



# **IDA's Compilation of CRPD Committee's Concluding Observations**

*Article 19 CRPD  
(Living independently and being  
included in the community)*

**April 2024**

## Article 19 - Living independently and being included in the community

*States Parties to this Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:*

*(a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement;*

*(b) Persons with disabilities have access to a range of in-, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;*

*(c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.*

**AZERBAIJAN (2024)**  
**BAHRAIN (2024)**  
**COSTA RICA (2024)**  
**KAZAKHSTAN (2024)**  
**NICARAGUA (2024)**  
**SWEDEN (2024)**  
**ZAMBIA (2024)**  
**ANDORRA (2023)**  
**AUSTRIA (2023)**  
**GERMANY (2023)**  
**ISRAEL (2023)**  
**MALAWI (2023)**  
**MAURITANIA (2023)**  
**MONGOLIA (2023)**  
**PARAGUAY (2023)**  
**ANGOLA (2023)**  
**ARGENTINA (2023)**  
**GEORGIA (2023)**  
**PERU (2023)**  
**TOGO (2023)**  
**TUNISIA (2023)**  
**BANGLADESH (2022)**  
**CHINA (2022)**  
**INDONESIA (2022)**  
**JAPAN (2022)**  
**LAO PEOPLE'S DEMOCRATIC REPUBLIC (2022)**  
**NEW ZEALAND (2022)**  
**REPUBLIC OF KOREA (2022)**

**SINGAPORE (2022)**  
**HUNGARY (2022)**  
**JAMAICA (2022)**  
**MEXICO (2022)**  
**SWITZERLAND (2022)**  
**VENEZUELA (2022)**  
**DJIBOUTI (2021)**  
**FRANCE (2021)**  
**ESTONIA (2021)**  
**ALBANIA (2019)**  
**AUSTRALIA (2019)**  
**ECUADOR (2019)**  
**EL SALVADOR (2019)**  
**GREECE (2019)**  
**INDIA (2019)**  
**IRAQ (2019)**  
**KUWAIT (2019)**  
**MYANMAR (2019)**  
**CUBA (2019)**  
**NIGER (2019)**  
**NORWAY (2019)**  
**RWANDA (2019)**  
**SAUDI ARABIA (2019)**  
**SENEGAL (2019)**  
**SPAIN (2019)**  
**VANUATU (2019)**  
**ALGERIA (2018)**  
**BULGARIA (2018)**

**MALTA (2018)**  
**PHILIPPINES (2018)**  
**POLAND (2018)**  
**SOUTH AFRICA (2018)**  
**NORTH MACEDONIA (2018)**  
**HAITI (2018)**  
**NEPAL (2018)**  
**OMAN (2018)**  
**RUSSIAN FEDERATION (2018)**  
**SEYCHELLES (2018)**  
**SLOVENIA (2018)**  
**SUDAN (2018)**  
**LATVIA (2017)**  
**LUXEMBOURG (2017)**  
**MONTENEGRO (2017)**  
**MOROCCO (2017)**  
**PANAMA (2017)**  
**UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND  
(2017)**  
**ARMENIA (2017)**  
**BOSNIA AND HERZEGOVINA (2017)**  
**CANADA (2017)**  
**CYPRUS (2017)**  
**HONDURAS (2017)**  
**IRAN (ISLAMIC REPUBLIC OF) (2017)**  
**JORDAN (2017)**  
**REPUBLIC OF MOLDOVA (2017)**  
**BOLIVIA (2016)**

**COLOMBIA (2016)**  
**ETHIOPIA (2016)**  
**GUATEMALA (2016)**  
**ITALY (2016)**  
**UNITED ARAB EMIRATES (2016)**  
**URUGUAY (2016)**  
**CHILE (2016)**  
**LITHUANIA (2016)**  
**PORTUGAL (2016)**  
**SERBIA (2016)**  
**SLOVAKIA (2016)**  
**THAILAND (2016)**  
**UGANDA (2016)**  
**BRAZIL (2015)**  
**EUROPEAN UNION (2015)**  
**GABON (2015)**  
**KENYA (2015)**  
**MAURITIUS (2015)**  
**QATAR (2015)**  
**UKRAINE (2015)**  
**COOK ISLANDS (2015)**  
**CROATIA (2015)**  
**CZECH REPUBLIC (2015)**  
**DOMINICAN REPUBLIC (2015)**  
**GERMANY (2015)**  
**MONGOLIA (2015)**  
**TURKMENISTAN (2015)**  
**NEW ZEALAND (2014)**

