



IDA's Compilation of CRPD Committee's Concluding Observations

*Article 18 CRPD
(Liberty of movement and
nationality)*

October 2022

Article 18 - Liberty of movement and nationality

1. States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their residence and to a nationality, on an equal basis with others, including by ensuring that persons with disabilities:

a) Have the right to acquire and change a nationality and are not deprived of their nationality arbitrarily or on the basis of disability;

b) Are not deprived, on the basis of disability, of their ability to obtain, possess and utilize documentation of their nationality or other documentation of identification, or to utilize relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement;

c) Are free to leave any country, including their own;

d) Are not deprived, arbitrarily or on the basis of disability, of the right to enter their own country.

2. Children with disabilities shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by their parents.

**Bangladesh
China
Indonesia
Japan
Lao People's Democratic Republic
New Zealand
Republic of Korea
Hungary
Mexico
Switzerland
Venezuela
Djibouti
France
Estonia
Australia
Ecuador
El Salvador
India
Iraq
Kuwait
Myanmar
Rwanda
Saudi Arabia
Senegal
Spain
Turkey
Haiti
Seychelles
Slovenia
Sudan
United Kingdom of Great Britain and Northern Ireland
Armenia
Iran
Bolivia
Ethiopia
Guatemala
United Arab Emirates
Slovakia
Thailand
Uganda
European Union
Gabon
Kenya
Qatar
Cook Islands
Dominican Republic
Republic of Korea
Ecuador
Mexico
El Salvador
Paraguay**

Please note there are no recommendations in the Concluding observations on art. 18 on Cuba, Niger, Norway, Vanuatu, Algeria, Bulgaria, Malta, Philippines, Poland, South Africa, The Former Yugoslav Republic of Macedonia, Nepal, Oman, Russian Federation, Latvia, Luxembourg, Montenegro, Morocco, Panama, Bosnia and Herzegovina, Canada, Cyprus, Honduras, Jordan, Republic of Moldova Colombia, Italy, Uruguay, Chile, Lithuania, Portugal, Serbia, Brazil, Mauritius, Ukraine, Croatia, Czech Republic, Mongolia, Turkmenistan, Belgium, Denmark, New Zealand, Sweden, Azerbaijan, Costa Rica, Australia, Austria, Argentina, China, Hungary, Peru, Tunisia, Jamaica, Bangladesh, Hong Kong and New Zealand.

Bangladesh

37. The Committee is concerned about:

- (a) The absence of civil documentation, such as official birth, marriage and death certificates of children with disabilities, particularly refugee children with disabilities belonging to the Rohingya community, and children with disabilities in remote and rural areas, leading to lack of access to services;
- (b) The lack of freedom of movement of persons with disabilities, particularly refugees with disabilities belonging to the Rohingya community and impeding their access to seek medical rehabilitation outside their camps or abroad;
- (c) The State party not having ratified the 1951 Convention relating to the Status of Refugees and the 1967 Protocol as well as the 1954 Convention relating to the Status of Stateless persons and the 1961 Convention on the Reduction of Statelessness.

38. The Committee recommends that the State party:

- (a) Adopt concrete measures to ensure the availability of civil documentation for all children with disabilities, particularly refugee children with disabilities belonging to the Rohingya community, and children with disabilities in remote and rural areas to enable them have access to all services;**
- (b) Take effective measures to ensure freedom of movement of persons with disabilities, particularly refugees with disabilities belonging to the Rohingya community and enable them to have access to seek medical rehabilitation outside their camps or abroad;**
- (c) Take necessary measures to ratify the 1951 Convention relating to the Status of Refugees and the 1967 Protocol as well as the 1954 Convention relating to the Status of Stateless persons and the 1961 Convention on the Reduction of Statelessness, and repeal the 1946 Foreigners Act that is targeted mainly against Rohingya Muslims.**

China

37. The Committee is concerned about:

- (a) The absence of civil documentation, such as official birth, marriage and death certificates of children with disabilities, particularly refugee children with disabilities belonging to the Rohingya community, and children with disabilities in remote and rural areas, leading to lack of access to services;
- (b) The lack of freedom of movement of persons with disabilities, particularly refugees with disabilities belonging to the Rohingya community and impeding their access to seek medical rehabilitation outside their camps or abroad;
- (c) The State party not having ratified the 1951 Convention relating to the Status of Refugees and the 1967 Protocol as well as the 1954 Convention relating to the Status of Stateless persons and the 1961 Convention on the Reduction of Statelessness.

