share their time with other children, as emphasized in the State party's second plan of action.

- Kyrgyzstan, CRC, CRC/C/97 (2000) 51 at paras. 302, 308 and 309.

Paragraph 302

The large number of children, especially children with disabilities, who are abandoned or who are otherwise deprived of a family environment is of concern. Further, concern is expressed that foster care or other forms of family-based alternative care are not sufficiently developed and available; that as a result children are placed in institutions which, owing to a lack of resources, provide children with very low-quality housing and care; and that the location and features of institutions do not facilitate family contact. The absence of effective mechanisms for children to communicate their concerns and complaints about their placement is a concern. In light of article 25 of the Convention, concern is expressed at the inadequate system to review placement, monitoring, or follow-up of the situation of children in institutions.

Paragraph 308

The prevailing poor situation of children with disabilities is a concern. In particular, concern is expressed about the practice of institutionalizing children with disabilities, and about the fact that access to services such as rehabilitation and education are limited and severely strained.

Paragraph 309

Existing policies and practice should be reviewed in relation to children with disabilities, and it should be ensured that they enjoy all the rights contained in the Convention. The State party should provide early childhood care and special education for children with disabilities; develop entry-grade detection capacity within the primary school system; and provide services for children with learning disabilities

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and behavioural disorders. Greater efforts should be made to implement alternatives to the institutionalization of children with disabilities, including community-based rehabilitation programmes and reunification of children with their parents. Awareness campaigns which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities need to be undertaken. Adequate support, supervision and training should be given to persons working with these children.

- Cambodia, CRC, CRC/C/97 (2000) 64 at paras. 357, 358, 378 and 379.

Paragraph 357

With regard to article 2 of the Convention, the existing patterns of discrimination on the grounds of gender, ethnic origin, HIV/AIDS status and disability are of concern.

Paragraph 358

The enjoyment by all children of all the rights enshrined in the Convention should be ensured without any distinction.

Paragraph 378

Deep concern is expressed that as a result of the prolonged armed conflict, the State party has one of the highest levels of disability in the world. In this regard, it is noted that most services for children with disabilities are provided by NGOs, which need substantial resources to maintain the current high standards of care and rehabilitation services.

Paragraph 379

In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on children with disabilities (CRC/C/69), it is recommended that the State party work in close collaboration with and support the activities of NGOs working in this field in order to develop early identification programmes to prevent disabilities; implement alternative measures to the institutionalization of children with disabilities; plan and carry out awareness-raising campaigns to reduce discrimination; establish special education programmes and centres and encourage the inclusion of disabled children in the educational system and in society; and establish adequate monitoring of private institutions for children with disabilities. The State party should seek technical cooperation for the training of professional staff working with and for children with disabilities.

- Malta, CRC, CRC/C/97 (2000) 75 at para. 434.

Paragraph 434

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While the State party has established a National Policy on Special Education for children with disabilities, concern is expressed about the fact that there is a considerable social stigma attached to this group of children and that this situation represents a barrier to their social integration. Concern is also expressed about the limitations faced by voluntary organizations in addressing in a comprehensive manner all the needs of children with disabilities.

- Djibouti, CRC, CRC/C/97 (2000) 96 at paras. 548 and 549.

Paragraph 548

The lack of legal protection, programmes, facilities and services for children with disabilities aimed at facilitating their development and full integration in society is of concern.

Paragraph 549

In light of article 23 of the Convention, the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69), the State party should establish special education programmes for children with disabilities and actively seek their inclusion in society. The State party should conduct an assessment of the number of children with disabilities, the type of disabilities, and the needs of children with disabilities with regard to rehabilitative and other forms of care.

See also:

- Comoros, CRC, CRC/C/100 (2000) 110 at paras. 634 and 635.
- Finland, CRC, CRC/C/100 (2000) 8 at paras. 37-40, 65 and 66.

Paragraph 37

It is noted that owing to the extensive decentralization of decision-making, administration and delivery of services in the State party, there is a significant delegation of powers from the central level to the municipalities. However, not all the municipalities provide the same level of social policies and services for the most vulnerable groups in society, in particular poor families, single-parent families, and disabled, refugee and minority children.

