



IDA's Compilation of CRPD Committee's Concluding Observations

*Article 13 CRPD
(Access to Justice)*

October 2022

Article 13 - Access to justice

1. States Parties shall ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age-appropriate accommodations, in order to facilitate their effective role as direct and indirect participants, including as witnesses, in all legal proceedings, including at investigative and other preliminary stages.

2. In order to help to ensure effective access to justice for persons with disabilities, States Parties shall promote appropriate training for those working in the field of administration of justice, including police and prison staff.

**Bangladesh
China
Indonesia
Japan
Lao People's Democratic Republic
New Zealand
Republic of Korea
Singapore
Hungary
Jamaica
Mexico
Switzerland
Venezuela
Djibouti
France
Estonia
Albania
Australia
Ecuador
El Salvador
Greece
India
Iraq
Kuwait
Myanmar
Cuba
Niger
Norway
Rwanda
Saudi Arabia
Senegal
Spain
Turkey
Vanuatu
Algeria
Bulgaria
Malta
Philippines
Poland
South Africa
The Former Yugoslav Republic of Macedonia
Haiti
Nepal
Oman
Russian Federation
Seychelles
Slovenia
Sudan
Latvia
Luxembourg
Montenegro
Morocco
Panama
United Kingdom of Great Britain and Northern Ireland**

**Armenia
Bosnia and Herzegovina
Canada
Cyprus
Honduras
Iran (Islamic Republic of)
Jordan
Republic of Moldova
Bolivia
Colombia
Ethiopia
Guatemala
Italy
United Arab Emirates
Uruguay
Chile
Lithuania
Portugal
Serbia
Slovakia
Thailand
Uganda
Brazil
European Union
Gabon
Kenya
Mauritius
Qatar
Ukraine
Cook Islands
Czech Republic
Dominican Republic
Germany
Mongolia
Turkmenistan
New Zealand
Republic of Korea
Ecuador
Mexico
Costa Rica
Australia
El Salvador
Paraguay
China**

Please note there are no recommendations in the Concluding Observations on art. 13 on Croatia, Belgium, Denmark, Sweden, Azerbaijan, Austria, Argentina, Hungary, Peru, Spain and Tunisia.

Bangladesh

27. The Committee is concerned about:

- (a) The lack of procedural and gender and age-appropriate accommodations in judicial and administrative proceedings for persons with disabilities, including women with disabilities, persons with intellectual and/or psychosocial disabilities and persons who are deaf, hard-of-hearing or deafblind, particularly measures to provide information in accessible formats, such as Braille, Easy Read and sign language, and to ensure the physical accessibility of court buildings and all judicial and administrative facilities, including in rural and remote areas;
- (b) Prejudices, stereotypes and intimidation against women with disabilities by judicial authorities when trying to access justice;
- (c) Insufficient awareness and training for all interlocutors in the justice system, concerning the rights of persons with disabilities, and the absence of reasonable accommodation to enable persons with disabilities to act as lawyers, judges, jurors and other professions in the judiciary.

28. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities prepared in 2020 by the Special Rapporteur on the rights of persons with disabilities, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:

- (a) Adopt and implement effective mechanisms to ensure procedural, age-appropriate and gender-sensitive accommodations in judicial and administrative proceedings for persons with disabilities, including women with disabilities, persons with intellectual and/or psychosocial disabilities and persons who are deaf, hard of hearing or deafblind, and measures to provide information in accessible formats, and ensure the physical accessibility of court buildings and all judicial and administrative facilities, including in rural and remote areas;**
- (b) Combat all prejudices, disability stereotypes and stigma, and eliminate all barriers, including intimidation against women with disabilities, so that the judicial process is disability and gender-sensitive;**
- (c) Ensure effective training for judicial personnel, including the police and prison staff, to comprehend the rights of persons with disabilities and provide individualized support and reasonable accommodation for persons with disabilities who wish to act as lawyers, judges, jurors and other professions in the judiciary.**

China

30. The Committee notes with concern barriers that persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities and persons with hearing impairments, face in the justice system due to the lack of procedural accommodation, lack of accessible information and communication on legal procedures and inaccessible buildings.

31. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities (2020) prepared by the Special Rapporteur on the Rights of Persons with Disabilities, and Sustainable Development Goal 16, target 3, and recommends that the State party:

- (a) Implement The Guiding Opinions of the Supreme People's Court on Comprehensively Promoting the Construction of Litigation Service Centres in the People's Courts (2014) to ensure access to justice for persons with disabilities, including by providing reasonable accommodation for illiterate persons with hearing impairments and negotiating accommodations with applicants, such as providing Braille, Easy Read, audio and video transcription and interpreters of "natural sign language" in courts;**
- (b) Strengthen professional development programmes for the judiciary, judicial and administrative professionals and other relevant government officials on the provisions of the Convention and the human rights model of disability and their implementation in domestic law.**

Indonesia

32. The Committee is concerned about the limited access to justice for persons with disabilities, including lack of physical access to courts and other justice facilities, attitudinal barriers and prejudice among court personnel, as well the lack of procedural and age and gender appropriate accommodations, such as trained personnel to guide persons with disabilities through judicial processes and the provision of sign language interpreters.

33. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:

(a) Adopt an action plan on access to justice for persons with disabilities, including measures to eliminate physical and attitudinal barriers to all justice facilities and to implement the necessary legal, administrative and judicial measures for the effective participation of persons with disabilities in all stages of the judicial process;

(b) Make procedural and age-appropriate adjustments, including the provision of individualized assistance, to ensure that persons with disabilities can participate effectively in the various aspects of legal proceedings;

(c) Ensure access to alternative and augmentative means of information and communication for use throughout legal proceedings, such as Braille, sign language, Easy Read and audio and video transcription;

(d) Strengthen training on the Convention to justice and law enforcement officials, including in rural areas and remote islands.

Japan

29. The Committee notes with concern the:

(a) Provisions of the Code of Civil Procedure and the Code of Criminal Procedure, restricting access to justice for persons with disabilities under substituted decision-making regimes, those in residential institutions, as well as persons with intellectual and psychosocial disabilities by reason of the perceived lack of their litigation capacity;

(b) Lack of procedural and age-appropriate accommodations in civil, criminal and administrative proceedings to ensure effective participation of persons with disabilities, and the lack of accessible information and communication for them;

(c) Physical inaccessibility of courts, judicial and administrative facilities.

30. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities (2020) prepared by the Special Rapporteur on the Rights of Persons with Disabilities, and Sustainable Development Goal 16, target 3, and recommends that the State party:

(a) Repeal legal provisions that restrict the right of persons with disabilities to participate in judicial proceedings, and recognise their full capacity to participate in judicial proceedings in all roles on equal basis with others;

(b) Guarantee procedural and age-appropriate accommodations in all judicial proceedings for persons with disabilities, regardless the impairment of the concerned person, including coverage of the litigation charges for accommodations, and access to official information and communication about proceedings in accessible formats, including information and communication technologies, captioning, autism referent persons, Braille, Easy Read and Sign language;

(c) Ensure physical accessibility of court buildings, judicial and administrative facilities, particularly, by means of universal design, to guarantee equal access to judicial proceedings for persons with disabilities on equal basis with others.

Lao People's Democratic Republic

22. The Committee is concerned about:

(a) The lack of access to justice by persons with disabilities, in particular, persons with psychosocial or intellectual disabilities and persons who are deaf, deafblind or hard of hearing,

as a result of the absence of procedural and age-appropriate accommodations, and the lack of access to physical facilities, information and communication procedures used in the administration of justice;

(b) Inaccessible legal clinics, dissemination platforms, such as the “LaoLaw” mobile phone application, as well as lack of mainstreaming disability within the Village Mediation Unit services and lack of free legal aid in accessible formats, in particular, for persons who are blind and deaf;

(c) The insufficient understanding of persons with disabilities about legal proceedings, and limited awareness among the judiciary and law enforcement officials about the rights of persons with disabilities.

23. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities prepared in 2020 by the Special Rapporteur on the rights of persons with disabilities and target 16.3 of the Sustainable Development Goals and recommends that the State party:

(a) Adopt measures to provide legal assistance and gender- and age-appropriate procedural accommodation for persons with disabilities to enable their participation in all legal procedures on an equal basis with others, including by facilitating the use of the communication method of their choice in judicial interactions, such as sign language, Braille, Easy Read, captioning, augmentative and alternative communication devices, and all other accessible means, modes and formats of communication;

(b) Ensure disability inclusion in justice services, particularly Village Mediation Units, Legal Aid Offices, and Courts, and guarantee the accessibility of dissemination platforms such as the “LaoLaw” mobile applications;

(c) Ensure regular training programmes for lawyers, court staff, judges, prosecutors and law enforcement officers, including police and prison officers, on the rights of persons with disabilities, and awareness-raising efforts for all persons with disabilities.

New Zealand

23. The Committee is concerned about:

(a) The over-representation of persons with disabilities in the care and protection, youth justice and prison populations and

(b) The lack of free independent advocacy and legal representation.

24. The Committee recommends that the State Party:

(a) Develop a disability justice strategy to address the over-representation of persons with disabilities in the care and protection, youth justice and prison populations, including by strengthening age-appropriate procedural accommodations, measures to prevent persons with disabilities coming into contact with the justice system, and training on disability rights in the justice and care and protection systems;

(b) Establish and adequately resource free independent advocacy and increase resources for community legal advice services.

Republic of Korea

29. The Committee is concerned at the continued existence of restrictions that interfere with the full access to justice of persons with disabilities on an equal footing with others.

30. The Committee refers to its previous recommendation (CRPD/C/KOR/CO/1, para. 24), recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities prepared in 2020 by the Special Rapporteur on the rights of persons with disabilities, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:

(a) Adopt, in accordance with the Convention, an action plan on access to justice for persons with disabilities, as well as the necessary legal, administrative and judicial measures to eliminate all restrictions on the effective participation of persons with disabilities in all stages of the judicial process;

- (b) Make procedural adjustments, including the provision of individualized assistance, to ensure that persons with disabilities can participate effectively in the various aspects of legal proceedings;
- (c) Develop alternative and augmentative means of information and communication for use throughout legal proceedings, such as Braille, sign language, Easy Read and audio and video transcription, apply the principle of universal design and adopt an action plan to ensure physical access to all justice facilities, including through accessible transportation;
- (d) Intensify efforts to provide training on the Convention to justice and law enforcement officials;
- (e) Take measures to ensure that persons with disabilities may enter the legal professions on an equal basis with others, and ensure individualized support for that purpose.

Singapore

27. The Committee is concerned that persons with disabilities face barriers in their access to justice, including attitudinal barriers and prejudice among administrative and court personnel, insufficient training of personnel to guide persons with disabilities through complex administrative and judicial proceedings, including criminal proceedings, and a lack of information about the requirements of persons with disabilities in such training. The Committee is also concerned about the practice of the courts to base their assessment of the requirements for individualized procedural accommodations solely on medical evaluations.

28. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities of 2020, endorsed by the Committee, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:

- (a) Adopt, in accordance with the Convention, an action plan on access to justice for persons with disabilities, as well as the necessary legal, administrative and judicial measures to eliminate all restrictions on the effective participation of persons with disabilities in all stages of administrative and judicial procedures;
- (b) Provide age- and gender-appropriate procedural accommodation, including individualized assistance, to ensure that persons with disabilities can participate effectively in administrative and judicial proceedings at all stages and in all areas of the law;
- (c) Develop alternative means of information and communication for use throughout administrative and judicial proceedings, such as Braille, sign language, Easy Read and audio and video transcription, apply the principle of universal design and adopt an action plan to ensure physical access to all facilities in which administrative and judicial procedures take place;
- (d) Intensify the provision of training on the Convention to administrative, judicial and law enforcement officials, including to judges.

Hungary

26. The Committee notes with concern the barriers that persons with disabilities, particularly persons with intellectual disabilities, persons with psychosocial disabilities, those placed under the substitute decision-making regime, those in residential and psychiatric institutions and persons with physical disabilities, face in the justice system owing to the lack of procedural and age-appropriate accommodation, the lack of accessible information and communication on legal procedures and inaccessible buildings.

27. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities prepared by the Special Rapporteur on the rights of persons with disabilities and target 16.3 of the Sustainable Development Goals and recommends that the State party:

- (a) Ensure that all necessary and effective procedural safeguards and accommodations are in place so that all persons who have restricted legal capacity and those placed in residential and psychiatric facilities can have access to an effective judicial review of decisions affecting them and to free and effective legal representation in all proceedings;

(b) Revise the Code on Civil Procedure and the Criminal Proceedings Act to guarantee procedural and age-appropriate accommodation for all persons with disabilities in any legal circumstances by developing alternative and augmentative means of information and communication, such as Braille, sign language, Easy Read, symbol systems and audio and video transcription.

Jamaica

26. While noting the provisions of section 17A of the Legal Act, which guarantees legal aid for persons with disabilities, the Committee is concerned that persons with disabilities face barriers in terms of access to justice, including attitudinal barriers and prejudices among court personnel, insufficient training of personnel to guide persons with disabilities through complex judicial processes and proceedings, and a lack of information about the participation of persons with disabilities in such training. The Committee is also concerned that no procedural accommodations have yet been made to guarantee effective access to justice for all persons with disabilities and to ensure that persons with disabilities may enter the legal professions.

27. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities prepared in 2020 by the Special Rapporteur on the rights of persons with disabilities, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:

(a) Adopt, in accordance with the Convention, an action plan on access to justice for persons with disabilities, as well as the necessary legal, administrative and judicial measures to eliminate all restrictions on the effective participation of persons with disabilities in all stages of the judicial process;

(b) Make procedural adjustments, including the provision of individualized assistance, to ensure that persons with disabilities can participate effectively in the various aspects of legal proceedings;

(c) Develop alternative and augmentative means of information and communication for use throughout legal proceedings, such as Braille, sign language, Easy Read and audio and video transcription, apply the principle of universal design and adopt an action plan to ensure physical access to all justice facilities, including through accessible transportation;

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

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

Mexico

37. With reference to paragraph 25 of its previous concluding observations, the Committee is concerned about limited access to justice of persons with disabilities, particularly those from indigenous communities, women and girls with disabilities who are victims of violence and abuse, persons with disabilities living in institutions and children with disabilities, resulting in seemingly wide-spread impunity of perpetrators of crimes committed against persons with disabilities in institutions or under guardianship, particularly women and children with intellectual and psychosocial disabilities. The Committee notes with concern that, in particular, women with disabilities face financial, linguistic and geographic restrictions of their right to access to justice, as well as a lack of reasonable and procedural accommodation. It is further concerned about restrictions of the right of women with disabilities, in particular women with disabilities in indigenous communities, to access to justice in cases of gender-based violence and in cases of women who are under guardianship or are institutionalized, including disregard for the testimony of women and girls with intellectual or psychosocial disabilities.

38. The Committee recommends that the State party:

- (a) Adopt and implement age-appropriate and gender-sensitive legal measures guaranteeing access to justice for persons with disabilities, including women with disabilities in indigenous communities, such as procedural accommodations, accessible and affordable legal aid, counselling and personal assistance; remove barriers to the physical environment, to information and to prosecution services in criminal cases; and ensure that federal and state prosecutors adapt their directives and their practice accordingly;**
- (b) Provide effective remedies to persons with disabilities living in institutions, allowing them to effectively lodge their complaints about violations of the Convention, and provide them with legal aid;**
- (c) Establish specific standards to provide effective redress in situations of gender-based violence, and ensure that children with disabilities are in fact heard in any proceedings affecting them;**
- (d) Eradicate gender- and disability-based stereotypes in the justice system, and ensure that all procedures, including prosecutions and trials, are conducted in a gender- and disability-sensitive manner.**

Switzerland

27. The Committee notes with concern:

- (a) Barriers to access to justice for persons with disabilities, including the accessibility of administrative tribunals and courts, the financial risks of taking action, the lack of availability of accessible information and communications and the lack of procedural accommodation to facilitate effective participation in legal proceedings;**
- (b) The lack of understanding and application of the standards and principles of the Convention in judicial and administrative procedures;**
- (c) That persons with disabilities deemed “incapable of discernment” are not provided with procedural and reasonable accommodation in order to facilitate their effective role as participants in legal proceedings on an equal basis with others.**

28. The Committee recommends that the State party:

- (a) Ensure access to judicial and administrative facilities, including through universal design, and the provision of alternative and augmentative means of information and communication for use throughout legal proceedings, such as Braille, sign language, accessible digital formats, Easy Read, audio description and video transcription;**
- (b) Strengthen federal and cantonal procedural regulations to ensure the provision of procedural and age-appropriate accommodation at all levels of the justice system;**
- (c) Develop professional development programmes for the judiciary, judicial and administrative professionals and other relevant government officials on the provisions of the Convention and the human rights model of disability and their implementation in domestic law;**
- (d) Repeal legislation that restricts the legal capacity of persons with disabilities, and guarantee their access to justice on an equal basis with others, including throughout judicial proceedings.**

Venezuela

24. The Committee is concerned that:

- (a) Restrictions still exist that prevent persons with disabilities from enjoying full access to justice on an equal footing with others, since they are limited to judicial buildings where the physical environment, information and communications are accessible, and that staff training remains incomplete;**
- (b) The Public Interpreters Act does not consider Venezuelan sign language interpreters to be assistant justice officials.**

25. Bearing in mind article 13 of the Convention, the International Principles and Guidelines on Access to Justice for Persons with Disabilities and target 16.3 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Amend the Civil Code to remove the restrictions preventing deaf or blind persons from giving testimony during legal proceedings;
- (b) Ensure that persons with disabilities who are subject to or participate in court proceedings have a person of their choosing to help them make decisions and to communicate with them, in line with the safeguards set out in general comment No. 1 (2014);
- (c) Compile a list of judicial establishments that are physically accessible, provide information in accessible formats and use accessible modes of communication, and ensure that all establishments where justice is administered, without exception, meet those accessibility standards;
- (d) Continue the training of judicial officials and make age- and gender-appropriate procedural adjustments, setting deadlines and goals and allocating resources to this end;
- (e) Amend the Public Interpreters Act to include Venezuelan sign language interpreters so that they have legal standing to participate in judicial processes.

Djibouti

21. The Committee notes with concern:

- (a) The absence of concrete measures to implement Article 32 Act No. 207/AN/17/7ème L (2018) on the provision of procedural and age-appropriate accommodations for persons with disabilities throughout legal processes, including judicial and administrative processes;
- (b) The barriers faced by persons with disabilities in accessing justice and the unavailability of accessible free legal support for persons with disabilities under the legal aid programme;
- (c) The lack of trained professionals and qualified sign language interpreters in administrative and judicial proceedings for persons who are deaf, and the lack of documents and information in accessible formats for persons with disabilities.

22. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities prepared in 2020 by the Special Rapporteur on the rights of persons with disabilities and target 16.3 of the Sustainable Development Goals and recommends that the State party:

- (a) Adopt measures to ensure the provision of persons with disabilities with procedural age-appropriate accommodations through legal processes, including judicial and administrative processes, in line with article 32 of the Act No. 207/AN/17/7ème L (2018);
- (b) Ensure that the legal aid programme provides support to persons with disabilities, including in rural areas and in refugee camps;
- (c) Ensure that sufficient professional and qualified sign language interpreters and other communication support means are available within the judicial system, including documents in accessible formats such as Braille, tactile and Easy Read, in order to ensure the effective participation of persons with disabilities, including for those in rural areas and in refugee camps, in the all judicial and administrative proceedings;
- (d) Strengthen capacity-building programmes for the judiciary and justice-sector professionals, such as prosecutors and law enforcement officials including police and prison officers, on the provisions of the Convention and on access to justice for persons with disabilities.

France

27. The Committee notes with concern:

- (a) Barriers in access to justice for persons with disabilities under substituted decision-making, those still in institutions, and under psychiatric treatment, including in psychiatric settings, and stigmatization and discriminatory rulings based on disability;
- (b) Barriers for persons with disabilities to appeal decisions concerning psychiatric treatment;
- (c) The lack of accessibility to justice facilities, affecting litigants and court officials with disabilities, including at police stations, and the lack of information about procedural and age-appropriate accommodations, and on measures to provide accessible information for all persons with disabilities throughout court proceedings;

(d) Limited access to legal aid due to the financial barriers, and the limited coverage of independent legal counselling.

28. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities (2020) prepared by the Special Rapporteur on the Rights of Persons with Disabilities, and Sustainable Development Goal 16, target 3, and recommends that the State party:

(a) Guarantee access to justice for persons under substituted decision-making, those still in institutions or in any form of psychiatric treatment, by repealing legislation that restrict legal capacity of persons with disabilities and recognise their full capacity to participate in judicial proceedings in different roles, including as witnesses or defendants, and take measures to eliminate cultural constructs and discriminatory attitudes among the judiciary;

(b) Ensure the right to appeal any restriction of freedom, including treatment without consent, establish an independent monitoring and reporting mechanism on the access to justice in the mental health system;

(c) Ensure physical access to justice facilities including through universal design; ensure access to information throughout judicial procedures, including access to judicial decisions. Likewise, strengthen measures to provide persons with disabilities with procedural and age-appropriate accommodations, especially for persons with vision impairments and deaf persons, those with intellectual or psychosocial disabilities, and autistic persons. Appropriate accommodations include alternative and augmentative modes of communication such as sign language, Braille, accessible digital formats, Easy Read, and the establishment of independent intermediaries and facilitators, including autism reference persons;

(d) Adopt a mechanism to review decisions concerning access to full or partial legal aid and in all areas of law and strengthen the capacity of independent legal advice services in the departmental centres for persons with disabilities, and ensure the right to appeal any restriction of freedom, including treatment without consent.

Estonia

25. The Committee notes with concern:

(a) That persons with disabilities under guardianship face de facto denial of access to justice, and the prevailing paternalistic attitudes concerning persons with disabilities participating at legal proceedings;

(b) The limited scope of procedural accommodations that are age-and-gender- responsive to persons with disabilities, and the absence of programmes to ensure legal assistance to all persons with disabilities;

(c) The reported lack of information in accessible formats for persons with disabilities throughout legal proceedings, barriers in physical access to justice facilities, including courts and police stations, and the lack of accessible transportation to arrive to these facilities.

26. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities (2020) prepared by the Special Rapporteur on the Rights of Persons with Disabilities, and target 16.3 of the Sustainable Development Goals, and recommends that the State party:

(a) Ensure the recognition of full legal capacity of all persons with disabilities, and their equal right to access to justice including throughout proceedings before courts, tribunals and administrative authorities, and recognize their right to seek restoration of their legal capacity, and legal assistance to pursue their claims;

(b) Strengthen capacity-building programmes to the judiciary, and the justice sector professionals on the provisions of the Convention and the human rights model of disability;

(c) Adopt mechanisms to provide persons with disabilities with appropriate provision of age-appropriate accommodations, including support, and access to legal aid throughout legal proceedings, in all areas of law, and at all levels of the judiciary;

(d) Develop alternative and augmentative means of information and communication throughout legal proceedings, such as Braille, Sign language, Easy Read, audio and video transcription, means of universal design, and adopt an action plan to ensure physical access to all justice facilities, including through accessible transportation.

Albania

25. The Committee is concerned about the lack of specific and available measures taken to ensure comprehensive access to the justice system for persons with disabilities, such as free legal aid, accessible legal services and sign language interpreters in court rooms, police stations, procedural accommodations and prosecutorial authorities. It is also concerned about the lack of information on specific measures and protocols to remove barriers to access to justice and to provide procedural and gender- and age-appropriate accommodation in judicial proceedings for persons with disabilities, including written information and communications for notary-related services.

26. The Committee recommends that the State party:

(a) Ensure transparent and barrier-free access to the justice system for persons with disabilities without discrimination;

(b) Ensure that persons with disabilities have access to free legal aid, particularly those still living in institutions;

(c) Ensure, without discrimination, the availability of access to assistive technologies and registered and qualified sign language interpreters, and the provision of Braille, Easy Read, sign language and other alternative formats, in judicial proceedings and notary-related services;

(d) Strengthen efforts to provide training and capacity-building programmes on the Convention for judicial, law enforcement and notary personnel in the application of a human rights approach to disability;

(e) Provide training and capacity-building programmes on the Convention for persons with disabilities to increase their legal awareness.

Australia

25. The Committee is concerned about:

(a) The fact that only some states and territories have passed legislation to support the equal participation of persons with disabilities in the jury system while the rest and the federal Government have not done so;

(b) The lack of nationally consistent disability justice plans across governments to ensure that persons with disabilities are supported in accessing the same legal protections and redress as the rest of the community, particularly persons with intellectual or psychosocial disabilities whose reasonable and procedural accommodations are not adequately met;

(c) The fact that legislation still views persons with disabilities as being unfit to plead;

(d) The overrepresentation of convicted young persons with disabilities in the youth justice system, especially male youth from Aboriginal and Torres Strait Islander communities;

(e) Ongoing use of substituted decision-making to assist persons with disabilities “unable to navigate the legal system by themselves”;

(f) Absence of national data disaggregated by disability at all the stages of the criminal justice system, including data on the number of persons unfit to plead who are committed to custody in prison and other facilities.

26. The Committee recommends that the State party, in close consultation with persons with disabilities, through their representative organizations, ensure effective access to justice for persons with disabilities, without any discrimination. It also recommends that the State party:

(a) Develop legislation in all states on the equal participation of persons with disabilities in the jury system;

- (b) Develop nationally consistent disability justice plans across governments to ensure that persons with disabilities, particularly those whose reasonable and procedural accommodations are not adequately met, are supported in accessing the same legal protections and redress as the rest of the community;
- (c) Bring all state, territory and federal legislation, including criminal laws and policies, in compliance with the Convention to ensure due process guarantees for all persons with disabilities and ensure a review of the legal situation of persons whose equal recognition before the law is restricted and who have been declared unfit to stand trial;
- (d) Address the overrepresentation of young Aboriginal and Torres Strait Islander persons in the juvenile justice system and implement the recommendations contained in *Pathways to Justice – An Inquiry into the Incarceration Rate of Aboriginal and Torres Strait Islander Peoples*;
- (e) Eliminate substitute decision-making, provide gender and culture-specific individualized support, including psychosocial support, for persons with disabilities in the justice system, make information accessible and provide community-based sentencing options;
- (f) Ensure that training modules on working with persons with disabilities and the Convention are incorporated into mandated training programmes for police officers, prison officers, lawyers, judicial officers, judges and court staff;
- (g) Collect data disaggregated by disability, age, gender, location and ethnicity at all stages of the criminal justice system, including on the number of persons unfit to plead who are committed to custody in prison and other facilities.

Ecuador

27. The Committee is concerned at the continued existence of restrictions that interfere with the full access to justice of persons with disabilities on an equal footing with others.

28. Taking into account the recommendation made in paragraph 27 of its concluding observations on the State party's initial report (CRPD/C/ECU/CO/1), the Committee recommends that, in accordance with the Convention and bearing in mind target 16.3 of the Sustainable Development Goals, the State party revise its laws so as to guarantee full access to justice for persons with disabilities, especially persons with psychosocial or intellectual disabilities, without discrimination. It also recommends that the State party continue to provide training to justice officials; that it take due account of accessibility considerations with respect to the physical environment, information and communications in all facilities having to do with the administration of justice; that it make age-appropriate procedural adjustments; and that it establish timelines, goals and funding arrangements to this end.