38. The Committee recommends that the State party:

- (a) Adopt concrete measures to ensure the availability of civil documentation for all children with disabilities, particularly refugee children with disabilities belonging to the Rohingya community, and children with disabilities in remote and rural areas to enable them have access to all services;**
- (b) Take effective measures to ensure freedom of movement of persons with disabilities, particularly refugees with disabilities belonging to the Rohingya community and enable them to have access to seek medical rehabilitation outside their camps or abroad;**
- (c) Take necessary measures to ratify the 1951 Convention relating to the Status of Refugees and the 1967 Protocol as well as the 1954 Convention relating to the Status of Stateless persons and the 1961 Convention on the Reduction of Statelessness, and repeal the 1946 Foreigners Act that is targeted mainly against Rohingya Muslims.**

Indonesia

39. The Committee remains concerned at the lack of efforts made to repeal provisions of article 11 of the Immigration Control Act which deprives persons with disabilities, particularly

persons with psychosocial disabilities, the right to enter the Republic of Korea based on their disability and of article 32 of the Act on Welfare of Persons with Disabilities , which restricts access to basic disability services for migrants with disabilities.

40. The Committee recommends that the State party takes urgent steps to repeal discriminatory provisions in order to ensure that persons with disabilities are not deprived of the right to enter the Republic of Korea on the basis of disability and to allow migrants with disabilities access to basic disability services.

Japan

39. The Committee is concerned about:

(a) The article 5 of the Immigration Control and Refugee Recognition Act that allows denial of entry to the State party to persons with intellectual or psychosocial disability;

(b) Insufficient provision of reasonable accommodation and accessibility of information at the Immigration Services Agency, including enough number of qualified interpreters.

40. The Committee recommends that the State Party:

(a) Revise Article 5, Paragraph 2 of the Immigration Control and Refugee Recognition Act, which allows denial of entry to persons with psychosocial or intellectual disabilities;

(b) Ensure the provision of reasonable accommodation when required and accessibility of information at the Immigration Services Agency, including enough number of qualified interpreters.

Lao People's Democratic Republic

32. The Committee notes with concern barriers in gaining access to administrative facilities and proceedings for birth registration and civil documentation, including the inaccessibility of buildings, and communication barriers for persons with disabilities, particularly those from ethnic groups and living in remote and rural areas.

33. The Committee recommends that the State party take effective measures to remove all barriers for persons with disabilities, including those from ethnic groups and living in remote and rural areas, to the enjoyment of their rights to a nationality, birth registration and civil documentation, to enable them to exercise all the rights enshrined in the Convention.

New Zealand

37. The Committee is concerned about:

(a) The acceptable standard of health requirements applied under the immigration rules of New Zealand, which allow for discrimination in practice against persons with disabilities in immigration and some asylum procedures;

(b) The ineligibility under the acceptable standard of health medical waiver policy of persons with disabilities whose impairment requires full-time care, including care in the community;

(c) Provisions of the Immigration Act of 2009, which prevent people from lodging complaints related to immigration decisions with the New Zealand Human Rights Commission.

38. The Committee recommends that the State party:

(a) Review and amend its immigration and asylum legislation and administrative rules, in close consultation with and with the active involvement of organizations of persons with disabilities and migrants and refugees, to ensure that persons with disabilities do not face discrimination in any of the formalities and procedures relating to immigration and asylum, in particular as a result of the application of the acceptable standard of health requirements;

(b) Reverse the ineligibility under the acceptable standard of health medical waiver policy of persons with disabilities whose impairment requires full-time care;

(c) Repeal section 392, paragraphs (2) and (3), of the Immigration Act of 2009, which prohibits the lodging of immigration-related complaints to the Human Rights Commission.

Republic of Korea

37. The Committee is concerned about:

- (a) The Acceptable Standard of Health (ASH) requirements applied under New Zealand's immigration rules, which allows for discrimination in practice against persons with disabilities in immigration and some asylum procedures;
- (b) The ineligibility under the ASH medical waiver policy of persons with disabilities whose impairment requires full time care, including care in the community;
- (c) Provisions of the Immigration Act 2009 which prevent people from lodging complaints related to immigration decisions with the New Zealand Human Rights Commission.