Paragraph 38

The State party should undertake an evaluation of the implementation of all aspects of the Convention by municipal authorities and every effort should be made to ensure that the Convention is effectively implemented at the municipal level. The Committee reiterates its recommendation to establish an integrated monitoring system or mechanism to ensure that children in all municipalities benefit to the

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same extent from basic social services.

Paragraph 39

Concern is expressed that the extent and standard of welfare services provided by local authorities to low-income families or families with children with disabilities is unequal in the various municipalities across the country, partly as a result of significant differences in the financial resources available to the municipal authorities, in the priorities set by those authorities and in the systems used to assess needs and grant assistance. These disparities have the effect of providing either unequal access to or different levels of welfare assistance to children, particularly those with disabilities, depending on where in the country they reside.

Paragraph 40

The State party is urged to consider ways to guarantee all children equal access to the same standard of services, irrespective of where they live, for example by establishing nationwide minimum standards and allocations of resources for the implementation of the Convention's provisions, in particular in the areas of health, education and other social welfare services, and in conformity with article 2.

Paragraph 65

It is noted with concern that families with chronically ill children do not always have enough support, both at the personnel and the financial level.

Paragraph 66

Recognizing the State party's efforts to ensure the rights of children with disabilities, the State party should continue its efforts to provide equal support and assistance to all families with chronically ill children including the help of specialized staff.

See also:

- Norway, CRC, CRC/C/97 (2000) 43 at paras. 247 and 248.
- Burundi, CRC, CRC/C/100 (2000) 17 at paras. 137, 138, 149 and 150.

Paragraph 137

Noting current efforts, concern is expressed about the situation of children with physical and mental disabilities, and in particular about the limited specialized health care, education and employment possibilities available for them. Poor health conditions and poverty are leading to an increase in the number of children with disabilities.

Paragraph 138

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The situation of children with disabilities should be reviewed in terms of their access to suitable health care, education services and employment opportunities and a programme of action established to address all areas of concern. Note should be taken of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (see CRC/C/69). The population should be sensitized to the rights of children with disabilities and the difficulties they must face in their daily lives.

Paragraph 149

Concern is expressed about the limited access of children with disabilities to formal or vocational educational opportunities and at the proportionally low number of girls attending primary or secondary school.

Paragraph 150

The State party should ensure that children with disabilities have access to formal and vocational educational opportunities and that every effort is made to ensure that girls and boys have equal access to educational opportunities.

- United Kingdom of Great Britain and Northern Ireland (Isle of Man), CRC, CRC/C/100 (2000) 31 at paras. 194 and 195.

Paragraph 194

Efforts to establish programmes for children with disabilities are noted, including integration and community based care programmes. However, insufficient efforts have been made to ensure adequate legal protection of children with physical disabilities.

Paragraph 195

Additional efforts be made to enhance early identification programmes to prevent disabilities; strengthen special education programmes for children with disabilities; and, where possible, encourage the inclusion of children with disabilities in the regular school system and more generally in society. Adequate resources should be allocated to ensure the effective implementation of programmes for children with disabilities and to encourage further training for professionals working with and for these children. The enactment of legislation to guarantee the rights of children with physical disabilities is also recommended.

See also:

- United Kingdom of Great Britain and Northern Ireland (Overseas Territories), CRC, CRC/C/100 (2000) 40 at paras. 247 and 248.

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- Tajikistan, CRC, CRC/C/100 (2000) 53 at paras. 303 and 304.

Paragraph 303

Concern is expressed about the prevailing poor situation of children with disabilities. In particular, the Committee is concerned at the practice of institutionalizing children with disabilities and that access to services such as rehabilitation and education are limited and severely strained.

Paragraph 304

It is recommended that existing policies and practices in relation to children with disabilities be reviewed, and that it be ensured that they enjoy all the rights contained in the Convention. It is also recommended that the State party: provide early childhood care and special education for children with disabilities; develop early identification programmes to prevent disabilities; and provide services for children with learning disabilities and behavioural disorders. Awareness campaigns which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities need to be undertaken. Adequate support, supervision and training should be given to persons working with these children.