El Salvador

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

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

Greece

19. The Committee is concerned that:

(a) Court buildings are not fully accessible to persons with disabilities, and that there are insufficient accessible legal services and legal information, including in Braille, Easy Read formats and sign language;

(b) Procedural accommodations are not fully ensured at all stages of civil, criminal and administrative proceedings, particularly the provision of translation and interpretation for persons with hearing and speech disabilities.

20. The Committee recommends that the State party ensure effective access to justice without any discrimination, with an effective monitoring mechanism. It also recommends that the State party ensure effective access to legal services and legal aid, cost-free assistive technologies and quality translation and interpretation in sign language, Braille and other alternative formats, provided free of charge at all stages of civil, criminal and administrative proceedings. It further recommends that the State party continue to provide adequate training on the rights of persons with disabilities to judges, lawyers and law enforcement officials, progressively strengthening its efforts in this area, and to take into account article 13 of the Convention while implementing target 16.3 of the Sustainable Development Goals.

India

28. The Committee is concerned about:

(a) The limited provision of procedural and age-appropriate accommodations and the barriers affecting equal access to justice by persons with disabilities, including the lack of access to court buildings, the lack of accessible information and sign language interpretation and the insufficient legal aid;

(b) The fear of retribution faced by victims in cases of violence and gender-based violence against women with disabilities;

(c) Gender stereotypes and prejudices in the justice system that curtail the right of women with disabilities to access to justice in cases of gender-based violence against them and in cases affecting women who are under guardianship or institutionalized, including disregard for the testimony of women and girls with intellectual or psychosocial disabilities;

(d) The lack of awareness and capacity-building among all actors in the justice system concerning the rights of persons with disabilities, and the absence of measures such as those for the provision of reasonable accommodation that would enable persons with disabilities in assuming positions as judges, members of the jury or other functions in the judiciary.

29. The Committee recommends that the State party:

(a) Ensure effective access to justice for persons with disabilities without discrimination, and procedural, age-appropriate and gender-sensitive accommodations in complaint mechanisms and the justice system, in all areas of law. The State party should strengthen its efforts to provide persons with disabilities with accessible and free legal aid, remove barriers to the physical environment and information, and develop accessible reporting procedures, particularly in cases of gender-based violence against women and in cases affecting women who are under guardianship or institutionalized;

(b) Ensure that the justice system adjudicates cases in a gender-sensitive manner and that procedures for lodging complaints are responsive to women with disabilities and guarantee their privacy and safety;

(c) Combat stigmas and gender and disability stereotypes, ensuring that prosecutions and trials are managed in a disability- and gender-sensitive manner;

(d) Ensure that the different actors in the criminal justice system, including the police are trained to facilitate the participation of persons with disabilities, and promote and support persons with disabilities' participation as professionals in the judicial system, including as judges.

Iraq

25. The Committee is concerned about:

- (a) Persons with intellectual or psychosocial disabilities being denied the right to take part in court proceedings, apart from standing witness, according to article 86 of Law No. 107 (1979);
- (b) The inaccessibility of the judicial system because of a limited knowledge about disability issues within the judicial sector and because of existing barriers to the courts and tribunals, including physical barriers and barriers to obtaining information in accessible formats such as Braille, Easy Read and sign language, and also about the limited information available on the measures taken by the State party to implement article 15 (6) (b) of Law No. 38 (2013);
- (c) The limited information available on the number of persons with disabilities benefiting from legal aid, particularly in regions not covered by legal clinics (A/HRC/WG.6/20/IRQ/1, para. 25).

26. The Committee, recalling its general comment No. 2 (2014) on accessibility, recommends that the State party:

- (a) Guarantee to all persons with disabilities, particularly persons with intellectual or psychosocial disabilities, equal and supported access to all judicial processes, including through the provision of gender- and age-appropriate procedural accommodations;**
- (b) Take measures to ensure that all persons with disabilities, in particular persons with psychosocial or intellectual disabilities and persons with visual or hearing impairments, have access to justice by eliminating all barriers, by guaranteeing them the right to actively participate in all judicial proceedings, by providing information and enabling communication in accessible formats such as Braille, Easy Read and tactile and sign language, by increasing the number of qualified sign language interpreters and by continuing to conduct training for law enforcement personnel on the human rights model of disability;**
- (c) Provide free or affordable legal aid for persons with disabilities in all areas of the State party and ensure the necessary budgetary allocations.**

Kuwait

26. The Committee is concerned about:

- (a) The absence of legal stipulations on the provision of procedural and age-appropriate accommodations to persons with disabilities in all legal proceedings;
- (b) The lack of information regarding the accessibility of the justice system, including police premises, and the shortage of sign language interpreters;
- (c) The absence of accessible information about the rights of persons with disabilities.

27. The Committee recommends that the State party:

- (a) Ensure the provision of procedural and age-appropriate accommodations to persons with disabilities;**
- (b) Ensure the accessibility of police and judicial premises, legal aid and an adequate number of sign language interpreters, including in Kuwaiti sign language;**
- (c) Ensure the availability of information about the rights of persons with disabilities in accessible formats, such as Braille and Easy Read, to guarantee that all persons with disabilities have full, unrestricted and effective access to justice at all stages of the proceedings.**

Myanmar

25. The Committee is concerned about:

- (a) The lack of access to justice by persons with disabilities, in particular persons with psychosocial or intellectual disabilities, as a result of barriers, including the lack of free legal aid or gender- and age-appropriate procedural accommodations;
- (b) Reported cases of women and girls with disabilities who are survivors of gender-based violence not being able to access to justice owing to multiple barriers, such as stigmatization of victims, fear of reprisals and difficulties in producing evidence;
- (c) The insufficient understanding and awareness among the judiciary and law enforcement officials about the rights of persons with disabilities, the diversity among persons with disabilities and individual accommodations.

26. The Committee recommends that the State party:

(a) Adopt measures to provide legal assistance and gender- and age-appropriate procedural accommodation for persons with disabilities to enable their participation in all legal procedures on an equal basis with others, including by facilitating the use of the communication method of their choice in judicial interactions, such as sign language, Braille, Easy Read, captioning, augmentative and alternative communication devices, and all other accessible means, modes and formats of communications;

(b) Remove barriers that women and girls with disabilities who are survivors of gender-based violence face in gaining access to justice, including stigmatization of victims, fear of reprisals and difficulties in producing evidence;

(c) Ensure regular training programmes and awareness-raising campaigns for lawyers, court staff, judges, prosecutors and law enforcement officers, including police and prison officers, on the rights of persons with disabilities, the diversity among persons with disabilities and individual accommodation.

Cuba

27. The Committee is concerned about the barriers facing persons with disabilities in access to justice, including attitudinal barriers and prejudices of court personnel, as well as insufficient training of personnel to assist persons with disabilities through the complex judicial processes and proceedings, and the lack of information in the participation of persons with disabilities in such training. The Committee is concerned that no procedural accommodations have yet been made to ensure effective access to justice for all persons with disabilities and for access to legal professions for persons with disabilities.

28. The Committee recommends that the State party:

(a) Adopt, in line with the Convention, an action plan on access to justice for persons with disabilities, as well as the necessary legal, administrative and judicial measures to eliminate all restrictions on the effective participation of persons with disabilities in all stages of the judicial process;

(b) Make procedural adjustments, including the provision of individualised assistance, to ensure that persons with disabilities can effectively participate in the various aspects of legal proceedings;

(c) Step up efforts to ensure that qualified sign language interpreters are present during all court processes and judicial proceedings and ensure that other formats of communication, such as Braille and Easy Read, are available;

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

(e) Take measures to ensure that persons with disabilities can access legal professions on an equal basis with others, and ensure individualised support for that purpose;

(f) Adhere to article 13 of the Convention in its implementation of target 16.3 of the Sustainable Development Goals.

Niger

21. The Committee is concerned about the barriers faced by persons with disabilities in accessing justice, including inaccessibility to judicial premises, lack of procedural accommodations, especially the absence of professional sign language interpreters, Braille and Easy Read materials.

22. The Committee recommends that the State party adhere to article 13 of the Convention in the implementation of Sustainable Development Goal 16, particularly target 16.3, and:

(a) Provide procedural accommodations for persons with disabilities through the support of the National Agency for Legal and Judicial Assistance, and provide necessary budgetary allocation to this agency;

- (b) Ensure that sufficient professional and certified sign language interpreters are available within the judicial system and that documents are provided in accessible formats for the participation of persons with disabilities in all judicial and administrative proceedings;**
- (c) Conduct trainings and awareness-raising programmes for the judiciary, and law enforcement officials, including police and prison officials on access to justice for persons with disabilities;**
- (d) Support and empower persons with disabilities to work in the justice system with the provision of reasonable accommodation.**

Norway

21. The Committee is concerned about:

- (a) The lack of procedural and age-appropriate accommodation in the justice and law enforcement sector, especially for deaf or hard of hearing persons, persons with psychosocial or intellectual disabilities;
- (b) The current legal aid system which does not provide access to free legal aid for persons with disabilities, particularly for those still living in institutions and the fact that education, health-care services and discrimination are not prioritized in the Legal Aid Act.

22. The Committee recommends that the State party:

- (a) Ensure procedural and age-appropriate accommodation in the justice and law enforcement sector;**
- (b) Revise its current legal aid scheme, ensuring the provision of free legal aid for persons with disabilities, including for those still living in institutions and ensure that education, health-care services and discrimination are prioritized in the Legal Aid Act;**
- (c) Adhere to article 13 of the Convention in the implementation of target 16.3 of the Sustainable Development Goals.**

Rwanda

25. The Committee is concerned that persons with disabilities cannot effectively participate in the judicial system, especially persons who are deaf and persons with intellectual or psychosocial disabilities. The Committee is especially concerned about:

- (a) The lack of knowledge about disability rights within the judicial sector, including court staff, judges, prosecutors, magistrates, lawyers, law enforcement officials and staff of corrective facilities;
- (b) The lack of accessibility to judicial premises and proceedings, especially by women and girls with disabilities, and the absence of procedural accommodation.

26. The Committee recommends that the State party adopt measures to ensure that all persons with disabilities, especially persons who are deaf and persons with intellectual or psychosocial disabilities can exercise their right to access to justice. In particular, the Committee recommends that the State party:

- (a) Provide continuous training for those working in the justice, law and order sector, on the rights of persons with disabilities, taking into account the diversity of persons with disabilities in judicial proceedings as witnesses, victims, or perpetrators;**
- (b) Ensure the accessibility of the judicial premises and proceedings to all persons with disabilities, especially women and girls with disabilities, by inter alia, providing accessible and free legal services to persons with disabilities, sign language interpretation services, and comprehensive age- and gender- appropriate procedural accommodation.**

Saudi Arabia

23. The Committee is concerned that:

- (a) Current legislation, including Articles 148 and 149 of the Code of Criminal Procedure, deny access to justice to persons deprived of legal capacity and restricts persons with intellectual or psychosocial disabilities from filing a complaint directly before the judiciary;

- (b) Availability of information in accessible formats is insufficient to enable persons with disabilities, particularly those who are blind, deaf and persons with intellectual or psychosocial disabilities, to participate in judicial proceedings;
- (c) Persons with disabilities, and especially those living in rural areas, face additional obstacles in the access to justice, due to insufficient accessibility of infrastructure and a lack of procedural accommodation;
- (d) No specific measures to guarantee non-discriminatory access to justice to persons with disabilities, including by respecting their right to freely chose judicial and law enforcement personnel involved, have been taken.

24. The Committee recommends that the State Party, taking into account article 13 of the Convention and target 16.3 of the Sustainable Development Goals:

- (a) Remove any provisions, including in the Code of Criminal Procedure, restricting access to courts by persons with disabilities;**
- (b) Ensure (i) the availability of professional and certified sign language interpreters and documents in accessible formats such as Braille, tactile and Easy Read, as well as (ii) non-discriminatory access to assistive technologies to all persons with disabilities to guarantee their full participation in all judicial and administrative proceedings;**
- (c) Take all necessary measures to combat discrimination faced by persons with disabilities in the access to justice, ensure that the legal system is fully accessible, especially in rural areas, and provide comprehensive procedural accommodation;**
- (d) Step up efforts to raise the awareness of court staff, judges, prosecutors and law enforcement officials, including police and prison officials, especially in rural areas and remote communities, on the provisions of the Convention.**

Senegal

23. The Committee is concerned about:

- (a) The lack of access to justice by persons with disabilities, as a result of barriers, including insufficient knowledge about disability issues within the judicial and law enforcement sectors, lack of free legal assistance and procedural and age-appropriate accommodations, and inaccessible physical environment within the justice system;
- (b) The lack of trained professionals and certified sign language interpreters in administrative and judicial proceedings for persons who are deaf and the absence of documents in accessible formats to enable persons who are blind and persons with intellectual or psychosocial disabilities to participate in judicial proceedings;

24. The Committee recommends that the State party, in line with article 13 of the Convention and target 16.3 of the Sustainable Development Goals:

- (a) Adopt measures towards providing legal assistance, procedural and age-appropriate accommodations for persons with disabilities and accessibility in all court buildings, tribunals, police stations, prisons and all places of detention;**
- (b) Ensure that professional, qualified sign language interpreters and other communication supports are available within the judicial system, including the availability of documents and other communication supports in accessible formats for all persons with disabilities, such as Braille, tactile, and Easy Read, in order to ensure their effective participation in all judicial and administrative proceedings;**
- (c) Conduct regular training programmes and awareness-raising campaigns and information for judicial staff, judges, prosecutors and law enforcement officials, including police and prison officials to understand the need to ensure access to justice for persons with disabilities;**
- (d) Adopt concrete measures to support and empower persons with disabilities to work in the justice system as judges, prosecutors and lawyers, with provision of necessary support and budgetary allocations to enhance greater access to justice by persons with disabilities.**

Spain

24. The Committee is concerned about the:

- (a) Widespread lack of accessibility to buildings in which law-enforcement agencies and the judiciary are located, and the lack of overall procedural gender and age-appropriate accommodation in judicial proceedings that takes into consideration the different types of disabilities, including sensory, intellectual or psychosocial;
- (b) Barriers, that prevent persons under substitute decision-making regimes from participating in legal proceedings on an equal basis with others, including through the undermining of the testimonial credibility of persons with psychosocial or intellectual disabilities;
- (c) Overall lack of awareness about the provisions of the Convention by lawyers, court staff, judges, prosecutors and law enforcement officials.