38. The Committee recommends that the State party:

- (a) Review and amend its immigration and asylum legislation and administrative rules, in close consultation with and active involvement of organisations of persons with disabilities and migrants and refugees, to ensure that persons with disabilities do not face discrimination in any of the formalities and procedures relating to immigration and asylum, in particular as a result of the application of the Acceptable Standard of Health (ASH) requirements;**
- (b) Reverse the ineligibility under the ASH medical waiver policy of persons with disabilities whose impairment requires full time care;**
- (c) Repeal Section 392 paras. (2) and (3) of the Immigration Act 2009, which prohibits the lodging of immigration-related complaints to the Human Rights Commission**

Hungary

37. The Committee notes with concern the lack of:

- (a) Procedural safeguards, accessibility and reasonable accommodation for asylum seekers and refugees with disabilities at border crossings and in reception and accommodation facilities;
- (b) Accessible and understandable modes of information and communication for asylum-seeking or refugee children with disabilities;
- (c) Measures to end the detention of asylum seekers in closed border transit zone facilities and accommodate asylum seekers in open reception facilities;
- (d) Efforts to remove restrictions on non-governmental organizations providing support to asylum seekers, including restrictions on funding from the European Union Asylum, Migration and Integration Fund;
- (e) Data on asylum seekers and refugees with disabilities, disaggregated by sex, age and type of impairment.

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

- (a) Assess the current status of asylum seekers and refugees with disabilities at border crossings and in reception and accommodation facilities, and ensure accessibility, reasonable accommodations and support measures for them;**
- (b) Ensure accessible and understandable modes of information and communication for asylum-seeking or refugee children with disabilities;**
- (c) End the detention of asylum seekers in closed border transit zone facilities and accommodate asylum seekers in open reception facilities;**
- (d) Remove restrictions on non-governmental organizations providing support to asylum seekers, including restrictions on funding from the European Union Asylum, Migration and Integration Fund;**
- (e) Collect data, disaggregated by sex and age, on asylum seekers and refugee persons with disabilities.**

39. In the light of the growing humanitarian crisis in Ukraine, which has already pushed a large number of people into the neighbouring countries, the Committee recommends that the State party take appropriate measures to provide persons with disabilities, in particular

children with disabilities, in need of international protection with all the necessary support and services, including their accommodation in foster care families.

Mexico

62. The Committee is concerned about the high poverty level of persons with disabilities, and about a lack of measures specifically designed for persons with disabilities in the special programme for indigenous and Afro-Mexican people for 2020–2024.

63. The Committee recommends that the State party create a national plan specifically addressing the high level of poverty among persons with disabilities, including its financing and a time schedule for its implementation; implement it; and monitor its implementation.

Switzerland

37. The Committee notes with concern:

(a) The lack of access to specialized medical care, infrastructure and facilities, communications, reasonable accommodation and qualified personnel to provide support for asylum seekers with disabilities in federal asylum centres, and the disproportionate use of force by security personnel;

(b) The lack of accessible information and procedural accommodation during asylum procedures;

(c) The requirements for financial independence under federal migration law that affects the ability of persons with disabilities to obtain and maintain residence permits or seek family reunification.

38. The Committee recommends that the State party:

(a) **Establish, as a matter of priority and in consultation with organizations of persons with disabilities, the proposed single point of contact for asylum seekers with disabilities in federal asylum centres; ensure that asylum seekers with disabilities have access to specialized medical care, infrastructure and facilities, accessible communications, reasonable accommodation and qualified support personnel; and prevent the use of force by security personnel in federal asylum centres;**

(b) **Finalize the guidelines for persons with “special needs” and ensure that these guidelines are based on the standards and principles of the Convention, including in the areas of access to information and the provision of procedural accommodation;**

(c) **Review the impact of the requirements for financial independence under federal migration law on persons with disabilities, including how disability is understood and recognized by the courts, with the aim of removing or amending this requirement.**

Venezuela

34. The Committee notes with concern the lack of information on displaced or migrant persons with disabilities.

35. The Committee recommends that the State party:

(a) **Ensure that migrant persons with disabilities are able to exercise their rights on an equal footing with others;**

(b) **Establish monitoring and assessment mechanisms at its borders for the identification, processing and protection of migrant persons with disabilities that use information and adapted procedures in accessible formats, individual adaptations such as the facilitation of physical access and trained personnel.**

Djibouti

31. The Committee is concerned about barriers for persons with disabilities to obtain official documentation as refugees, asylum seekers and persons in refugee-like situations, which hinder their enjoyment of the right to liberty of movement. It is also concerned that some children, including children with disabilities, are still not registered at birth.