- Central African Republic, CRC, CRC/C/100 (2000) 77 at paras. 425, 426, 461 and 462.

Paragraph 425

Concern is expressed that there is discrimination against children with disabilities and against minority populations, including Pygmies.

Paragraph 426

Action should be taken to end discrimination including, in particular, discrimination against girls, discriminatory customary practices and discrimination against children with disabilities and children from minority groups. The State party should address discrimination through improved implementation of national legislation prohibiting discrimination and through the sensitization of the population.

Paragraph 461

The rights of children with disabilities are respected to only a very limited extent and this is of concern. Particular concern is expressed about the need for improved access for children with disabilities to specialized health and care assistance.

Paragraph 462

It is noted that a policy for the advancement of persons with disabilities has been submitted to the National Assembly. The State party should focus its activities on behalf of children with disabilities on supporting their families in order to prevent their being institutionalized. Furthermore, it is recommended that the State party improve the overall protection of the rights of children with

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disabilities including, in particular, through the improvement of access for children with disabilities to specialized health and care assistance. The State party is urged to apply the recommendations made during the Committee's day of general discussion on children with disabilities and the relevant United Nations guidelines on disability.

- Marshall Islands, CRC, CRC/C/100 (2000) 89 at para. 512.

The State party should collect disaggregated data to enable effective monitoring of potential discrimination, in particular against girls, children living in poor urban communities and in the outer islands and those with disabilities.

- Slovakia, CRC, CRC/C/100 (2000) 100 at paras. 576 and 577.

Paragraph 576

The comprehensive scheme of services and cash benefits available to families of children with disabilities as well as to non-governmental organizations working in this area is welcomed. However, it is regretted that information has not been received regarding the eligibility criteria for these services and benefits. Further, concern remains about the inadequate infrastructure, the limited specialized staff and the institutionalization of children with disabilities, and the lack of inclusive programmes and policies and continuous monitoring of institutions.

Paragraph 577

It is recommended that a comprehensive approach be pursued toward addressing the rights of children with disabilities, reviewing existing policies and practice and taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted on its day of general discussion on children with disabilities (see CRC/C/69). The State party should develop early identification programmes to prevent disabilities, undertake awareness-raising programmes to prevent discrimination and institutionalization, and establish community-based centres for the disabled to enable them to enjoy all the rights contained in the Convention.

- Comoros, CRC, CRC/C/100 (2000) 110 at paras. 620 and 621.

Paragraph 620

With regard to article 2 of the Convention, patterns of discrimination on grounds of gender, religion, ethnic origin, disability and birth or other status (e.g., children born out of wedlock) are of concern.

Paragraph 621

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The State party should increase its efforts to ensure the implementation of the principle of non-discrimination and its full compliance with article 2 of the Convention and address those cases which continue to occur affecting all vulnerable groups, and particularly girls, children with disabilities and children born out of wedlock.

- Latvia, CRC, CRC/C/103 (2001) 9 at paras. 50, 51, 64 and 65.

Paragraph 50

It is of concern that the principle of non-discrimination is not fully implemented for non-citizen children, children belonging to minorities, including Roma children, poor or dysfunctional families, children with disabilities and children living in rural areas, especially with regard to their access to adequate health and educational facilities.

Paragraph 51

Disaggregated data should be collected to enable monitoring of discrimination against all children, in particular those belonging to the above-mentioned vulnerable groups, with a view to developing measures to put an end to any form of discrimination.

Paragraph 64

It is of concern that children with disabilities are granted additional State benefits only up to the age of 16 and that children with disabilities living in rural areas do not have access to the same level of services and medicines as children living in other parts of the country. Concern is expressed about the high proportion of children with disabilities who are institutionalized. It is also noted with concern that the integration of children with disabilities into the normal educational system is problematical owing to the lack of specialized teachers and the fact that schools are not easily accessible for children with motor impairment.