**DENMARK (2014)**  
**REPUBLIC OF KOREA (2014)**  
**BELGIUM (2014)**  
**ECUADOR (2014)**  
**MEXICO (2014)**  
**SWEDEN (2014)**  
**AZERBAIJAN (2014)**  
**COSTA RICA (2014)**  
**AUSTRALIA (2013)**  
**AUSTRIA (2013)**  
**EL SALVADOR (2013)**  
**PARAGUAY (2013)**  
**ARGENTINA (2012)**  
**CHINA (2012)**  
**HUNGARY (2012)**  
**PERU (2012)**  
**SPAIN (2011)**

**Please note there are no recommendations in the Concluding Observations on Tunisia (2011).**

## Azerbaijan (2024)

43. The Committee notes with concern:

- (a) Provisions in the Law on the Rights of the Child providing for institutionalization based on impairment, including of children with psychosocial and/or intellectual disabilities, and the prevalence of segregated settings, such as orphanages, boarding schools, and community-based rehabilitation centres (CRPD/C/AZE/2-3, para. 73);
- (b) The lack of a range of support for persons with disabilities, including in-home support services;
- (c) The uneven access of persons with disabilities to services in the community, in particular affecting persons with disabilities living in rural areas.

44. **Recalling its general comment No. 5 (2017) on living independently and being included in the community, and its guidelines on deinstitutionalization, including in emergency situations, the Committee recommends that the State party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

- (a) Recognize in its legislation the rights of persons with disabilities to live independently and be included in the community and adopt mechanisms to guarantee freedom of choice concerning place of residence, where and with whom to live, including by removing guardianship and enabling housing in the community;**
- (b) End all forms of institutionalization of persons with disabilities, devise and implement a deinstitutionalization strategy for all persons with disabilities that includes information for persons with disabilities in accessible formats, including Braille, Easy Read and sign language, support for living outside congregated settings, redress for survivors of institutionalization, including individual and collective redress, reparations and guarantees of non-repetition;**
- (c) Promote social inclusion of children and adults with disabilities, including by providing appropriate individualized support, such as personal assistance, peer support networks and personalized budgets;**
- (d) Secure barrier-free access to public facilities and services in the community on an equal basis with others, including to education, healthcare, public transportation, and other cultural, sport and leisure amenities for children with disabilities, vocational training and employment opportunities.**

## Bahrain (2024)<sup>1</sup>

38. The Committee is deeply concerned at:

- (a) The continued granting of licenses to establish residential institutions and sheltered workshops for persons with disabilities, including children, under article 4 of Law No. 74 of 2006 on the Care, Rehabilitation and Employment of Persons with Disabilities, as well as the continued placement of persons with disabilities in residential institutions outside the State party's territory.
- (b) The lack of measures to ensure that persons with disabilities are free to choose their place of residence and have access to the support services necessary to live independently, including personal facilities.

39. Recalling its general comment No. 5 (2017) and its guidelines on deinstitutionalization, including in emergency situations, the Committee recommends that the State party, through close consultation and the active participation of persons with disabilities and their organizations, in particular persons with intellectual disabilities, take immediate steps to

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<sup>1</sup> When compiling the recommendations, the Concluding Observations were only available in Arabic. This document includes an automated translation to English by [DeepL](#).

- (a) Prohibit all forms of institutionalization and launch a national strategy and action plan to replace residential services with an inclusive community-based service system.
- (b) Provide services to promote independent living for persons with disabilities and grant allowances for additional expenses incurred by persons with disabilities to carry out their activities of daily living.

### Costa Rica (2024)

33. El Comité nota con preocupación:

- a) La ausencia de una estrategia de desinstitucionalización para las personas con discapacidad, especialmente las mujeres y niños con discapacidad segregados en instituciones, y la falta de programas de apoyos comunitarios y servicios accesibles en la comunidad, incluyendo vivienda accesible y trabajo digno, cuando se incluyan en la comunidad;
- b) La falta de leyes y políticas relativas a la prohibición del internamiento involuntario en instituciones y el tratamiento forzoso de personas con discapacidad, en particular en el caso de personas con discapacidad intelectual y/o psicosocial;
- c) La persistente institucionalización de niños y niñas con discapacidad y la falta de apoyos a sus familias para que vivan en comunidad;
- d) La falta de medidas para garantizar que todas las personas con discapacidad mantengan su autonomía y libre determinación a la hora de elegir su lugar de residencia y dónde y con quién vivir; y que han tomado sus propias decisiones con respecto a su inclusión en la comunidad.