32. The Committee recommends that the State party:

- (a) **Adopt measures, with budget allocations, to strengthen the National Asylum Eligibility Commission so that refugees, asylum seekers, and persons in refugee-like situations with disabilities in all areas of the country have access to official documentation, on an equal basis with others;**
- (b) **Enforce the registration of all new-born children with disabilities at birth and undertake a nationwide campaign to raise awareness among parents and the community of the importance of registering the births of their children, including those with disabilities.**

France

38. The Committee notes with concern that travelers and Roma, French citizens as well as non-citizens with disabilities often face severe hardship in their living arrangements. It is also concerned that data on their situation is scarce and about the absence of policies to address these risks and protect their rights.

39. The Committee recommends that the State party systematically collect data on the living conditions of traveller and Roma persons with disabilities, citizens and non-citizens, and the fulfilment of their rights under the Convention, and ensure necessary accommodations for travellers and Roma persons with disabilities, also in asylum-seeking and refugee situations, particularly children with disabilities.

Estonia

36. The Committee notes with concern information on the lack of accessibility, reasonable accommodations and support measures for asylum seekers and refugees with disabilities at border crossings, in reception and accommodation facilities and within the needs-identification procedures for persons with disabilities.

37. The Committee recommends that the State party make assessments of the current status of and ensure accessibility, reasonable accommodations and support measures for asylum seekers and refugees with disabilities at border crossings, in reception and accommodation facilities and within the needs-identification procedures for all persons with disabilities.

Australia

35. The Committee is concerned about:

- (a) Migration and asylum legislation, such as the Migration Act 1958 and the health requirement in the Migration Regulations 1994, which allows for discrimination against persons with disabilities in asylum and migration procedures;
- (b) The Disability Discrimination Act 1992 providing an exemption to certain provisions within the Migration Act 1958, which results in the exclusion of persons with disabilities;
- (c) The 10-year qualifying period for migrants with a non-permanent visa to access the Age Support Pension and the Disability Support Pension;
- (d) The transfer of refugees and asylum seekers with disabilities to Nauru, Papua New Guinea and other "regional processing countries".

36. The Committee recommends that the State party:

- (a) **Review and amend its migration laws and policies to ensure that persons with disabilities do not face discrimination in any of the formalities and procedures relating to migration and asylum and, especially, remove the exemption in the Disability Discrimination Act 1992 to certain provisions of the Migration Act 1958;**
- (b) **Remove the 10-year qualifying period for migrants to access the Age Support Pension and the Disability Support Pension;**
- (c) **Cease the transfer of refugees and asylum seekers, particularly persons with disabilities, to Nauru, Papua New Guinea and other "regional processing countries", as requested by the Office of the United Nations High Commissioner for Refugees in a factsheet on the protection of so-called "legacy caseload" asylum seekers, and establish a minimum**

standard of health care and support for persons with disabilities held in immigration detention.

Ecuador

35. The Committee notes with concern the adoption of restrictions on entry into the country by persons with disabilities, particularly persons with disabilities who are seeking international protection. The Committee is also concerned at the lack of accessible shelters for migrants with disabilities that are staffed with personnel trained to provide information and to follow up on their applications and petitions.

36. The Committee recommends that the State party:

(a) Ensure that migrants with disabilities, particularly those who are seeking international protection, are able to exercise their rights on an equal footing with others;

(b) Establish monitoring and assessment mechanisms at its borders for the identification, processing and protection of migrants with disabilities that use information and adapted procedures in accessible formats, individual adaptations such as the facilitation of physical access and trained personnel;

(c) Ensure that conditions at reception centres are such that they afford adequate living standards for migrants and refugees with disabilities and safeguard their physical and mental health on an equal footing with others in accordance with the Convention.

El Salvador

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

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

India

38. The Committee is concerned about:

(a) The lack of registration at birth of children with disabilities, particularly deafblind children, children requiring high levels of support and intersex children at a heightened risk of neglect, the absence of disaggregated data and the insufficiency of measures to ensure the early registration of and access to unique disability identification cards by children with disabilities in remote and rural areas, those internally displaced and those in refugee camps, resulting in their lack of access to community services;

(b) The situation of persons with disabilities, including Muslim persons with disabilities, rendered stateless as a result of the registry process undertaken in the State of Assam and currently in detention camps.

39. The Committee recommends that the State party:

(a) Adopt a programme to ensure the registry of children with disabilities immediately after birth and the disaggregation of data of the birth registry, and to facilitate the recognition of unique disability identification cards for all children with disabilities and their access to appropriate early intervention and community services;

(b) Ensure respect for and the protection of all human rights of persons with disabilities rendered stateless, including those in detention camps, urgently adopting measures to allow the reacquisition of nationality, and ratify or accede to the Convention relating to the Status of Stateless Persons (1954) and the Convention on the Reduction of Statelessness (1961).