Paragraph 65

The necessary resources should be allocated for programmes and facilities for all children with disabilities up to the age of 18, especially those children living in rural areas, and community-based programmes should be developed in order for children to be able to stay at home with their families. In light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on "The rights of children with disabilities" (see CRC/C/69), the State should further encourage their integration into the educational system and inclusion into society, including by providing special training to teachers and by making schools more accessible.

See also:

- Lithuania, CRC, CRC/C/103 (2001) 47 at paras. 272, 273, 288 and 289.

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- Ethiopia, CRC, CRC/C/103 (2001) 24 at paras. 130, 131, 146, 147, 172 and 173.

Paragraph 130

Concern is expressed at the failure to enforce legislation which would serve to protect the rights of children, including: with regard to harmful traditional practices such as female genital mutilation, early and forced marriage and discrimination against children with disabilities. Domestic law is not yet fully compatible with the provisions and principles of the Convention. The process of drafting and adopting new legislation is slow. In addition, concern is expressed that some customary practices which are prejudicial to children's rights may still be applied instead of modern domestic legal provisions.

Paragraph 131

The State party should strengthen its efforts to implement and enforce those aspects of domestic legislation which serve to protect children's rights, giving particular attention to problems of harmful traditional practices, early and forced marriage and discrimination against children with disabilities. Steps should be taken through amendment or enactment, to ensure that domestic legislation is fully compatible with the principles and provisions of the Convention and to ensure that new legislation reaches the adoption stage rapidly. Additional efforts should be made to ensure that domestic law is applied in preference to customary practices which may infringe children's rights.

Paragraph 146

Girls and children with disabilities face extensive discrimination, *inter alia*, in terms of their access to education. Furthermore, concern is expressed that societal discrimination against women and against adults with disabilities limits the opportunities for girls and for children with disabilities to achieve full respect for their rights.

Paragraph 147

The State party should make appropriate additional efforts to strengthen the implementation of the non-discrimination provisions of the Constitution, giving particular attention to the situation of children from ethnic groups which are a minority within a particular province, to girls, to children with disabilities and to discrimination against women.

Paragraph 172

Concern is expressed at the relative absence of information on the situation of children with disabilities in the State party and the absence of programmes in favour of children with disabilities.

Paragraph 173

The State party should urgently gather disaggregated data on the numbers and situation of children with disabilities in Ethiopia, and make greater efforts to ensure respect for their rights.

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- Egypt, CRC, CRC/C/103 (2001) 36 at paras. 234 and 235.

Paragraph 234

In light of its previous concluding observations, the Committee remains concerned at the situation of children with disabilities and that only a very small percentage receive specialized services.

Paragraph 235

Existing policies and practice should be reviewed in relation to children with disabilities. The State party should pursue the development of standardized definitions and terminology relating to disabilities for the purposes of collecting comprehensive data on these children. Greater efforts should be made to promote community-based rehabilitation programmes and inclusive education; to address geographical disparities in the distribution of services (i.e. in rural areas, and regions such as Upper Egypt); and to ensure the provision of services for children under four years, as well as severely mentally disabled children. The State party is encouraged to undertake greater efforts to make available the necessary resources and to seek assistance from UNICEF, WHO and relevant NGOs, among others.

- Lesotho, CRC, CRC/C/103 (2001) 57 at paras. 359 and 360.

Paragraph 359

It is noted that a survey will be conducted to collect disaggregated data and other information on children with disabilities, which will be used as a basis for policy development. Concerns remain about the absence of legal protection and the lack of adequate programmes, facilities and services for children with physical and mental disabilities, and in particular the failure to integrate children with disabilities into mainstream schooling. The absence of a national strategy to ensure respect for the rights of children with disabilities is a concern.

Paragraph 360

The State party is urged to complete the survey mentioned above as soon as possible and to make use of the information gathered to develop a comprehensive national programme, taking into account the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its Day of General Discussion on the rights of children with disabilities (CRC/C/69). "Early identification" programmes should be developed with a view to providing prompt and appropriate early intervention to help children with disabilities, including physical and learning disabilities. The State party should increase its efforts to implement alternatives to the institutionalization of children with disabilities, establish special education programmes for them and further encourage the inclusion of these children in society including through ensuring access for children with disabilities to schools and public buildings.