**34. Remitiéndose a su observación general núm. 5 (2017), sobre el derecho a vivir de forma independiente y a ser incluido en la comunidad, y a sus Directrices sobre la desinstitucionalización, incluso en situaciones de emergencia (2022), el Comité urge al Estado parte a, mediante consultas estrechas y la colaboración activa con las personas con discapacidad, a través de las organizaciones que las representan:**

- a) Elaborar una estrategia nacional sobre la desinstitucionalización de las personas con discapacidad, y asegurar de que esté en consonancia con la Convención e incluya suficientes medidas presupuestarias y de otro tipo, así como actividades de toma de conciencia para promover la comprensión del derecho de las personas con discapacidad a elegir y determinar de forma autónoma su sistema de vida, el derecho a no ser obligadas a aceptar un determinado sistema de vida y el valor de la inclusión en la comunidad, en contraposición a la segregación;**
- b) Adoptar legislación que proporcione las bases jurídicas necesarias para poner fin a la institucionalización de las personas con discapacidad y proporcionar viviendas accesibles adecuadas y servicios de apoyo para que las personas con discapacidad vivan de forma independiente en la comunidad, e implementarlo rápidamente;**
- c) Establezca un programa de desinstitucionalización incluidos presupuestos y recurso humano dirigido a niños y niñas con discapacidad, con plazos definidos y con apoyos específicos para que vivan en comunidad;**
- d) Adoptar medidas para garantizar que las personas con discapacidad, independientemente de su lugar de residencia, tengan acceso a una gama de servicios de atención domiciliaria, residenciales y otros servicios de apoyo comunitario, incluidos asistentes personales, que sean controlados y gestionados por los beneficiarios.**

### Kazakhstan (2024)

41. The Committee notes with concern:

- (a) Institutionalization of children with disabilities and adults with disabilities in residential and half-residential care facilities, including babies houses, where they lack interaction with the community, including with members of their families, and pilot programmes;

(b) Plans to transfer persons with disabilities from former medical-social institutions into specialized social service centres and small capacity homes, thereby perpetuating discriminatory congregated living arrangements for persons with disabilities on the basis of impairment;

(c) Insufficient in-home and community-based support services for persons with disabilities, and the insufficient availability of personal assistance, including for persons with intellectual and/or psychosocial disabilities and persons with high support needs, and insufficient availability of accessible housing, education facilities, commercial premises, leisure and sports infrastructure, and cultural institutions.

**42. Recalling its general comment No. 5 (2017) on living independently and being included in the community, and its guidelines on deinstitutionalization, including in emergency situations, the Committee recommends that the State party, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

**(a) End all forms of institutionalization of persons with disabilities, ensure, in law and in practice, that all persons with disabilities, including persons with intellectual and/or psychosocial disabilities and persons with disabilities with high support needs, can in fact exercise their right to choose their place of residence and decide where and with whom they live. To this end, devise and implement a deinstitutionalization strategy for all persons with disabilities, including, inter alia, a range of different forms of individualized support services for living in the community, including personal assistance and community-based support and peer support, support and information in accessible formats for persons with disabilities in institutions to participate in deinstitutionalization processes, and mechanisms of accountability and monitoring;**

**(b) Cease investment in the construction and renovation of institutions for persons with disabilities, including in institutions of small size, and divert the funds to the implementation of the deinstitutionalization strategy;**

**(c) Develop safe, accessible and affordable housing in the community, include requirements of persons with disabilities in the eligibility criteria for public housing and for rental subsidies, and ensure that persons with disabilities, including persons with intellectual and/or psychosocial disabilities and persons with disabilities with high support needs, can in law and in fact enter into legally binding rental or ownership contracts.**

### Nicaragua (2024)

38. El Comité observa con preocupación:

a) La ausencia de una estrategia de desinstitucionalización para las personas con discapacidad, especialmente las mujeres y niños con discapacidad segregados en instituciones y la falta de programas de apoyos comunitarios y servicios accesibles en la comunidad, incluyendo vivienda accesible y trabajo digno, cuando se incluyan en la comunidad;

b) La ausencia de partidas presupuestales significativas en el Ministerio de la Familia, Adolescencia y Niñez (Mifan) para financiar la vida independiente de las personas con discapacidad y su inclusión en la comunidad;

c) La existencia de instituciones como el Centro Infantil “Pajarito Azul” y el Hospital Nacional Psicosocial, y la falta de información sobre cuantas personas, niños y niñas con discapacidad se encuentran institucionalizados.