Iraq

33. The Committee is concerned that not all children with disabilities are registered at birth and are thus at risk of being stateless, particularly children born in the State party to foreign nationals, children born to unknown parents and children born in regions that have been affected by armed conflict.

34. The Committee recommends that the State party allocate the human, technical and financial resources necessary to continue its efforts to register all children with disabilities and to prevent their statelessness.

Kuwait

36. The Committee is concerned about:

(a) The lack of information on the appropriate support and individualized accommodations available to migrants, refugees and asylum seekers with disabilities in immigration proceedings;

(b) The lack of information on the nationality status of Bidoons with disabilities, on the registration of the births of Bidoon children with disabilities and on the extent to which such children are able to enjoy their rights and access services.

37. The Committee recommends that the State party:

(a) Strengthen the support and individualized accommodations available to migrants, refugees and asylum seekers with disabilities in immigration proceedings;

(b) Ensure that all Bidoons with disabilities, including children, enjoy the right to acquire a nationality and that they are registered immediately after birth, have access to services and are able to exercise the rights under the Convention.

Myanmar

35. The Committee is concerned that the Child Rights Law of 2019 does not guarantee the right to a nationality to children belonging to ethnic minority groups and those who are internally displaced, including children with disabilities, which hinders their access to education, health care and other public services. The Committee is also concerned about barriers to access administrative facilities and proceedings for birth registration, civil documentation and citizenship, including inaccessibility of buildings, official and unofficial fees, and communication barriers for persons with disabilities from ethnic minority groups.

36. The Committee recommends that the State party take the legal and other measures necessary to guarantee the right to a nationality without discrimination, and take effective policy measures to remove all barriers for persons with disabilities, including those from ethnic minority groups, to the enjoyment of their rights to a nationality, birth registration and civil documentation, to be able to exercise all the rights enshrined in the Convention.

Rwanda

33. The Committee is concerned about barriers for persons with disabilities to obtain official documentation as refugees, which hinder their enjoyment of the right to liberty of movement. It is also concerned that some children, including children with disabilities are still not registered at birth.

34. The Committee recommends that the State party:

(a) Strengthen the registration programme to implement Law No. 13 ter/2014 Relating to Refugees and ensure that refugees with disabilities in all areas of the country have access to official documentation on an equal basis with others;

(b) Enforce the registration of all new born children with disabilities at birth and conduct a countrywide campaign to sensitize parents and the community on the importance of registering the birth of their children including those with disabilities.

Saudi Arabia

33. The Committee is concerned about:

- (a) Discriminatory provisions, including in the Nationality Act, limiting the rights of women with disabilities to pass on their nationality to their spouses and children;
- (b) The fact that women with disabilities are obliged to request the permission of a guardian to travel, including when travelling abroad;
- (c) Persons with disabilities belonging to ethnic minorities, including *bedouins*, facing obstacles in the access to citizenship and social services;
- (d) The limited access of migrants, asylum seekers, and refugee persons with disabilities to support services and individualized accommodation.

34. The Committee recommends that the State party:

- (a) Repeal all discriminatory provisions, including in the Nationality Act, limiting the rights of women with disabilities to pass on their nationality to their spouses and children;**
- (b) Take all necessary measures, in law and in practice, to ensure that women with disabilities may exercise their right to liberty of movement independently of the permission of a guardian;**
- (c) Ensure that persons with disabilities belonging to ethnic, linguistic and/or religious minorities and living in rural and remote areas, including *bedouins*, have access to identity documents, Saudi citizenship and social services, and guarantee that their rights under the Convention are protected;**
- (d) Adopt all necessary measures to ensure that migrants, asylum seekers and refugee persons with disabilities are granted with adequate support services, including gender-sensitive and age-appropriate accommodation.**

Senegal

31. The Committee is concerned about children with disabilities not being registered after birth and therefore lacking birth certificates without which the social equality card or other social programmes remain inaccessible to them.

32. The Committee recommends that the State party ensure the registration of children with disabilities after birth and grant them the legal documents necessary for enjoyment of their rights.

Spain

35. The Committee is concerned about the precarious situation of refugees and asylum-seeking persons with disabilities in the State party and also notes with concern that refugee status determination procedures are not accessible. The Committee is also concerned about the lack of a gender perspective in policies and measures for refugees and asylum-seeking persons with disabilities and general lack of knowledge by professionals working in the reception centres of their rights.