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- Palau, CRC, CRC/C/103 (2001) 79 at paras. 468 and 469.

Paragraph 468

It is noted that the State party has enacted legislation to protect children with disabilities and that an Inter-agency Task Force on Children with Special Needs has been established. Concern is expressed that there are insufficient programmes, services and resources for children in this regard. The insufficient efforts and the reluctance of teachers to facilitate the inclusion and acceptance of children with disabilities into the regular school system, despite requirements under law, are matters of concern.

Paragraph 469

The State party should strengthen its efforts to develop early identification programmes to prevent disabilities; establish special education programmes for children with disabilities; and implement the law that provides for their inclusion within the school system. The State party should reinforce its efforts to raise awareness and sensitize the public about the rights and special needs of children with disabilities, including children with mental health concerns. The State party is encouraged to consider including mental disabilities within the definition of disabilities; to ensure that children with such concerns are provided adequate care, services and rehabilitation; and to guarantee adequate human and financial resource allocations.

- Dominican Republic, CRC, CRC/C/103 (2001) 91 at paras. 520-523.

Paragraph 520

While noting the adoption of the General Law on Disabilities (2000) and the creation of the National Council on Disability, concern is expressed about the lack of data on children with disabilities and the insufficient measures taken by the State party to ensure effective access of these children to health, education and social services, and to facilitate their full inclusion in society. The small number of well-trained professionals working with and for children with disabilities is a matter of concern.

Paragraph 521

In the light of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96), the State party should develop early identification programmes to prevent disabilities, implement alternatives to the institutionalization of disabled children, envisage awareness-raising campaigns to reduce discrimination against disabled children, promote their inclusion in regular education and society at large, and when necessary, establish special education programmes and centres.

Paragraph 522

Concern is expressed at various forms of discrimination and exclusion which still affect the right to education of certain groups of children, such as pregnant adolescents, unregistered children, children

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with disabilities and children of Haitian origin born in the State party's territory or belonging to Haitian migrant families, reflecting insufficient attention to article 29 of the Convention.

Paragraph 523

In the light of article 28 and other related articles of the Convention, the State party should continue its efforts in the field of education by strengthening its policies and system in order to: improve on-going retention programmes and vocational training for drop-out students; improve schools' infrastructure; continue with curricular reform, including teaching methodologies; eradicate regional disparities with reference to school enrolment and attendance; and implement special education programmes taking into account the needs of vulnerable children. The explicit inclusion of the aims of education as mentioned in article 29 of the Convention in the school curricula is recommended.

- Denmark, CRC, CRC/C/108 (2001) 10 at paras. 58 and 59.

Paragraph 58

De facto discrimination against and xenophobia directed at certain groups of children, especially children belonging to ethnic minorities, refugee and asylum-seeking children, children belonging to migrant families, children with disabilities and those belonging to socially and economically disadvantaged families, continues to be of concern, including within the education system.

Paragraph 59

In light of article 2 and other related articles of the Convention, the State party should strengthen its measures, including through the Board for Ethnic Equality by, *inter alia*, organizing ongoing awareness raising campaigns to change attitudes and to eliminate *de facto* discrimination against and xenophobia directed at minority groups, especially children belonging to migrant families, refugee children, children with disabilities, and children belonging to socially and economically disadvantaged families.

- Democratic Republic of the Congo, CRC, CRC/C/108 (2001) 31 at paras. 171, 172, 199 and 200

Paragraph 171

It is of concern that legislation does not explicitly prohibit discrimination against children on all grounds covered by the Convention in its article 2 and omits, for example, discrimination against children with disabilities.

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Paragraph 172

It is strongly recommended that the State party urgently identify and address the different causes of discrimination and end all practices of discrimination which affect respect for the Convention. Domestic legislation prohibiting discrimination should be amended to include all the grounds prohibited under the Convention, including discrimination based on disabilities, and a review of legislation should be conducted so as to amend any provisions which are discriminatory and which have an impact on children.