25. The Committee recommends that the State party:

- (a) Enact legislation to remove barriers for persons with disabilities and access to justice and to guarantee the provision of procedural and gender and age-appropriate accommodations and establish related safeguards to enable the participation of persons with disabilities in all legal proceedings on an equal basis with others through facilitating the use of sign language, Braille, Easy Read, captioning, augmentative and alternative communication, and all other accessible means, modes and formats of communication of their choice in judicial interactions;**
- (b) While implementing recommendation 23 above, ensure that the status of guardianship and type of disability does not prevent the full access to justice by persons with disabilities and that specific support is provided for persons with psychosocial or intellectual disabilities and victims of gender-based violence;**
- (c) Ensure regular training programmes and awareness-raising campaigns for lawyers, court staff, judges, prosecutors and law enforcement officials, including police and prison officials, on the need to provide persons with disabilities with access to justice;**
- (d) Adhere to article 13 of the Convention in its implementation of target 16.3 of the Sustainable Development Goals.**

Turkey

27. The Committee is concerned about:

- (a) The lack of specific measures and transparent protocols with remedies to provide procedural and age appropriate accommodation in judicial proceedings for persons with disabilities, including official provision of quality sign-language interpretation for persons who are deaf, accessible formats of communication for deaf-blind, hard of hearing persons, and persons with intellectual or psychosocial disabilities, particularly in civil cases;
- (b) The limited provision of legal aid for persons with disabilities in all areas of law and the lack of access to information about legal services;
- (c) The barriers for physical accessibility to court buildings and prosecution offices;
- (d) The Law on the Judges and Prosecutors (No. 2802), which prevent the employment of persons with disabilities as judges and prosecutors.

28. The Committee recommends that the State party:

- (a) Take steps to facilitate accessible and non-discriminatory access to the justice system for persons with disabilities by ensuring procedural and age-appropriate accommodation and clear administrative procedures based on legislation;**
- (b) Ensure human and financial resources to provide persons with disabilities with legal aid, which is accessible and affordable, including through accessible information and communication means with lawyers;**
- (c) Allocate resources and develop a plan within the judiciary with a timeframe and benchmarks to ensure accessibility of police stations, courts, prosecution units, including the provision of accessible transportation;**

(d) Amend the Law on the Judges and Prosecutors (No. 2802) and adopt legal measures to allow and facilitate the effective participation of all persons with disabilities in the justice system, including as judges, witnesses, complainants, and respondents.

Vanuatu

24. The Committee is concerned about the limited access to justice by persons with disabilities due to the various barriers, including the lack of physical accessibility to police stations and courts, and the lack of procedural accommodation and legal aid. Furthermore, it is concerned at the low level of awareness among the judiciary and the police on the rights of persons with disabilities.

25. The Committee recommends that the State party pay attention to the link between article 13 of the Convention and target 16.3 of the Sustainable Development Goals, and that it:

- (a) Ensure persons with disabilities have access to procedural and age-appropriate accommodation, free legal aid and accessibility provisions, such as by the use of sign language, captioning, Braille and Easy Read and ensure that persons with disabilities are not denied reasonable accommodation in access to justice;**
- (b) Strengthen training of the judiciary and law enforcement personnel, including judges, prosecutors, lawyers, police officers and prison staff, on the rights of persons with disabilities in all provinces of the State party;**
- (c) Raise awareness among persons with disabilities on their rights to access to justice, including legal aid, remedy, and redress in the judicial system available to them.**

Algeria

26. The Committee is concerned by article 26 of Executive Decree No. 16-159 of 30 May 2016 and article 34 of Act No. 13-17 which establishes certain standards of physical and psychological fitness as conditions to access the professions of judge and lawyer. It is also concerned about existing barriers to access courts and tribunals, including physical barriers and barriers to obtain information in accessible formats such as Braille, Easy Read and sign language. The Committee is also concerned by the absence of systematic training for members of the judiciary, law practitioners and law enforcement officials on the concept of procedural accommodation and/or age-appropriate accommodation for persons with disabilities.

27. The Committee recommends that the State party, taking into account article 13 of the Convention and target 16.3 of the Sustainable Development Goals:

- (a) Repeal any laws and policies which discriminate against persons with disabilities in the legal profession;**
- (b) Eliminate all physical barriers which prevent persons with disabilities from accessing the entire justice system on an equal basis with others;**
- (c) Facilitate access to information in all formats to persons with disabilities, including Easy-Read, Braille, accessible digital formats, and sign language;**
- (d) Provide systematic and on-going training to members of the judiciary, law practitioners and law enforcement officials on the Convention and the obligation to ensure physical access and accessible legal services.**

Bulgaria

31. The Committee notes with concern the shortage of trained sign language interpreters for deaf persons who are parties in different proceedings, and the lack of documents in accessible formats for blind persons, persons with intellectual and persons with psychosocial disabilities in different proceedings.

32. The Committee recommends that the State party ensure availability of sign language interpreters and documents in accessible formats such as Braille, electronic format, and Easy Read, to all persons with disabilities in all judicial and administrative proceedings.

Malta

21. The Committee is concerned about the lack of information on specific measures and protocols to implement 3A(4) of the Equal Opportunities (Persons with Disability) Act (Cap. 413) and to provide procedural and gender- and age-appropriate accommodation in judicial proceedings for persons with disabilities, in addition to selected measures aimed at facilitating communication (article 593 of the Code of Organization and Civil Procedure (Cap. 12), articles 451 and 640 of the Criminal Code (Cap. 9)). The Committee is also concerned by the lack of documents in accessible formats for blind and deaf-blind persons and persons with intellectual and psychosocial disabilities in various proceedings, the absence of policies to empower persons with disabilities to participate in the justice system as direct or indirect participants, such as lawyers, court officers or law enforcement officials. It is further concerned about the lack of systematic and continuous training to members of the judiciary, members of the legal profession, prosecutors and prison officers with regard to the equal rights of persons with disabilities and human rights in general.

22. The Committee recommends that the State party:

(a) Ensure the implementation of its legislation to guarantee the provision of procedural and gender- and age-appropriate accommodations based on the free choice and preference of persons with disabilities, and establish related safeguards to enable the participation of persons with disabilities in all legal proceedings on an equal basis with others, including through the provision of documents in accessible formats;

(b) Provide free or affordable legal aid for persons with disabilities in all areas of law and ensure the necessary budgetary allocation to the institution or institutions mandated with this task;

(c) Increase its efforts in order to empower persons with disabilities to participate in the justice system as direct or indirect participants, such as lawyers, court officers or law enforcement officials;

(d) Provide mandatory and ongoing capacity-building programmes, including training on the provisions of the Convention for members of the judiciary and members of the legal profession; for example, by broadening the audience of the Disability Equality Training that is currently being provided to the recruits of the Police Academy;

(e) Be guided by article 13 of the Convention in its implementation of target 16.3 of the Sustainable Development Goals.

Philippines

26. The Committee is concerned about the barriers facing persons with disabilities in access to justice, including attitudinal barriers and prejudices of court personnel as well as well-trained sign language interpreters to assist the persons with disabilities through the proceedings. It is also concerned about the lack of implementation of Executive Order 709 establishing the Sub-Committee on Access to Justice and Anti-Discrimination Executive Order 709.

27. The Committee recommends that the State party adopt measures to provide age-appropriate or procedural accommodations, including physical access to court rooms, accessible legal services, qualified sign language and tactile sign interpreters in courtrooms and police stations, legal and procedural information in Easy Read. It also recommends that the State party conduct capacity building programmes of the legal profession, police and prison officers concerning the rights enshrined in the Convention.

Poland

1. The Committee is concerned that persons with psychosocial and/or intellectual disability deprived of their legal capacity are denied the right to take part in a litigation and to stand as witnesses in procedures before civil courts. Furthermore, it is also concerned about the barriers which persons with disabilities in general face in accessing justice due to lack of:

- (a) Procedural accommodation, as well as the use of sign language, Braille, accessible digital formats, Easy Read and all other accessible means, modes and formats of communication in all legal proceedings;
- (b) Accessibility to justice buildings, courts and tribunals and police stations, for persons with physical disabilities;
- (c) Human rights based knowledge on disability of the justice system and law enforcement personnel on the rights of persons with disabilities;
- (d) Mechanisms for persons with disabilities to report violence, including the lack of access to justice for children with intellectual disabilities, women with disabilities or those living in institutions;
- (e) Legal assistance for persons with disabilities, including legal assistance and procedural accommodation for persons with psychosocial disabilities;
- (f) Access to legal professions for persons with disabilities based on presumptions that they are “unfit” for the profession.

2. The Committee recommends that the State party guarantee equal and supported access to all judicial processes for persons with intellectual and/or psychosocial disabilities deprived of their legal capacity. It further recommends to ensure that persons with disabilities have access to justice in practice, and in particular to:

- (a) Ensure procedural accommodation, as well as the use of sign language, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication in all legal proceedings;**
- (b) Ensure that justice buildings, courts and tribunals, and police stations, are accessible for persons with physical disabilities;**
- (c) Provide regular training to law enforcement and judicial officers about the rights of all persons with disabilities and obligations of the State Party under the Convention;**
- (d) Ensure effective mechanisms for persons with disabilities to report violence, including crimes on the grounds of hatred, as well as access to justice for children with intellectual disabilities, women with disabilities or those living in institutions;**
- (e) Ensure universal and free legal assistance for persons with disabilities, having low income particularly, and legal assistance and procedural accommodation for persons with psychosocial disabilities;**
- (f) Support persons with disabilities to practice legal professions and ensure reasonable accommodation for this purpose;**
- (g) Be guided by article 13 of the Convention in the implementation of target 16.3 of the Sustainable Development Goals.**

South Africa

24. The Committee is concerned about:

- (a) The barriers, including physical and legislative, that prevent the effective participation of all persons with disabilities, especially women and children, persons with psychosocial and/or intellectual disabilities, blind and deaf persons, in accessing the justice system, due to lack of procedural accommodations, including accessibility, in the judicial system;
- (b) The absence of information about the justice system and its proceedings in accessible formats provided to blind and visually impaired persons (Braille and audio), deaf persons (sign language interpretation) and persons with psychosocial and/or intellectual disabilities (Easy-Read);
- (c) The limited knowledge about the human rights of persons with disabilities within the judicial system and inadequate number of trained professional and certified sign language interpreters, Braille users or Easy-Read users to convey judicial information to persons with disabilities that require them.

25. The Committee recommends that the State party, taking into account article 13 of the Convention and target 16.3 of the Sustainable Development Goals:

- (a) Establish legal safeguards to ensure the participation of persons with disabilities in all legal proceedings on an equal basis with others and ensure that procedural, gender and age-appropriate accommodations based on free choice are provided for persons with disabilities in all judicial premises, police stations, and all places of detention, including prisons;
- (b) Adopt measures to ensure that all persons with disabilities have access to justice and information and communication in accessible formats, such as Braille, tactile, Easy-Read and sign language;
- (c) Ensure a systematic training programme for judicial officials, law enforcement officials, including police and prison officials, on the right of all persons with disabilities to justice, including involving persons with disabilities as judicial officials.

The Former Yugoslav Republic of Macedonia

26. The Committee is concerned at:

- (a) The lack of consistency in laws with regard to access to justice for persons with disabilities and the lack of legislation on hate crimes relating to disability;
- (b) The lack of accessibility to the judicial system, due to the lack of knowledge of disability issues within the judicial sector, lack of adequate procedural accommodations, information in accessible formats and accessibility to judicial premises;
- (c) The bureaucratic restrictions to free legal aid under the current Law on Free Legal Aid.

27. The Committee recommends that the State party:

- (a) Take measures to align the laws requiring courts to facilitate trial procedures and procedural accommodation for persons with disabilities and to extend such measures to the police and prosecution services; effectively implement the principle of procedural accommodation under article 27 on the Law on the Rights of Persons with Disabilities (2016);
- (b) Take measures to amend the criminal law in order for crimes against persons with disabilities to be recognised as hate crimes;
- (c) Adopt measures to ensure that all persons with disabilities, especially persons with psychosocial disabilities and persons with intellectual disabilities and the deaf and hard of hearing persons, blind persons, deaf-blind persons, have access to justice, and that information and communication is in accessible formats such as Braille, accessible electronic formats, tactile, Easy Read and sign language;
- (d) Conduct training to law enforcement personnel on the human rights-based approach to disability;
- (e) Ensure that access to free legal aid for persons with disabilities is not restricted in the new draft Law on Free Legal Aid.

Haiti

24. The Committee is concerned about:

- (a) Obstacles to the effective participation of persons with disabilities in the justice system, including the lack of procedural accommodation and legal aid;
- (b) The serious problems in the judicial system which are exacerbated for persons with disabilities, inter alia, discrimination, barriers to accessibility of the premises of police, courts and places of detention and inaccessibility of information;
- (c) Lack of qualified personnel on the rights of persons with disabilities and the low level of awareness among the judiciary and law enforcement officials about the human rights of persons with disabilities.