36. The Committee recommends that the State party ensure that all refugee status determination procedures and social protection programs, including disability support schemes, are accessible and do not discriminate in law and in practice, for all non-nationals with disabilities residing in the State party. The Committee further recommends that the State party elaborate specific gender sensitive policies and ensure full accessibility in reception centres. It further recommends that it provide training for professionals and civil servants working in the reception centres on the rights of persons with disabilities.

Turkey

38. The Committee is concerned about the limited information relating to:

- (a) The proportion and situation of migrant workers, asylum seekers and refugees with disabilities in the State party;
- (b) Procedural accommodation and support available to persons with disabilities throughout immigration or asylum seeking procedures, including prior to resettlement, and training provided to personnel in charge of migration and determination of refugee status;

(c) Public policies and programmes addressing the rights of migrant workers, asylum seekers and refugees with disabilities, and on the involvement of civil society organizations, including organizations of persons with disabilities, in identifying support requirements by refugees with disabilities.

39. The Committee recommends that the State party:

(a) Carry out research and data collection to assess the situation of persons with disabilities on the move in the State party, including migrant workers, asylum seekers and refugees with disabilities disaggregated by, *inter alia*, gender, age and ethnic background and establish a multi-stakeholder mechanism, including organizations of persons with disabilities, aimed at informing public policies and programmes.

(b) Adopt a protocol on the provision of procedural accommodation and support during immigration, refugee status determination procedures and resettlement, and provide persons with disabilities with information on accommodations and support available, in accessible formats, Easy Read and in native languages of the main migrant, asylum-seeking and refugee communities, and ensure training of officials working at protection desks on the rights of persons with disabilities under the Convention;

(c) Ensure that public policies and programmes recognise migrant workers, asylum seekers, and refugees with disabilities, and allocate the human, financial, and technical resources to ensure the accessibility, reasonable accommodation and support they may require, in particular refugee women with disabilities.

40. The Committee is concerned about information indicating that persons with physical disabilities require medical reports as a pre-condition for air travel, and that persons with intellectual or psychosocial disabilities require approval from their guardians to travel abroad.

41. The Committee recommends that the State party abolish the discriminatory requirements of medical reports and third party authorization preventing the freedom of movement of persons with disabilities within and outside the territory of the State party.

Haiti

34. The Committee is concerned that the registration of the births of all new-borns with disabilities is not widespread throughout the territory. It is also concerned by the difficulties experienced by persons with disabilities to obtain identification documents, especially in rural and remote areas, and given the price of the national identity card. It notes that campaigns to register the population are inaccessible to persons with disabilities.

35. The Committee recommends that the State party strengthen the birth registration system so that all new-borns with disabilities in the State party are registered immediately after birth at no cost. It also recommends that the State party increase the accessibility of campaigns to obtain identity documents, especially in remote and rural areas and to ensure that all persons with disabilities possess at least one identity document. The Committee recommends that the State party consider the issuance of free national identification cards for persons with disabilities.

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Seychelles

29. The Committee is concerned about the lack of appropriate social and health care services for migrant, asylum seeking and refugee persons with disabilities, in particular children with disabilities.

30. The Committee recommends that the State party mainstream the rights of persons with disabilities in its migration, asylum seeking and refugee policies and programs and take measures to provide health and other support services to persons with disabilities who are applicants for international refugee protection.

Slovenia

29. The Committee is concerned about the lack of appropriate social and health care services for migrant, asylum seeking and refugee persons with disabilities, in particular children with disabilities.

30. The Committee recommends that the State party mainstream the rights of persons with disabilities in its migration, asylum seeking and refugee policies and programs and take measures to provide health and other support services to persons with disabilities who are applicants for international refugee protection.

Sudan

37. The Committee is concerned about restrictions imposed on persons with disabilities limiting their freedom of movement, whereby persons with physical disabilities require medical reports as a pre-condition for travelling by air and persons with psychosocial and/or intellectual disabilities require approval from their guardians if they wish to travel.

38. The Committee recommends that the State party abolishes the requirements that impede the freedom of movement of persons with disabilities within and outside its the territory.

United Kingdom of Great Britain and Northern Ireland

42. The Committee is concerned that the State party maintains its reservation to article 18 of the Convention.

43. The Committee recommends that the State party withdraw its reservation to article 18 of the Convention.

Armenia

29. The Committee is concerned about structural barriers preventing persons with disabilities from obtaining passports and identity cards on an equal basis with others.

30. The Committee recommends that the State party take all measures necessary to ensure that persons with disabilities can obtain passports and identity cards on an equal basis with others, including by providing reasonable accommodation to facilitate access to public offices and passport delivery procedures.