Paragraph 199

Deep concern is expressed about the high numbers of children with preventable and other disabilities, and the fact that these figures are increasing. Noting the very small number of children with disabilities who have access to education, deep concern is expressed that the rights of children with disabilities to education, as well as health services are not respected and that they do not receive adequate assistance towards future development. Further concern is expressed at the interpretation of disabilities on the basis of certain traditional opinions and at the fact that children with disabilities suffer from discrimination as a result of such beliefs. The reports of violence against children with disabilities in State institutions are also of concern.

Paragraph 200

Measures should be developed and implemented in order to guarantee respect for the rights of children with disabilities, including improving their access to health and education services and vocational training. In addition, the State party should make every effort to ensure that children with disabilities are not discriminated against, including through the provision of appropriate education for parents, teachers, children and members of the population in general. It is further recommended that the State party strengthen mechanisms to protect children with disabilities and living in institutions from acts of violence. The State party should provide assistance to NGOs working on behalf of children with disabilities and promote coordination of their activities. The State party should seek technical assistance from, among others, WHO and UNICEF.

See also:

- Cape Verde, CRC, CRC/C/111 (2001) 135 at paras. 623 and 624.
- Guatemala, CRC, CRC/C/108 (2001) 47 at paras. 253, 254, 265 and 266.

Paragraph 253

It is of concern that the principle of non-discrimination (art. 2) is not fully implemented for children belonging to indigenous groups; urban and rural poor children, girls, children with disabilities, and displaced children, especially with regard to their access to adequate health and educational facilities.

Paragraph 254

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All necessary measures should be taken to end discrimination. In this respect, the State party is encouraged to monitor discrimination against children, in particular those belonging to indigenous groups, urban and rural poor children, girls, children with disabilities, and displaced children, and to develop, on the basis of the results of such monitoring, comprehensive strategies for implementing specific and well-targeted actions aimed at ending all forms of discrimination.

Paragraph 265

While taking note of the Act on the Provision of Services for Persons with Disabilities of 1996 and the establishment of a National Network for Support to Disabled Persons, which has also established departmental links in the interior of the country, there is nevertheless concern that discrimination against children with disabilities still occurs and that parents are often unaware of their children's rights. Further, there is concern about the huge number of children with disabilities who are institutionalized and the general lack of resources and specialized staff for these children.

Paragraph 266

Measures should be undertaken to ensure that the situation of children with disabilities is monitored in order to effectively assess their situation and needs, and to conduct public awareness campaigns in all languages, particularly indigenous ones, to raise awareness of the situation and rights of children with disabilities. The necessary resources should be allocated for programmes and facilities for all children with disabilities, especially those living in rural areas, and community-based programmes should be developed to enable them to stay at home with their families. Also, support programmes for parents of children with disabilities are recommended, including counselling and, when necessary, financial assistance. The State party should further encourage the integration of disabled children into the regular educational system and their inclusion in society, including by providing special training to teachers and by making schools more accessible. It is recommended that the State party seek technical assistance from, among others, WHO.

See also:

- Turkey, CRC, CRC/C/108 (2001) 18 at paras 109 and 110.
 - United Republic of Tanzania, CRC, CRC/C/108 (2001) 71 at paras. 378 and 379.
 - Chile, CRC, CRC/C/114 (2002) 90 at paras. 367 and 368.
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- Côte d'Ivoire, CRC, CRC/C/108 (2001) 59 at paras. 309, 310, 333, 334, 337 and 338.

Paragraph 309

While noting that discrimination is prohibited under the Constitution, the persistence of discrimination in the country is of concern. Of particular concern is the occurrence of discrimination against non-citizen children, children with disabilities, children born out of wedlock, children from ethnic minorities, Muslim children, and girls; particularly the low participation rate of girls in education.

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Moreover, there is concern about the discrepancies in the enjoyment of rights by certain vulnerable groups: children living in rural areas, refugee children, children from poor families, and children living and/or working on the streets.