25. The Committee recommends that the State party:

- (a) Enact appropriate legislation to ensure the removal of obstacles to have access to justice and to guarantee the provision of procedural, gender- and age-appropriate accommodations based on the free choice and preference of persons with disabilities, and establish related safeguards to enable their participation in all legal proceedings on an equal basis with others;

- (b) Ensure that all persons with disabilities, especially those with intellectual or psychosocial disabilities, and persons who are deaf or hard of hearing, can have access to justice and information and communications in accessible formats, including Braille, tactile media, plain language, Easy Read, and sign language;
- (c) Fully implements articles 51 and 54 of the Act on the Inclusion of Persons with Disabilities (2012) to develop and implement mandatory and ongoing capacity-building programmes, including training, on the provisions of the Convention among the judiciary and law enforcement personnel, including judges, prosecutors, police officers and prison staff, about the rights of persons with disabilities, especially persons with intellectual or psychosocial disabilities;
- (d) Adopt measures to increase the legal awareness of persons with disabilities and take the measures to address the underrepresentation of persons with disabilities and to empower them to work in the justice system, such as judges or prosecutors;
- (e) Pay attention to the links with article 13 of the Convention for the realization of target 16.3 of the Sustainable Development Goals.

Nepal

23. While noting the efforts being made by the State party to ensure access to justice by persons with disabilities, the Committee remains concerned about the lack of explicit provisions for ensuring disability type and age appropriate accommodation in situations necessary for guaranteeing access to justice for persons with disabilities. It is also concerned at reports of the insufficient use of sign language, Braille as well as Easy Read, and the lack of appropriate awareness training for judicial, legal and law enforcement professionals.

24. The Committee recommends that the State party take appropriate measures to ensure physical access, accessible legal services and qualified sign language and tactile sign interpreters in courtrooms and police stations, including measures to ensure that persons with disabilities are not discriminated against on account of their disability (when sign language or Braille is required), or due to the lack of appropriate training of legal professionals, police and prison officers.

Oman

27. The Committee is concerned about:

- (a) The impediments that hinder the attainment of access to justice by persons with disabilities, as a result of insufficient knowledge about disability issues within the judicial and law enforcement sectors, lack of substantive procedural accommodations, including lack of accessibility within the justice system;
- (b) The inadequate number of trained professional and certified sign language interpreters to translate administrative and judicial proceedings for deaf persons and the unavailability of documents in accessible formats to enable blind persons and persons with intellectual and/or psychosocial disabilities to participate in proceedings.

28. The Committee recommends that the State party, taking into account article 13 of the Convention and target 16.3 of the Sustainable Development Goals:

- (a) Ensure that procedural accommodations are provided for persons with disabilities in all court buildings, tribunals, police stations, prisons and all places of detention;
- (b) Ensure the availability of professional and certified sign language interpreters and documents in accessible formats for all persons with disabilities, such as Braille, tactile, and Easy Read, in order to ensure their full participation in all judicial and administrative proceedings;
- (c) Ensure training programmes and awareness-raising campaigns and information for court staff, judges, prosecutors and law enforcement officials, including police and prison officials on the need to provide access to justice for persons with disabilities;

(d) Adopt measures to support and empower persons with disabilities to work in the justice system as judges, prosecutors, lawyers, etc. with provision of all necessary support so as to enhance greater access to justice by persons with disabilities.

Russian Federation

28. The Committee notes with concern the shortage of trained sign language interpreters for deaf persons in judicial and administrative proceedings and the lack of documents in accessible formats for blind persons, persons with intellectual and/or psycho-social disabilities in different proceedings.

29. The Committee recommends that the State Party ensure availability of sufficient number of sign language interpreters and documents in accessible formats, including Easy-Read and Brail and other accessible formats, modes and means, to all persons with disabilities in all judicial and administrative proceedings.

30. The Committee is concerned about the fact that the State party has not formulated policies to empower persons with disabilities to be part of the justice system as direct or indirect participants, such as lawyers, court officers and law enforcement officials..

31. The Committee recommends that the State party step up its efforts in order to empower persons with disabilities to be part of the justice system as direct and indirect participants such as lawyers, court officials and law enforcement agencies.

Seychelles

20. The Committee is concerned about:

(a) The lack of information on specific procedural, gender- and age-appropriate accommodation for persons with disabilities in judicial proceedings, in particular for deaf-blind persons;

(b) The lack of accessibility of buildings of law enforcement agencies and the judiciary;

(c) Barriers to access to justice for persons with psychosocial and/or intellectual disabilities, in particular persons in institutions and/or deprived of their legal capacity;

(d) The fact that the State party has not formulated policies to empower persons with disabilities to be part of the justice system as direct or indirect participants, such as lawyers, court officers and law enforcement officials.

21. The Committee recommends that the State party ensure full access to the judicial system for persons with disabilities, including by:

(a) Enacting appropriate legislation and a strategy to ensure the removal of all barriers to access to justice by persons with disabilities, develop guidelines and protocols to provide procedural, gender- and age-appropriate accommodations based on the free choice and preference of persons with disabilities, including providing persons with disabilities with information and communications in accessible formats;

(b) Strengthen its efforts to ensure the accessibility of buildings of law enforcement agencies and the judiciary for all persons with disabilities;

(c) Implement procedural accommodations and alternative formats of communication, paying attention to the situation of deaf-blind persons and persons with psychosocial and/or intellectual disabilities, including those living in institutions, and increase their legal awareness;

(d) Step up its efforts in order to empower persons with disabilities to be part of the justice system as direct and indirect participants such as lawyers, court officials and law enforcement agencies;

(e) Being guided by article 13 of the Convention in the implementation of target 16.3 of the Sustainable Development Goals.

Slovenia

20. The Committee is concerned about:

- (a) The lack of information on specific procedural, gender- and age-appropriate accommodation for persons with disabilities in judicial proceedings, in particular for deaf-blind persons;
- (b) The lack of accessibility of buildings of law enforcement agencies and the judiciary;
- (c) Barriers to access to justice for persons with psychosocial and/or intellectual disabilities, in particular persons in institutions and/or deprived of their legal capacity;
- (d) The fact that the State party has not formulated policies to empower persons with disabilities to be part of the justice system as direct or indirect participants, such as lawyers, court officers and law enforcement officials.

21. The Committee recommends that the State party ensure full access to the judicial system for persons with disabilities, including by:

- (a) Enacting appropriate legislation and a strategy to ensure the removal of all barriers to access to justice by persons with disabilities, develop guidelines and protocols to provide procedural, gender- and age-appropriate accommodations based on the free choice and preference of persons with disabilities, including providing persons with disabilities with information and communications in accessible formats;**
- (b) Strengthen its efforts to ensure the accessibility of buildings of law enforcement agencies and the judiciary for all persons with disabilities;**
- (c) Implement procedural accommodations and alternative formats of communication, paying attention to the situation of deaf-blind persons and persons with psychosocial and/or intellectual disabilities, including those living in institutions, and increase their legal awareness;**
- (d) Step up its efforts in order to empower persons with disabilities to be part of the justice system as direct and indirect participants such as lawyers, court officials and law enforcement agencies;**
- (e) Being guided by article 13 of the Convention in the implementation of target 16.3 of the Sustainable Development Goals.**

Sudan

25. The Committee regrets the lack of information regarding access to justice for persons with disabilities and is concerned about the lack of accessibility of the judicial system, due to lack of knowledge about disability issues within the judicial and law enforcement sector; lack of adequate procedural accommodations; lack of judicial information in accessible formats and lack of accessibility to police and judicial premises;

26. The Committee recommends that the State party:

- (a) Take measures to implement in practice the Ministry of Justice's circular of 2016 requiring courts to facilitate trial procedures and procedural accommodation for persons with disabilities and to extend such measures to the police and prosecution services;**
- (b) Adopt measures to ensure that all persons with disabilities, in particular persons with psychosocial and/or intellectual disabilities and deaf and hard of hearing persons, have access to justice, and information and communication in accessible formats such as Braille, tactile, Easy Read and sign language;**
- (c) Conduct training to law enforcement personnel on the human rights-based approach to disability.**

Latvia

22. The Committee is concerned about the:

- (a) Non-systematic provision of accommodation in judicial proceedings for persons with intellectual and/or psychosocial disabilities, including the absence of guaranteed legal assistance in all judicial proceedings;
- (b) Reported prejudices within the judiciary, including advocates, against persons with intellectual and/or psychosocial disabilities;
- (c) Lack of legal protection for persons with disabilities in residential institutions.

23. The Committee recommends that the State party:

(a) Ensure the provision of judicial procedural accommodation, including by means of the Easy Read format, professional sign language interpretation and the use of Braille easy-read format, for all persons with disabilities and establish related safeguards to enable the participation of persons with disabilities in all legal proceedings on an equal basis with others;

(b) Strengthen training on the Convention for the judiciary, lawyers and law enforcement officers;

(c) Ensure access to free legal aid for persons with disabilities living in residential institutions;

(d) Be guided by article 13 of the Convention in the implementation of target 16.3 of the Sustainable Development Goals.

Luxembourg

26. The Committee is concerned about the lack of information on specific measures and protocols to remove barriers to access to justice and to provide procedural and gender- and age-appropriate accommodation in judicial proceedings for persons with disabilities, including written information and communications that consider the multilingual reality of the State party. It is also concerned about the lack of sufficient systematic and continuous training to members of the judiciary, members of the legal profession, prosecutors and prison officers with regard to the equal rights of persons with disabilities and human rights in general.

27. The Committee recommends that the State party take into account the multilingual reality of the State party and:

(a) Enact appropriate legislation to ensure the removal of barriers to access to justice and to guarantee the provision of procedural and gender- and age-appropriate accommodations based on the free choice and preference of persons with disabilities, and establish related safeguards to enable the participation of persons with disabilities in all legal proceedings on an equal basis with others;

(b) Provide mandatory and ongoing capacity-building programmes, including training, on the provisions of the Convention for law enforcement personnel, members of the judiciary and members of the legal profession;

(c) Take measures to address the underrepresentation of persons with disabilities in the legal profession;

(d) Adopt measures to increase the legal awareness of persons with disabilities;

(e) Be guided by article 13 of the Convention in its implementation of target 16.3 of the Sustainable Development Goals.

Montenegro

26. The Committee is concerned that most court buildings in the country remain inaccessible for persons with physical impairments, and that:

(a) Persons working in the administration of justice are not sufficiently trained in the rights of persons with disabilities, including on procedural accessibility, particularly with regard to access to assistive technologies;

(b) Legal aid, registered and qualified sign-language interpretation and Braille service, as well as alternative modes of communication and other measures to provide persons with intellectual and psychosocial disabilities with access to judicial and administrative proceedings are insufficiently available.

27. The Committee recommends that the State party provide for barrier-free and non-discriminatory access to justice based on the free choice and preference of persons with disabilities, and for disability-related and age-appropriate accommodations in all legal proceedings. It recommends that the State party strengthen its efforts to ensure that:

- (a) **Accessibility measures, such as Braille, the provision of sign language interpretation, alternative modes of communication and Easy Read formats are available in a non-discriminatory manner at all stages of judicial and administrative proceedings;**
- (b) **Judicial, law enforcement and notary personnel are properly trained in the application of a human rights approach to disability.**

Morocco

28. The Committee is concerned about:

- (a) The barriers militating against the effective participation of persons with disabilities in the judicial system, owing to a lack of knowledge about disability issues within the judicial sector, the absence of substantive procedural accommodations, the lack of legal aid for persons with disabilities and the lack of accessibility to all judicial premises, including court buildings and places of detention;
- (b) The non-availability of judicial information in accessible formats for persons with disabilities, such as Braille, Easy Read and sign language.

29. The Committee recommends that the State party:

- (a) **Adopt measures to ensure that all persons with disabilities, in particular persons with psychosocial and/or intellectual disabilities and deaf and hard-of-hearing persons, have access to justice and information and communication in accessible formats, such as Braille, tactile formats, Easy Read and sign language;**
- (b) **Provide, within the judicial sector, effective procedural accommodations for persons with disabilities, according to gender and age;**
- (c) **Ensure continuous training programmes and awareness-raising campaigns and information for court staff, judges, prosecutors and law enforcement officials, including police and prison officials, on the need to provide persons with disabilities with access to justice;**
- (d) **Take the measures necessary to support and empower persons with disabilities to work in the justice system as, for example, judges and prosecutors, with the provision of all necessary support, so as to enhance greater access to justice by persons with disabilities.**

Panama

32. The Committee is concerned that no procedural accommodations have yet been made to ensure effective access to justice for all persons with disabilities. It is also concerned about the barriers, especially of a legal nature, that prevent persons whose legal capacity has been revoked or who live in institutions from effectively participating in legal proceedings.