Iran

38. The Committee notes with concern the absence of information about how persons with disabilities belonging to ethnic minorities access services and receive protection of their rights under the Convention. It is further concerned about the absence of measures to guarantee that migrants, asylum seekers, and refugee persons with disabilities are provided with appropriate support and reasonable accommodation in immigration proceedings.

39. The Committee recommends that the State party ensure that persons with disabilities belonging to ethnic, linguistic and/or religious minorities, including those living in rural and remote areas, have access to identity documents and can access to services and protection of their rights under the Convention.

Bolivia

47. The Committee is concerned that universal registration of all persons with disabilities is not guaranteed and that newborns with disabilities are less likely to receive identity documents, which impedes their access to basic services. It is also concerned that not enough information is provided to families in this regard.

48. The Committee urges the State party to guarantee all persons with disabilities the right to be registered, and to train the staff of official institutions to register all persons with disabilities, particularly in indigenous communities and in remote and rural areas.

Ethiopia

41. The Committee is concerned that the process of birth registration of all newborn children with disabilities across all territories, including refugee camps, is not carried out to its fullest extent.

42. The Committee recommends that the State party strengthen the birth registration system to ensure that every newborn child with disabilities in all areas of the country, in particular those living in remote and rural areas and those living in refugee camps, are registered immediately upon birth.

Guatemala

51. The Committee notes that the steps taken by the State party to promote the civil registration of children have not led to the universal registration of children with disabilities and that many such children have no name.

52. The Committee urges the State party to ensure that all children with disabilities are immediately registered after birth, that an identity document is provided and that the National Registry Office properly registers all children with disabilities.

United Arab Emirates

35. The Committee is concerned about the lack of information on:

(a) The conditions in deportation and detention centres, including on accessibility and reasonable accommodation in those centres for migrant workers with disabilities;

(b) Applications made by persons with disabilities for naturalization and whether the naturalization procedure is accessible to them on an equal basis with others and without restrictions;

(c) The nationality status of Bidouns with disabilities and birth registration of Bidoun children with disabilities and the extent to which they are able to enjoy their rights and gain access to services.

36. The Committee recommends that the State party ensure that:

(a) Detention and deportation centres are accessible to migrant workers with disabilities and that migrant workers with disabilities are provided with reasonable accommodation;

(b) Naturalization procedures are fully accessible to persons with disabilities and that any person with a disability can choose to apply for nationality of the United Arab Emirates on an equal basis with others;

(c) All Bidouns with disabilities enjoy the right to a nationality and have access to services and that all Bidoun children with disabilities have a birth certificate and are able to exercise all the rights enshrined in the Convention.

Slovakia

53. The Committee notes with deep concern the precarious situation of persons with disabilities in the current migrant crisis on the national borders of the State party. The Committee is concerned that the migration decision-making procedures are not accessible for all persons with disabilities and that information and communication are not provided in accessible formats.

54. The Committee recommends that the State party mainstream disability in all its migration policies. It also recommends that persons with disabilities are permitted free movement across the State party borders on an equal basis with others.

Thailand

37. The Committee is concerned that the rules governing section 19 of the Persons with Disabilities Empowerment Act limit the application for disability identity cards to persons with disabilities who hold Thai citizenship only. It is concerned that this excludes non-Thai persons with disabilities and those who are not registered in the civil registry from benefiting from services and entitlements. It is also concerned about the fact that many children and adults

with disabilities are not registered due to the widespread stigma of being identified as a person with disability.

38. The Committee recommends that the rules governing section 19 of the Persons with Disabilities Empowerment Act be amended to ensure that all persons with disabilities, regardless of nationality, including persons from different ethnic and indigenous backgrounds, migrants, refugees and asylum seekers, can benefit from available services and entitlements. It also recommends that concrete steps be taken to provide information and conduct awareness-raising on registration to gain access to services.

Uganda

36. The Committee expresses concern about the legislation on immigration that denies persons with psychosocial and/or intellectual disabilities acquisition of dual citizenship. It is also concerned about the low level of registration of children with disabilities at birth.

37. The Committee recommends that the State party:

(a) Repeal provisions in the Uganda Citizenship and Immigration Control Act (2009) and the Immigration Act (1970) that restrict the right to movement and liberty and acquisition of citizenship of persons with disabilities, particularly persons with psychosocial and intellectual disabilities;

(b) Ensure registration of all children with disabilities at birth.

European Union

48. The Committee is concerned at the barriers faced by persons with disabilities and workers with family members who have disabilities when moving to live or work in another European Union Member State, irrespective of the length of the stay.