Paragraph 310

In light of article 2 of the Convention, concerted efforts should be made at all levels to address discrimination, notably discrimination based on gender, disability, religion, and national, ethnic or social origin, through a review and reorientation of policies, including increased budgetary allocations for programmes targeting the most vulnerable groups. The State party should also ensure effective law enforcement, undertake studies and launch comprehensive public information campaigns to prevent and combat all forms of discrimination, where needed within the framework of international cooperation.

Paragraph 333

The situation of children with physical and mental disabilities is of concern, particularly the limited specialized health care and educational and employment possibilities available for them. It is of further concern that poor health and poverty are leading to an increase in the number of children with disabilities.

Paragraph 334

The situation of children with disabilities should be reviewed in terms of their access to suitable health care, educational services and employment opportunities, and a programme of action should be established to address all areas of concern through an inclusive policy. The population should be sensitized to the human rights of children with disabilities. Assistance can be sought from, among others, UNICEF and WHO.

Paragraph 337

Of concern are the low education levels among children in the State party, gender and rural-urban disparities in school attendance, the limited access of children with disabilities to formal or vocational educational opportunities, the number of children who are several years behind in their primary education, and the high drop-out rate of children who do attend school.

Paragraph 338

It should be ensured that children with disabilities have access to formal and vocational educational opportunities and every effort should be made to ensure that girls and boys, as well as children from urban and rural areas, have equal access to educational opportunities.

See also:

- Mauritania, CRC, CRC/C/111 (2001) 8 at paras. 52 and 53.
- Cameroon, CRC, CRC/C/111 (2001) 71 at paras. 379 and 380.
- Lebanon, CRC, CRC/C/114 (2002) 11 at paras. 52 and 53.

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- Gabon, CRC, CRC/C/114 (2002) 47 at para. 230.
- United Republic of Tanzania, CRC, CRC/C/108 (2001) 71 at paras. 404 and 405.

Paragraph 404

It is noted that legislation has been enacted concerning the care, maintenance and employment of persons with disabilities and that a National Advisory Council has been established to monitor rehabilitation centres for children with disabilities. However, concern remains about the inadequate facilities and services for children with disabilities, the limited numbers of trained teachers to work with these children, as well as the insufficient efforts made to facilitate the inclusion of children with disabilities into the educational system and generally within society. Concern is also expressed at the inadequate data collection on children with disabilities.

Paragraph 405

The State party should:

- (a) Reinforce its efforts to develop early identification programmes to prevent disabilities;
- (b) Implement alternatives to the institutionalization of children with disabilities;
- (c) Establish special education programmes for them and, where feasible, include them in the regular school system;
- (d) Take effective measures to ensure adequate training for teachers working with children with disabilities;
- (e) Take effective measures to collect adequate statistical data on children with disabilities, including in Zanzibar, and to ensure the use of such data in the development of policies and programmes for these children;
- (f) Undertake an awareness-raising campaign to sensitize the public about the rights and special needs of children with disabilities as well as children with mental health concerns;
- (g) Enhance support to families with children with disabilities;
- (h) Seek technical cooperation for the training of professional staff working with and for children with disabilities from, among others, WHO.

See also:

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- Kenya, CRC, CRC/C/111 (2001) 21 at paras. 130 and 131.
- Bhutan, CRC, CRC/C/108 (2001) 85 at paras. 468 and 469.

Paragraph 468

Noting some efforts by the State party concerning children with disabilities (i.e. the pilot school for inclusive education and formation of a parents support group in Thimpu, and a school for visually impaired children), there is concern that children with disabilities in general have inadequate access to specialized services and education, and there is insufficient support for families.

Paragraph 469

The State party should conduct a survey to assess the causes and extent of disability among children and review existing policies and practice in relation to children with disabilities, taking due regard of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its day of general discussion on "Children with disabilities" (see CRC/C/69). Children with disabilities, and their families, should be involved in the development of surveys and policy review. The State party should undertake greater efforts to make available the necessary resources (e.g. professional and financial, including professional and financial support to families). Greater efforts should also be undertaken to promote and expand community-based rehabilitation programmes, including parent support groups, and inclusive education of children with all forms of disability. Assistance can be sought from, among others, UNICEF and WHO.