33. The Committee recommends that the State party:

- (a) **Adopt, in line with the Convention, the action plan on access to justice for persons with disabilities, as well as the necessary legal, administrative and judicial measures to eliminate all restrictions on the effective participation of persons with disabilities in all stages of the judicial process;**
- (b) **Ensure that women with disabilities have access to justice in practice;**
- (c) **Make procedural adjustments, including the provision of personal or intermediary assistance, to ensure that persons with disabilities can effectively participate in the various aspects of legal proceedings;**
- (d) **Step up efforts to ensure that sign language interpreters are present during judicial proceedings;**
- (e) **Take steps to empower persons with disabilities with a view to their participating as professionals in the justice system;**
- (f) **Intensify efforts to provide training on the Convention and the Optional Protocol thereto for justice officials, especially in rural areas and indigenous regions;**
- (g) **Take into account article 13 of the Convention in its implementation of target 16.3 of the Sustainable Development Goals.**

United Kingdom of Great Britain and Northern Ireland

32. The Committee is concerned about:

- (a) The low level of awareness among the judiciary and law enforcement officials about the human rights of persons with disabilities;
- (b) Reports of persons with psychosocial and/or intellectual disabilities who do not receive appropriate support in exercising their legal capacity and access to justice;
- (c) The barriers faced by persons with disabilities in accessing civil legal aid as a consequence of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 in England and Wales and the introduction of fees for employment tribunals in the State party;
- (d) The fact that the regulations exclude persons with hearing impairments from participation in jury proceedings, and that personal assistants/interpreters are not deemed to constitute procedural accommodation.

33. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities:

- (a) Develop and implement capacity-building programmes among the judiciary and law enforcement personnel, including judges, prosecutors, police officers and prison staff, about the rights of persons with disabilities;**
- (b) Design and implement a decision-making regime with guidelines and appropriate resources, focusing on respecting the will and preferences of persons with disabilities, particularly persons with intellectual and/or psychosocial disabilities, in court proceedings;**
- (c) Provide free or affordable legal aid for persons with disabilities in all areas of law and remove fees to access courts and employment tribunals, bearing in mind the Supreme Court ruling of 26 July 2017 regarding the Employment Tribunal's fees (*R (on the application of UNISON) (Appellant) v. Lord Chancellor (Respondent)*);**
- (d) Ensure that all persons with disabilities enjoy the right and are provided with adequate procedural accommodation within the justice system, and enable in particular deaf persons through the use of sign language interpreters, to fully and equally participate as jurors in court proceedings;**
- (e) Take measures to empower persons with disabilities to work in the justice system as judges, prosecutors or in other positions, with the provision of all necessary support.**

Armenia

21. The Committee is concerned about the very limited accessibility of most of the State party's courts, and administrative and notary buildings. It is also concerned about the lack of legal safeguards to ensure the right to a fair trial, due process and the safe and full participation of persons with disabilities, especially persons with psychosocial and/or intellectual disabilities, in all judicial proceedings, including through the provision of procedural and gender- and age-appropriate accommodation, in particular sign language interpretation for persons with hearing impairment and accessible formats of legal and judicial information and communication for persons with visual impairment. It is further concerned about the insufficient availability of accessible and affordable legal services for persons with disabilities.

22. The Committee recommends that the State party ensure the provision of procedural and gender- and age-appropriate accommodation on the basis of the free choice and preference of persons with disabilities, and establish related safeguards to enable the participation of persons with disabilities in all legal proceedings on an equal basis with others. It also recommends that the State party take measures to increase training and capacity-building programmes on the Convention for law enforcement personnel, and for persons with disabilities to increase their legal awareness, and that it ensure that persons with disabilities have access to free legal aid. The Committee recommends that the State party be guided by article 13 of the Convention in its implementation of target 16.3 of the Sustainable Development Goals.

Bosnia and Herzegovina

24. The Committee is concerned that there is a lack of information on specific and available measures, as well as transparent protocols to provide procedural and age- appropriate accommodation in judicial proceedings, including the notary-related services.

25. The Committee recommends that the State party ensure transparent, barrier- free and non-discriminatory access to justice based on the free choice and preference of persons with disabilities. It also recommends that the State party strengthen efforts to provide adequate training on the rights of persons with disabilities to judicial and law enforcement personnel. The Committee further recommends that the State party ensure availability of non-discriminatory access to assistive technologies and ensure registered and qualified sign language interpreters, and the provision of Braille and other alternative formats, in judicial proceedings.

Canada

29. The Committee observes that administration of justice and the establishment and maintenance of penitentiaries fall under the competency of federal, provincial and territorial levels of administration. It takes note of the legal obligation to provide sign language interpretation throughout judicial and/or administrative proceedings. However, the Committee is concerned about:

(a) The lack of accommodation procedures that persons with psychosocial and/or intellectual disabilities who face difficulties in understanding and filling out forms contend with when attempting to bring claims for the protection of their rights;

(b) The absence of information about procedural and age-appropriate accommodation available for women and children with disabilities, including indigenous women, at all levels of the justice system;

(c) The absence of funding at the federal, provincial and territorial levels to support persons with disabilities in filing cases of human rights violations.

30. The Committee recommends that the State party:

(a) **Provide guidance and training to the judiciary at all levels in order to implement the Canadian Victims Bill of Rights Act, in particular its provisions for measures to facilitate the testimony of persons with psychosocial and/or intellectual disabilities during judicial proceedings, paying particular attention to persons with disabilities who seek redress;**

(b) **Introduce additional criteria to the provision of accessibility in the justice sector, ensuring that the options available comprise Braille, sign language interpretation, alternative modes of communication and easy-read versions of documents, free of charge for all persons with disabilities, in particular persons with psychosocial and/or intellectual disabilities;**

(c) **Set up progress indicators for and periodic assessments of the measures to provide age-appropriate and gender-sensitive accommodation for persons with disabilities at the federal, provincial and territorial levels, and ensure that lawyer associations, civil society organizations working on human rights and representative organizations of persons with disabilities are entitled to provide input on such accommodation;**

(d) **Introduce effective training of personnel in the justice, police and prison systems on the rights enshrined in the Convention.**

Cyprus

35. The Committee notes with concern that the justice system is largely inaccessible and that personnel in the judicial and law enforcement sectors are not adequately trained on the Convention.

36. The Committee recommends that the State party take immediate steps to ensure accessibility and procedural accommodation, including high quality sign language interpretation and information in easy-to-read and Braille formats in line with the Sustainable Development Goals, especially target 16.3. The Committee also recommends that the State party provide personnel in the judicial and law enforcement sectors, with

mandatory periodic education and training on the universality of human rights for all persons with disabilities, with a particular focus on marriage, family, parenthood and relationship issues, including the right to retain fertility and found and foster a family as outlined in article 23 of the Convention.

Honduras

31. Al Comité le preocupa que no se hayan implementado aún ajustes de procedimiento que hagan efectivo el acceso a la justicia para todas las personas con discapacidad. Igualmente le preocupa la existencia de barreras, particularmente normativas, así como la falta de interpretación en lengua de señas, para que las personas que han sido declaradas interdictas o que se encuentren institucionalizadas puedan desempeñarse efectivamente durante los procesos judiciales.

32. El Comité urge al Estado parte a que asigne suficientes recursos humanos y económicos para la implementación del Plan de Acción de Acceso a la Justicia de las Personas con Discapacidad desde la perspectiva de la Convención. Le recomienda también que adopte las medidas legislativas, administrativas y judiciales necesarias para eliminar toda restricción a las personas con discapacidad para actuar efectivamente en cualquier proceso. También le recomienda realizar ajustes de procedimiento, incluyendo la asistencia personal o intermediaria, para garantizar el efectivo desempeño de las personas con discapacidad en las distintas funciones dentro de los procesos judiciales. Asimismo, el Comité recomienda que el Estado parte asigne recursos humanos y financieros suficientes y específicos para que la Fiscalía Especial de los Derechos Humanos y la Fiscalía Especial de la Protección a la Mujer lleven a cabo su mandato y acudan a las mujeres con discapacidad si son abusadas sexualmente.

33. Preocupa al Comité el escaso acceso a la justicia de las personas con discapacidad, especialmente de aquellas que viven en zonas rurales y comunidades indígenas y afrohondureñas, las barreras de accesibilidad de todo tipo y la falta de ajustes procesales para ellas. Además le preocupa que los operadores de justicia no conozcan suficientemente la Convención y que, por tanto, no actúen conforme a la misma.

34. El Comité recomienda al Estado parte adoptar todas las medidas necesarias para luchar contra la discriminación a que hacen frente las personas con discapacidad para acceder a la justicia, asegurando la plena accesibilidad al sistema judicial, y a que se efectúen ajustes procesales completos. El Comité también recomienda que el Estado parte intensifique sus esfuerzos para impartir al personal de la administración de justicia formación sobre la Convención, especialmente en zonas rurales y comunidades remotas.

Iran (Islamic Republic of)

28. The Committee observes that the State party provides legal representation for persons with disabilities in civil and criminal proceedings. However, the Committee is concerned about:

- (a) The denial of access to justice to persons deprived of their legal capacity; ^[SEP]
- (b) The absence of procedural and age-appropriate accommodations that allow ^[SEP] persons with disabilities themselves to exercise an active role as direct and indirect participants in all legal procedures, including through accessible information; and
- (c) The absence of information about training for judges and other personnel including the police and prison staff, concerning the rights of persons with disabilities.

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

- (a) Review its legislation with the aim to enable persons with disabilities to participate effectively in any type of legal proceedings, including exercising their roles as victims, defendants, and witnesses;**
- (b) Develop protocols at the judiciary aimed at identifying procedural, gender-sensitive, and age-appropriate accommodations for persons with disabilities including provision of**

documents on legislation and court proceedings through sign language interpretation, braille, easy-read and other accessible formats, modes and means of communication; and
(c) **Develop a capacity-building strategy within the judicial branch on the rights of persons with disabilities, targeting lawyers, magistrates, judges, prison staff and the Police.**

Jordan

27. The Committee notes with concern that article 3 of the Code of Criminal Procedure (Law No. 9 of 1961) restricts persons with intellectual and/or psychosocial disabilities from filing a complaint directly before the judiciary. The Committee is concerned about the shortage of trained professional and certified sign language interpreters to translate administrative and judicial proceedings for deaf persons and the unavailability of documents in accessible formats to enable blind persons and persons with intellectual and/or psychosocial disabilities to participate in proceedings.

28. The Committee recommends that the State party, taking into account article 13 of the Convention and target 16.3 of the Sustainable Development Goals:

(a) Amend, in a timely manner, the Code of Criminal Procedure to remove all provisions that restrict access to courts by persons with disabilities;

(b) Ensure the availability of professional and certified sign language interpreters and documents in accessible formats for all persons with disabilities in order to ensure their full participation in all judicial and administrative proceedings.

Republic of Moldova

26. The Committee is concerned about the lack of information on specific measures and protocols to provide procedural, gender and age-appropriate accommodation in judicial proceedings for persons with disabilities, including the provision of sign-language interpretation for deaf persons and accessible formats for communication for deaf-blind persons and persons with psychosocial and/or intellectual disabilities. It notes with concern:

(a) The prejudices against persons with disabilities, particularly those with psychosocial and/or intellectual disabilities;

(b) The lack of access to free legal aid for persons with disabilities, particularly for those still living in institutions;

(c) The lack of access to justice of women with disabilities in criminal proceedings related to gender-based violence.

27. The Committee recommends that the State party:

(a) Ensure the provision of procedural, gender and age-appropriate accommodations based on the free choice and preference of persons with disabilities and establish related safeguards to enable the participation of persons with disabilities in all legal proceedings on an equal basis with others;

(b) Provide training and capacity-building programmes on the Convention for law enforcement personnel and for persons with disabilities, to increase their legal awareness;

(c) Ensure access to free legal aid, including for persons with disabilities still living in institutions;

(d) Be guided by article 13 of the Convention in the implementation of target 16.3 of the Sustainable Development Goals.

Bolivia

29. The Committee is concerned that there are restrictions on persons with disabilities – no right to represent themselves, for example – that prevent them from enjoying full access to justice; it is particularly concerned that these restrictions are imposed on those who need the most support.

30. The Committee urges the State party to repeal any legal provision that limits access to justice for persons with disabilities, and recommends that it implement support systems for persons with disabilities who need them.

31. The Committee is concerned that judicial bodies do not make procedural adjustments when persons with disabilities are involved in proceedings. It is also concerned that they do not have sign language interpreters or use Braille transcription or other accessible formats and modes of information and communication.

32. The Committee recommends that the State party take steps to put in place the support necessary to ensure access to justice for persons with disabilities, notably by implementing procedural adjustments and measures to ensure the accessibility of facilities, information and communication.

33. The Committee is concerned that no in-service training on the rights of persons with disabilities is provided for judicial personnel, leading to insufficient awareness of the rights of persons with disabilities and violation of their procedural guarantees and other fundamental rights.

34. The Committee urges the State party to set up in-service training programmes on the rights of persons with disabilities for judicial personnel, the police, prison personnel and other justice officials. It also recommends that the State party be guided by article 13 of the Convention in its efforts to achieve target 16.3 of the Sustainable Development Goals.

Colombia

34. The Committee is concerned that the State party's General Code of Procedure bars persons with disabilities from appearing as witnesses, that procedural accommodations for persons with disabilities involved in judicial proceedings are not provided, and that accessibility aids, such as the use of Braille, sign language, or easy-to-read materials, are not available.

35. The Committee recommends that the State party:

(a) Repeal article 210 of the General Code of Procedure;

(b) Adopt procedural accommodations to facilitate the participation of persons with disabilities in any role and stage in judicial proceedings;

(c) Ensure the accessibility of physical facilities, materials, information and communications throughout the justice system, including the availability of guide-interpreters, sign-language interpreters, and materials in easy-to-read and electronic format;

(d) Strengthen training programmes on the rights of persons with disabilities for magistrates, judges, court, police, security and prison personnel and public defenders;

(e) Be guided by article 13 of the Convention in pursuing target 16.3 of the Sustainable Development Goals.

Ethiopia

29. The Committee is concerned that the training of justice staff, lawyers, court staff and the police on the rights of persons with disabilities is neither compulsory nor carried out regularly. It is also concerned that procedural accommodation is not effectively available, in law and in practice.