49. The Committee recommends that the European Union take immediate action to ensure that all persons with disabilities and their families can enjoy their right to freedom of movement on an equal basis with others, including the portability of social security benefits in a coordinated manner across its Member States.

Gabon

42. The Committee is concerned by the absence of data on the number of children with disabilities whose birth is not registered and may not have identity documents, in particular girls.

43. The Committee strongly recommends that the State party establish records to ensure that the birth of all children with disabilities is recorded and that it promptly initiate programmes to provide identity documents to all persons with disabilities.

Kenya

35. The Committee express concern about the lack of registration of children with disabilities upon their birth, in particular children in situation of internal displacement and those living in refugee camps.

36. The Committee recommends that the State party strengthen the registration programme with necessary budget and personal resources to ensure that persons with disabilities in all areas of the country, including persons in refugee camps access to identification documents.

Qatar

35. The Committee is concerned by the conditions in deportation and detention centres and the lack of accessibility and reasonable accommodation in those centres for migrant workers with disabilities.

36. The Committee strongly recommends that the State party improve conditions in detention and deportation centres and ensure that they are accessible to migrant workers

with disabilities and that migrant workers with disabilities are provided reasonable accommodation. §

Cook Islands

37. The Committee is concerned about persons with disabilities being denied entry into the State party on the basis of disability.

38. The Committee recommends the State party to amend the law to allow all persons with disabilities entry to the State party on an equal basis with others.

Dominican Republic

36. The Committee is deeply concerned at the restrictions on access to community inclusion services for persons with disabilities of Haitian descent, as a consequence of the legislation restricting their rights to nationality.

37. The Committee recommends that the State party speed up the restoration of all the rights of persons with disabilities of Haitian origin or descent, so as to enable them to use all services and programmes for persons with disabilities on an equal basis with others.

Republic of Korea

35. The Committee is concerned about the provisions of article 11 of the Immigration Control Act pursuant to which entry to the State party is denied to persons with psychosocial disabilities “who lack reason and are not accompanied by an assistant for their sojourn”, and of article 32 of the Welfare of Persons with Disabilities Act, which restrict basic disability services for migrants with disabilities.

36. The Committee recommends that the State party repeal article 11 of the Immigration Control Act and article 32 of the Welfare of Persons with Disabilities Act in order to ensure that persons with disabilities are not deprived of the right to enter the Republic of Korea on the basis of disability and to free migrants with disabilities from restrictions on basic disability services.

Ecuador

32. The Committee is concerned that article 7 of the Naturalization Act still provides that Ecuadorian nationality may not be granted to persons with a “chronic illness”. Given the close link between so-called “chronic illnesses” and disabilities, this article is overtly discriminatory and contrary to article 18 of the Convention.

33. The Committee recommends that the State party repeal article 7 of the Naturalization Act so that any person with disabilities can choose to apply for Ecuadorian nationality on an equal basis with others.

Mexico

39. The Committee is concerned that migrants with intellectual or psychosocial disabilities are detained in migrant holding centres, that the authorities set stricter requirements for entry into the country for persons with disabilities and that persons injured as a result of falling from the train known as “La Bestia” (“The Beast”) receive inadequate care.

40. The Committee urges the State party to:

(a) Designate appropriate and accessible areas and appoint trained staff to assist persons with disabilities in migrant holding centres;

(b) Review and harmonize the operational guidelines under the Migration Act to ensure that persons with disabilities are treated equally in the issuance of visas and entry permits;

(c) Review and harmonize care protocols for migrants who are injured while in transit in Mexico, so that they are provided with not only emergency medical care but also sufficient recovery time and basic rehabilitation.

41. The Committee notes that the steps taken to promote the registration of children with the civil registry have not led to the universal registration of children with disabilities.

42. The Committee urges the State party to ensure that all children with disabilities are immediately registered at birth and are provided with an identity document.

El Salvador

39. The Committee is concerned that children, adolescents and adults with disabilities living in rural areas remain unregistered and therefore do not have identity documents.

40. The Committee calls on the State party to ensure that children with disabilities are entered in the civil registry at birth.

Paraguay

45. The Committee is concerned that children with disabilities are not registered in the State party and that there are as yet no concrete measures to encourage the registration of children with disabilities, particularly in rural areas.

46. The Committee urges the State party to set up a programme on the civil registration of children with disabilities at birth, on an equal footing with other children, and decentralize registry procedures and ensure that they can be carried out simply, quickly and free of charge.