**39. El Comité recuerda su observación general núm. 5 (2017) sobre el derecho a vivir de forma independiente y a ser incluido en la comunidad, y sus directrices sobre la desinstitucionalización, incluidas las situaciones de emergencia, e insta al Estado parte a:**

**a) Adoptar una estrategia nacional y multisectorial de desinstitucionalización de las personas con discapacidad, en particular de las niñas y los niños, de las mujeres y de las personas con discapacidad intelectual y/o psicosocial, en estrecha consulta con las**

organizaciones de personas con discapacidad y con la participación activa de estas, que incluya plazos específicos y recursos financieros necesarios, asegurando que las personas con discapacidad tengan acceso a alternativas de vivienda en la comunidad que promuevan su voluntad y preferencias, así como a redes y servicios de apoyo, incluido el apoyo entre pares, y atención integral a sus necesidades básicas;

b) Asignar el presupuesto suficiente al Ministerio de la Familia, Adolescencia y Niñez (Mifan), incluyendo recursos humanos y financieros adecuados para impulsar la vida independiente de las personas con discapacidad;

c) Poner fin a la institucionalización de las personas con discapacidad, en particular de los niños y las niñas con discapacidad, y a las hospitalizaciones prolongadas e indefinidas.

### Sweden (2024)

43. The Committee is concerned about:

(a) Increased restrictions to personal assistance, the loss of personal assistance for 1500 persons with disabilities between 2015 and 2022, the lack of opportunity to apply for personal assistance for persons over 66 and the variation of personal assistance between municipalities;

(b) The increased rates of institutionalisation for children and adults with disabilities;

(c) Persons with disabilities being denied the right to choose their place of residence and where and with whom they live on an equal basis with others.

44. **Recalling its general comment No. 5 (2017), its guidelines on deinstitutionalization, including in emergencies, and the report of the Special Rapporteur on the rights of persons with disabilities on the transformation of services for persons with disabilities, the Committee recommends that the State party, in close consultation and active involvement of persons with disabilities take immediate action to develop and implement a national deinstitutionalisation strategy that includes:**

(a) **Legislative, administrative, policy and other measures to ensure nationally consistent access to individualised personal assistance and support to all persons with disabilities, including the 1500 persons with disabilities who lost personal assistance between 2015 and 2022, and to persons with disabilities over the age of 66;**

(b) **Independent monitoring of institutions until they are closed;**

(c) **Relevant policies to close existing institutions and to prevent reinstitutionalisation of persons with disabilities;**

(d) **Strengthen the support system for children with disabilities to live with their families or grow up in family environments instead of institutions;**

(e) **Measures to remove barriers for persons with disabilities to choose where and with whom they live, including an increase in the supply of safe, affordable and accessible community-based housing.**

### Zambia (2024)

37. The Committee notes with appreciation the information provided by the State party's delegation that the elaboration of national guidelines on community based inclusive development is at its final stage. However, it observes with concern:

(a) The continued institutionalization of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities in psychiatric institutions, and that persons with disabilities, in particular persons with intellectual and/or psychosocial disability face stigma, negative attitudes, insults, threats and physical assault, exploitation and ill-treatment in the community, including by family members, the police and traditional healers, which undermines their right to live in the community;

(b) The lack of efforts, including budgetary and other measures, made towards the inclusion of persons with disabilities in the community and the provision of all necessary support services, including personal assistance services, as well as the lack of awareness in society

and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;

(c) The absence of a deinstitutionalization strategy for persons with psychosocial disabilities who are in psychiatric institutions;

(d) That persons with disabilities who participated in resettlement programmes under the Department of Resettlement, have been entitled to land in remote areas far from their place of living, with limited access to infrastructure such as water, electricity, roads, schools and health services.