30. The Committee recommends that the State party ensure compulsory and regular training of justice and police staff on the rights of persons with disabilities. It also recommends that procedural accommodation be effectively available at all stages of investigations and court proceedings. It further recommends that the State party take into account article 13 of the Convention, while implementing target 16.3 of the Sustainable Development Goals.

Guatemala

35. The Committee is concerned about the limited access to justice enjoyed by persons with disabilities, particularly those living in rural areas and indigenous communities, the various barriers to accessibility and the lack of procedural accommodations provided for them. It is also concerned that justice officials are not sufficiently familiar with the Convention and therefore do not act in accordance with it.

36. The Committee recommends that the State party adopt all necessary measures to combat the discrimination faced by persons with disabilities with respect to access to justice, ensure that the legal system is fully accessible and provide comprehensive reasonable and procedural accommodations. The Committee also recommends that the State party step up its efforts to provide training on the Convention for justice officials, especially in rural areas and remote communities. The Committee recommends that the State party be guided by article 13 of the Convention in its implementation of target 16.3 of the Sustainable Development Goals.

37. The Committee notes with concern that, within the legal system of the State party, the credibility of the accounts of victims with disabilities, especially women and girls, tends to be called into question, which leads to cases not being properly investigated or recorded.

38. The Committee recommends that the State party, through the judiciary, provide adequate training and appropriate human resources to the special courts set up to combat femicide and other forms of violence against women and to the free legal aid offices for women who are victims of violence, in order to ensure that women and girls with disabilities who suffer violence or abuse receive proper attention.

Italy

29. The Committee is concerned with the lack of anti-discrimination training given to personnel in the judicial and law enforcement sectors with regard to equal rights in all aspects of marriage and family life for persons with disabilities and on combating negative stereotyping.

30. The Committee recommends that the State party provide training to personnel in the judicial and law enforcement sectors on the right of all persons with disabilities to marriage, family, parenthood and relationships, on an equal basis with others, including their right to retain fertility and found a family, as outlined in article 23 of the Convention.

31. The Committee is concerned at the inaccessibility of the justice system with regard to information and communications.

32. The Committee recommends that the State party ensure the provision of full procedural accommodations, including professional sign language interpretation, and information in easy-to-read and Braille formats. It also recommends that the State party take into account article 13 of the Convention while implementing target 16.3 of the Sustainable Development Goals.

United Arab Emirates

25. The Committee is concerned:

(a) That judicial officials are unaware of the rights of persons with disabilities and that the justice sector has no programmes specifically designed to provide assistance to persons with disabilities;

(b) At the lack of accessibility within the justice system, including in respect of legal aid and assistance, sign language interpreters in court rooms and procedural accommodations, despite the issuance of Ministerial Decree No. 619 of 2015;

(c) At the lack of information about court cases initiated by persons with disabilities;

(d) That no measures have been taken to address the challenges faced by women, especially women who are not citizens of the State party, in accessing justice when they report having experienced violence.

26. The Committee recommends that the State party:

(a) Train court staff, judges, police officers and prison staff to uphold the rights of persons with disabilities, including the right to a fair trial, and the obligation to provide procedural accommodation;

(b) Take measures to ensure in practice the physical and information- and communication-related accessibility to all judicial facilities, for example through the provision of

professional sign language interpreters and the use of Braille, among other procedural accommodations;

(c) Take measures to collect quantitative and qualitative data about court cases initiated by persons with disabilities;

(d) Take measures to address the challenges faced by women, especially women who are not citizens of the State party, in accessing justice when they report having experienced violence;

(e) Be guided by article 13 of the Convention in the implementation of target 16.3 of the Sustainable Development Goals.

Uruguay

29. Al Comité le preocupa que no se hayan implementado aún ajustes de procedimiento que hagan efectivo el acceso a la justicia para todas las personas con discapacidad. Igualmente le preocupa la existencia de barreras, particularmente normativas, para que las personas que han sido declaradas interdictas o que se encuentren institucionalizadas puedan desempeñarse efectivamente durante los procesos judiciales.

30. El Comité insta al Estado parte a que asigne suficientes recursos humanos y económicos para la implementación del Plan de Acción de Acceso a la Justicia de las Personas con Discapacidad desde la perspectiva de la Convención. Le recomienda también que adopte las medidas legislativas, administrativas y judiciales necesarias para eliminar toda restricción a las personas con discapacidad para actuar efectivamente en cualquier proceso. También le recomienda realizar los ajustes de procedimiento incluyendo la asistencia humana o intermediaria, particularmente intérpretes de lenguas de señas, para garantizar el efectivo desempeño de las personas con discapacidad en las distintas funciones dentro de los procesos judiciales. El Comité recomienda al Estado parte que preste atención a los vínculos entre el artículo 13 de la Convención y la meta 16.3 de los Objetivos de Desarrollo Sostenible, en cuanto a garantizar el acceso a la justicia para todos.

31. El Comité expresa su preocupación por los escasos avances para implementar las Observaciones realizadas por el Comité de los Derechos del Niño en relación con la administración de la justicia juvenil, lo que tiene una especial incidencia en jóvenes con discapacidad psicosocial e intelectual. Le preocupa especialmente que el Código de la Niñez y la Adolescencia no esté en consonancia con el respeto a los derechos humanos establecidos en la Convención sobre los Derechos de las Personas con Discapacidad y que, por ese motivo, los jóvenes con discapacidad no reciban la adecuada consideración.

32. El Comité insta al Estado parte a implementar las observaciones realizadas por el Comité de los Derechos del Niño sobre justicia juvenil (CRC/C/URY/CO/3-5, párr. 70) y a asegurar que el Código de la Niñez y la Adolescencia incorpore la consideración de los jóvenes con discapacidad psicosocial e intelectual conforme a la Convención. Le recomienda también asegurar el adecuado acceso a la justicia de los jóvenes con discapacidad, poniendo a su servicio los ajustes razonables que precisen por razón de su discapacidad.

Chile

27. Al Comité le preocupa que no se hayan implementado aún ajustes de procedimiento que hagan efectivo el acceso a la justicia a todas las personas con discapacidad. Igualmente le preocupa la existencia de barreras, particularmente normativas, para que las personas que han sido declaradas interdictas o se encuentren institucionalizadas puedan desempeñarse efectivamente durante los procesos judiciales.

28. El Comité recomienda al Estado parte que adopte las medidas legislativas, administrativas y judiciales necesarias para eliminar toda restricción a la capacidad de las personas con discapacidad para actuar efectivamente en cualquier proceso. También le recomienda que proporcione los ajustes de procedimiento y razonables, incluyendo la asistencia personal o intermediaria, para garantizar el efectivo desempeño de las personas con discapacidad en las distintas funciones dentro de los procesos judiciales.

Lithuania

27. The Committee is concerned that the training courses available to judicial and law enforcement personnel do not cover all barriers faced by persons with disabilities who wish to gain access to the justice system and are insufficient in scope and number.

28. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities, develop and implement a national plan of action to build the capacity of judicial and law enforcement personnel, including judges, prosecutors, police officers and prison staff, to enhance their knowledge of the rights of persons with disabilities and to ensure the provision of procedural and age- appropriate accommodation in all legal procedures and of reasonable accommodation in prisons.

Portugal

30. The Committee is concerned about the limited access to justice for persons with disabilities and the lack of procedural accommodations made for them in the State party.

31. The Committee recommends that the State party adopt all necessary measures to combat the discrimination that persons with disabilities face in accessing justice, making sure that full procedural accommodations are made and funds are allocated to train legal system personnel on the Convention.

Serbia

23. The Committee is concerned about the lack of information on specific measures and protocols to provide procedural, gender and age appropriate accommodation in judicial proceedings, including the provision of sign-language interpretation for deaf persons, and of accessible formats of communication for deaf-blind persons, persons with intellectual disabilities and persons with psychosocial disabilities, particularly in civil cases. The Committee is also concerned that women with disabilities are not protected against sexual violence on equal basis with others according to the Criminal Code articles 178 and 179.

24. The Committee recommends that the State party take further steps to ensure barrier-free and non-discriminatory access to justice through the provision of procedural and age appropriate accommodation based on persons with disabilities' free choice and preference, and establish related safeguards. The Committee recommends the State party to adopt measures to provide deaf persons access to civil proceedings on an equal basis with others. The Committee recommends that the State party review its Criminal Code to ensure that procedures, sanctions and reparations for victims with disabilities are harmonized with the Convention.

Slovakia

40. The Committee is concerned about the lack of procedural accommodation and reasonable accommodation in the justice and law enforcement sector, especially with regard to persons with intellectual disabilities.

41. The Committee recommends that the State party amend procedural rules to ensure that persons with intellectual disabilities are provided with procedural accommodation from the outset. It also recommends that the State party make legal aid available to persons with disabilities so that they have access to justice on an equal basis with others.

42. The Committee further recommends that the State party provide mandatory training to all personnel in the justice, administration and law enforcement sectors on:

- (a) The rights enshrined in the Convention, including participation on an equal basis with others regardless of legal capacity status;**
- (b) Procedural accommodation in the legal process;**
- (c) Reasonable accommodation;**
- (d) The combating of harmful gender and disability stereotypes.**

Thailand

27. The Committee is concerned at the lack of accessibility to the justice system, including physical access, legal aid, sign language interpreters in the courtroom, and procedural accommodation, particularly in rural areas. The Committee is also concerned that section 95 of the Civil Procedure Code can limit persons with disabilities from having their testimony accepted on an equal basis with others.

28. The Committee recommends that the State party implement physical, informational and communicational accessibility, including through the provision of professional sign language interpreters, the use of Braille and other procedural accommodation; ensure the training of court personnel, judges, police officers and prison staff so as to uphold the rights of persons with disabilities, including the right to a fair trial, and amend the Civil Procedure Code to ensure the right to testify on an equal basis with others.

Uganda

24. The Committee is concerned about barriers faced by persons with disabilities in the judicial system as a result of lack of reasonable accommodation and accessibility to court buildings, and prejudices, poverty and lack of general knowledge about disability in the justice sector.

25. The Committee recommends that the State party:

(a) Adopt measures to ensure that all persons with disabilities have access to justice, including by establishing free legal aid for persons with disabilities who claim their rights, and information and communication in accessible formats, including in Braille, tactile, augmentative and alternative formats, and Ugandan Sign Language;

(b) Ensure that the judiciary provides procedural accommodation according to gender and age for persons with disabilities;

(c) Conduct regular training programmes and awareness-raising campaigns and information for court staff, judges, prosecutors and law enforcement agents including police and prison officials, on the duty to provide access to justice for persons with disabilities on an equal basis with others, in consultation with organizations of persons with disabilities.

Brazil

26. The Committee is concerned at the inaccessibility of judicial facilities. It is also concerned about the lack of measures to ensure procedural gender-sensitive and age-appropriate accommodations related to persons with disabilities.

27. The Committee recommends the State party to introduce a national plan to ensure accessibility of judicial facilities. It also recommends to take measures to ensure that legal proceedings include gender-sensitive and age-appropriate accommodations for persons with disabilities. Furthermore, the Committee recommends the introduction of effective training of personnel in the justice, police and prison systems on the rights enshrined in the Convention.

European Union

38. The Committee is concerned about the discrimination persons with disabilities face in accessing justice due to lack of procedural accommodation in European Union Member States.

39. The Committee recommends that the European Union take appropriate action to combat discrimination persons with disabilities face in accessing justice by providing full procedural accommodation within its Member States, and the provision of funding for training of justice personnel on the Convention.

EU Institutions compliance with the Convention (as public administrations)

80. The Committee is concerned about the lack of access to justice for persons with disabilities in European courts.

81. The Committee recommends that the European Union guarantee full access to justice and eliminate all barriers, physical, procedural, including those relating to legal capacity, at European courts.

Gabon

30. The Committee is concerned at the lack of accessibility to the justice system, including physical access, legal aid and sign language interpreters in court rooms as well as procedural accommodations.

31. The Committee recommends that the State party implement physical, informational and communicational accessibility, such as the provision of professional sign language interpreters, Braille and other procedural accommodations, and the training of court staff, judges, police and prison staff to uphold the rights of persons with disabilities including the right to a fair trial.

Kenya

25. The Committee is concerned about the barriers that hinder persons with disabilities access to justice in particular due to the absence of reasonable accommodation measures throughout the court proceedings that affect in particular women with disabilities, the lack of information available in accessible formats, additional costs to access services of sign language interpretation, and lack of free legal aid. It is also concerned about the actual obstacles in the prosecution of cases where persons with disabilities have been witnesses or victims. It is further concerned about the legal provisions that restrain the validity of corroborated evidence of persons with intellectual and/or psychosocial disabilities.

26. The Committee recommends that the State party:

(a) Adopt measures to ensure that all persons with disabilities have access to justice, including by establishing free legal aid for persons with disabilities who claim their rights, and information and communication in accessible formats, including the Kenyan sign language;

(b) Define explicitly in legal instruments the duty of the judiciary to provide procedural accommodations for persons with disabilities in accordance with article 13 of the Convention; and

(c) Develop a capacity building strategy within the judicial branch on the rights of persons with disabilities, including lawyers, magistrates, judges, prison staff and the Police.

Mauritius

23. The Committee regrets the lack of clear information on the results of conciliation measures and the redress provided to the victims. The Committee is also concerned that no information was provided on actions taken to ensure accountability for violations of the rights of persons with disabilities.

24. The Committee recommends that the State party provide for disability-related and age-appropriate accommodations in all legal proceedings. The State party should ensure that accessibility measures such as braille, provision of sign language interpretation, alternative modes of communication, easy to read format, and enforcement measures are available and free of charge in all courts and that personnel in the justice and prison system are properly trained on the application of human rights standards specifically for persons with disabilities.

Qatar

25. The Committee is concerned that judicial officials are unaware of the rights of persons with disabilities and that the justice sector has no programmes specifically designed to provide assistance to persons with disabilities. The Committee is also concerned at the lack of accessibility to the justice system, including legal aid and assistance, sign language interpreters in court rooms, as well as procedural accommodations.

26. The Committee recommends that the State party implement the training of court staff, judges, police and prison staff to uphold the rights of persons with disabilities including the right to a fair trial and the obligation to provide reasonable accommodation. It also recommends that the State party implement measures to ensure physical, informational and communicational accessibility of all judicial facilities, such as the provision of professional sign language interpreters, Braille and other procedural accommodations.

Ukraine

28. The Committee notes with concern that most court buildings in the country remain inaccessible for persons with physical impairments. It is also concerned that persons working in administration of justice are not trained on the rights of persons with disabilities, including on reasonable accommodation and procedural accessibility. The Committee regrets the lack of information on availability of legal aid, sign language interpretation and other measures to provide persons with intellectual and psycho-social disabilities to judicial and administrative proceedings.

29. The Committee urges the State party to ensure equal access to judicial and administrative proceedings to all persons with disabilities, including access to court buildings to persons with physical impairments and to documents in accessible formats. . It further recommends training of judges, police, penitentiary system officials and other personnel in the justice system on the rights enshrined in the Convention on the Rights of Persons with Disabilities.

Cook Islands

25. The Committee is concerned that current legislation denies access to justice to persons deprived of legal capacity, and that the justice system is not sufficiently accessible.

26. The Committee recommends the State party to:

(a) Take immediate measures to repeal laws permitting substituted decision making which restrict access to courts and ensure all persons with disabilities can access justice by amending legislation to enable supported decision making,

(b) Provide accessible information and communication, including sign language interpreters, legal aid, physical access to the courts, and other procedural accommodations;

(c) Ensure effective training of personnel in the justice and prison system on the application of human rights standards specifically for persons with disabilities, including accessibility, procedural accommodations and reasonable accommodation.

Czech Republic

24. The Committee notes with concern the lack of access for blind persons, persons with intellectual and psycho-social disabilities to judicial and administrative proceedings.

25. The Committee urges the State party to ensure availability of documents in accessible formats to all persons with disabilities who need them. It further recommends training of judges and other personnel in the justice system on the rights enshrined in the Convention on the Rights of Persons with Disabilities.

Dominican Republic

24. The Committee is concerned that there is no requirement under the State party's administrative procedures for judicial authorities to make procedural accommodations, such as providing sign language interpretation, when persons with disabilities take part in proceedings. It also notes with concern the shortage of training courses for judicial personnel on the content and approach of the Convention.

25. The Committee recommends that the State party review its administrative and judicial rules and procedures with a view to adapting them and ensuring access to justice for persons with disabilities, including the guarantee of interpretation in Dominican Sign Language, the use of augmentative and alternative modes of communication and full accessibility to the

physical environment, information and communication. It also recommends the introduction of ongoing programmes to train judges, prosecutors and other judicial personnel in the rights of persons with disabilities.

Germany

27. The Committee is concerned about: a) the lack of structures and procedural accommodation within the justice sector specifically designed to provide assistance to persons with disabilities, particularly girls who are victims of violence and abuse; b) the inaccessibility of judicial facilities and lack of understanding of legal professionals with regard to access to justice; c) the lack of implementation and enforcement by the judiciary of the standards of the Convention in the national legal system and within court rulings.

28. The Committee recommends that the State party:

- (a) Introduce targeted measures to improve the physical and communicative accessibility of courts, judicial authorities and other bodies involved in administering the law;**
- (b) Introduce legislative reforms so that the national criminal, civil, labour and administrative procedures include the requirement to ensure procedural accommodations for persons with disabilities, taking into particular account persons with intellectual disabilities, or psychosocial disabilities, deafblind persons, and children with disabilities;**
- (c) Ensure effective training of personnel in the justice, police and prison system on the application of human rights standards to promote and protect the rights of persons with disabilities.**

Mongolia

23. The Committee is concerned about the lack of explicit provisions ensuring procedural accommodation in situations necessary for guaranteeing access to justice for persons with disabilities. This includes the insufficiency of sign language, Braille and appropriate training for the judicial, legal and law enforcement professionals.

24. The Committee recommends that the State party adopt legal measures to implement the principle of procedural accommodation, including measures to ensure that persons with disabilities would not be discriminated on account of physical, or language (when sign language or Braille is required), or due to the lack of appropriate training of legal profession, police and prison officers, with special attention to women with disabilities.

Turkmenistan

27. The Committee expresses its concern about the lack of information on specific measures and protocols, other than those included in the Code of Criminal Procedures, to provide reasonable accommodation in judicial proceedings, including the provision of sign language interpretation for deaf or "mute" persons, and accessible formats of communication for deafblind persons, persons with intellectual disabilities, and persons with psychosocial disabilities, among others, particularly in civil cases.

28. The Committee recommends that the State party facilitate full barrier-free and non-discriminatory access to the justice system for persons with disabilities by providing reasonable accommodation with safeguards. The State party should also review accordingly the value of the testimony of persons with disabilities, including deaf persons, deafblind persons, persons with intellectual disabilities and persons with psychosocial disabilities.

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New Zealand

23. The Committee notes that, in New Zealand, persons who acquire a disability through injury only have recourse to compensation via the Accident Compensation Corporation. The Committee notes that persons who have suffered injuries are concerned over the lack of access to justice to pursue their claims. There is concern about the limited amount of legal aid funding that is available and about the discretionary basis upon which legal costs are

awarded. There is also concern that the Accident Compensation Corporation machinery lacks a human rights focus.

24. The Committee recommends that the State party examine the processes for the assessing of compensation by the Accident Compensation Corporation to ensure that adequate legal aid is available and that its processes are fully accessible to all claimants, and finally to ensure that this mechanism has a human rights focus.

25. The Committee notes that the Government is considering the establishment of an accident compensation tribunal to replace appeals to the District Court. The Committee is concerned that there has been insufficient consultation with persons who have acquired disabilities through injury, and with their representative organizations, about the establishment and operation of this tribunal.

26. The Committee recommends that organizations representing persons with disabilities be consulted about the proposal to establish an accident compensation tribunal. The Committee also recommends that the tribunal adopt a flexible approach to the admission of evidence, and that those who lack the means should be given adequate legal aid to ensure full access to the tribunal.

27. The Committee is concerned that no specific training of judges by the Institute of Judicial Studies has been given either on the Convention or on the requirement that justice be accessible to all persons with disabilities, including those with intellectual and those with psychosocial disabilities.

28. The Committee recommends that the Institute of Judicial Studies, in conjunction with disabled persons' organizations, run training programmes on the Convention and on the rights of persons with disabilities who come before New Zealand courts and tribunals.

Republic of Korea

23. The Committee is concerned about the lack of effective implementation of article 26 of the Anti-Discrimination against and Remedies for Persons with Disabilities Act, which requires that the Government ensure reasonable accommodation during judicial procedures for persons with disabilities. It is also concerned that judicial personnel lack sufficient awareness of the rights of persons with disabilities. The Committee notes the existence of the Guidelines for Judicial Assistance for Persons with Disabilities published by the Korean Supreme Court in 2013.

24. The Committee recommends that the State party increase its efforts to ensure the effective implementation of article 26 of the Anti-Discrimination against and Remedies for Persons with Disabilities Act. It further recommends that standard modules on working with persons with disabilities, on the provision of reasonable accommodation, in particular procedural and age-appropriate, as well as gender-sensitive, accommodations, and on the guarantee of access to justice be incorporated into training programmes for police officers, prison staff, lawyers, the judiciary and court personnel. It is recommended that the Guidelines for Judicial Assistance for Persons with Disabilities, published by the Korean Supreme Court, be legally binding and implemented effectively.

Ecuador

26. The Committee is concerned that judicial officials are unaware of the rights of persons with disabilities provided for in national and international instruments, that the justice sector has no programmes specifically designed to provide assistance to persons with disabilities and at the inaccessibility of judicial facilities. The Committee is concerned that there is no requirement under the criminal, civil, labour and administrative procedures in Ecuador for judicial authorities to make procedural accommodations when persons with disabilities take part in proceedings.

27. The Committee recommends that the State party: (a) Adapt training programmes for judicial personnel to ensure that they cover the rights of persons with disabilities included in national and international human rights instruments; (b) Ensure that the Council of the

Judiciary implement a national adaptation plan so that there is adequate accessibility to judicial facilities both in terms of both their architecture and communications and that the plan includes the requirement to provide Ecuadorian sign-language interpreters and easy-read facilities for the participation of deaf persons and persons with intellectual disabilities, respectively; (c) Ensure that the legislature introduce legislative reforms so that the national criminal, civil, labour and administrative procedures include the requirement to make procedural accommodations for persons with disabilities, thereby enabling their access to justice on an equal basis with others.

Mexico

25. The Committee is concerned at the limited access to justice of persons with disabilities from indigenous communities, of women and girls with disabilities who are the victims of violence and abuse, of persons with disabilities living in institutions and of children with disabilities.

26. The Committee recommends that the State party:

(a) Adopt priority corrective measures to ensure that the groups of persons with disabilities who are particularly discriminated against also have access to justice;

(b) Provide legal aid to persons with disabilities who live in poverty or in institutions;

(c) Ensure that all children with disabilities have access to justice and may express their opinion in the course of the determination of the best interests of the child, through procedural accommodations appropriate to their age and specific disability-related needs.

Costa Rica

25. The Committee is concerned that measures on access to justice have been confined to physical accessibility, that care manuals and protocols have not been produced and that training for persons involved in the administration of justice has been inadequate and does not include all aspects of the rights of persons with disabilities.

26. The Committee recommends that the State party review its administrative and judicial rules and procedures with a view to adapting them and ensuring access to justice for persons with disabilities, including the guarantee of interpretation in Costa Rican sign language, the use of augmentative and alternative modes of communication and full accessibility to the physical environment, transport and communication.

27. The Committee is concerned that persons with disabilities undergoing criminal proceedings have no guarantees of due process adapted to their disability.

28. The Committee urges the State party to review judicial proceedings in criminal cases to ensure that all proceedings involving persons with disabilities are subject to due process safeguards. The Committee recommends that the State party amend its criminal legislation in order to make penalties applicable to persons with disabilities subject to the same guarantees and conditions as those applicable to any other person who is the subject of criminal proceedings, making provision as necessary for reasonable accommodation and procedural adjustments.

Australia

27. The Committee is concerned at the lack of training for judicial officers, legal practitioners and court staff on ensuring access to justice for persons with disabilities, as well as lack of guidance on how to access justice for persons with disabilities. It is further concerned that access to sign language interpreters or use of Augmentative and Alternative Modes of Communication (AAC) is not supported in all of the States and Territories.

28. The Committee recommends that standard and compulsory modules on working with persons with disabilities be incorporated into training programs for police, prison officers, lawyers, judicial officers and court staff. It further recommends that legislation and policy across States and Territories be amended to ensure access to justice for persons with disabilities in line with article 13.

29. The Committee further urges the State party to ensure that persons with psychosocial disabilities are ensured equal substantive and procedural guarantees as others in the context of criminal proceedings and in particular to ensure that no diversion programs are implemented that transfer individuals to mental health commitment regimes or that require the individual to participate in mental health services rather than providing such services on the basis of the individual's free and informed consent.

30. The Committee further recommends the State party to ensure that all persons with disabilities who are accused of crimes and are currently detained in jails and institutions without a trial are promptly allowed to defend themselves against criminal charges and are provided with required support and accommodation to facilitate their effective participation.

El Salvador

29. The Committee is concerned about the barriers to access to justice encountered by persons with disabilities and the lack of reasonable accommodation. The Committee is also concerned at the limited access to justice for women and girls with disabilities who are victims of abuse or neglect owing to the low credibility ascribed to their witness statements.

30. The Committee calls on the State party to:

(a) Put in place reasonable procedural accommodation with a gender and age focus to ensure access to justice for persons with disabilities and to provide free legal assistance, information on each case – as early as the police investigation – in accessible formats, access to judicial buildings and the services of trained Salvadoran sign-language interpreters;

(b) Strengthen the mandate of the Office of the Human Rights Advocate regarding legal remedies for the defence of the rights of persons with disabilities;

(c) Design training programmes for all those involved in the legal system, including the police, judges, legal professionals, social workers and health-care workers, in both urban and rural areas;

(d) Adopt measures to secure access to justice for women and girls with disabilities, with due consideration paid to their role as witnesses and victims during the trial phase.

Paraguay

31. The Committee is concerned that the State party's criminal legislation provides for penalties termed "care measures", that may be applied to persons with disabilities without due process.

32. The Committee recommends that the State party amend its criminal legislation in order to make penalties applicable to persons with psychosocial or intellectual disabilities subject to the same guarantees and conditions as those applicable to any other person who is the subject of criminal proceedings, making provision as necessary for reasonable accommodation and procedural adjustments.

China

23. While appreciating the establishment of legal aid service centres for persons with disabilities, the Committee notes that these service centres often lack the necessary resources and do not operate on an independent basis. The committee is concerned that neither the criminal nor the civil procedure laws in China are accessible for the use of persons with disabilities on an equal basis with others and instead patronizing measures are put into place such as the designation of public defenders that treat the person concerned as if they lacked legal capacity.

24. The Committee suggests that the state party allocate the necessary human and financial resources to the legal aid service centres. It asks the state party to ensure that these centres safeguard the access to justice of persons with disabilities independently and in practice, also below the county level. The Committee suggests that the state party reviews its procedural civil and criminal laws in order to make mandatory the necessity to establish

procedural accommodation for those persons with disabilities who intervene in the judicial system can do it as subject of rights and not as objects of protection.