**38. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and the Committee's Guidelines on Deinstitutionalization, including in emergencies (2022) and recommends that the State party:**

**(a) Finalize and adopt, as a matter of priority, the national guidelines on community based inclusive development, and allocate sufficient resources to roll out the State programme on community based inclusive development at the national and local levels, including in rural and remote areas;**

**(b) Raise awareness in the communities and in the society in general about the rights of persons with disabilities, take measures to combat stigma and negative attitudes in the communities and punish perpetrators, and commence the deinstitutionalization of persons with disabilities who are still in residential settings and increase the availability of community-based services;**

**(c) Review the national legislation and policies, including the Persons with Disabilities Act No.6 (2012) and the National Disability Policy (2015), in close consultation and active involvement of persons with disabilities, through their representative organizations, to bring them in full conformity with the Convention and ensure that it includes sufficient budgetary and other measures, as well as awareness-raising activities to promote understanding of the right of choice and self-determination of persons with disabilities concerning their living arrangements, the right not to be obliged to live in a particular living arrangement, and the value of inclusion in, as opposed to segregation from, the community;**

**(d) Develop a strategy and an action plan in close consultation and active involvement of persons with disabilities through their representative organizations for the process of deinstitutionalization of persons with psychosocial disabilities in psychiatric institutions and ensure the community-based services are available aimed to enable persons to live independently and participate in the community;**

**(e) Ensure that land plots provided to persons with disabilities under the resettlement programmes, are accessible to persons with disabilities, and have necessary infrastructure to enable persons with disabilities to live independently and participate in the community.**

### [Andorra \(2023\)](#)

39. The Committee notes the approval of the Comprehensive Plan for Mental Health and Addictions, PISMA (2022). However, it is concerned about:

(a) The absence of a deinstitutionalization strategy for persons with disabilities, including children with disabilities, and the lack of information on the participation of persons with disabilities in these efforts;

(b) The requirements to access the programme on independent living, including minimum skills and resources, and the limited impact of the programmes on independent living and personal assistance that benefit only twenty and two persons with disabilities, respectively;

(c) The collaboration agreement signed by the State party with the Our Lady of Meritxell Private Foundation (FPNSM) for the provision of residential care service for persons with disabilities (l'Albó residence), and the public funding used to maintain institutions;

(d) The limited information on the number of persons with disabilities living in institutions.

40. **The Committee, recalling its general comment No. 5 (2017) on living independently and being included in the community and the Committee's guidelines on deinstitutionalization, including in emergencies (2022), recommends that the State party:**

(a) **Develop and implement a strategy on deinstitutionalization, in close consultation with and the active involvement of persons with disabilities, through their representative organizations, with clear time frames and budgetary allocations, extending to all persons with disabilities, regardless of age, gender or type of impairment, and provide community-based services aimed at enabling persons to live independently and to participate in the community;**

(b) **Strengthen support arrangements for persons with disabilities to live independently in the community, including accessible and affordable housing outside any type of congregated premises, personal assistance, user-led budget, peer support groups, and access to services in the community, as well as review the requirements to access the programme on independent living and reinforce the dissemination of the programmes on independent living and personal assistance;**

(c) **Review the collaboration agreement signed by the State party with the Our Lady of Meritxell Private Foundation (FPNSM) for the provision of residential care service for persons with disabilities (l'Albó residence), and redirect public funding from institutions towards support for living in the community;**

(d) **Collect disaggregated data on the number of persons with disabilities living in institutions.**

### [Austria \(2023\)](#)

45. The Committee is concerned about:

(a) The lack of a comprehensive and unified strategy to forcefully promote, coordinate and design the deinstitutionalization process, encompassing the Federal government and the Länder;

(b) Persons with disabilities being unable and not having the right to choose their place of residence, with choice equal to others, due to a lack of adequate residential accommodation in the community and of the requisite support services, including budget allocations, for personal assistants, and of a corresponding enforceable legal right;

(c) The lack of harmonized regulations regarding the different personal assistance services and offers and their being assessed based on a medical model of disability;

(d) Investments, partly with funding by the European Union Structural Funds, in the renovation and construction of segregated institutions for persons with disabilities.

**46. Recalling general comment No. 5 (2017) on living independently and being included in the community and Committee's Guidelines on deinstitutionalization, including in emergencies (2022), the Committee recommends:**

(a) Establish a comprehensive, nationwide deinstitutionalization strategy, with benchmarks, timeframes, and funding, encompassing the competencies of the Federal government, the Länder and the municipalities, and ensure close consultation with and the active involvement of organizations of persons with disabilities in all deinstitutionalization processes;

(b) Enact legislation on the level of the Federal Government, the Länder and – if appropriate – on the municipal level, providing the requisite legal bases to end institutionalization of persons with disabilities and to provide adequate accessible residential accommodation and support services for persons with disabilities to live independently in the community, and implement them expeditiously;

(c) Guarantee an enforceable legal right to adequate financial, technical and personal support to live independently in the community;

(d) Urge the participation of all Länder in the pilot project 'Nationwide unified regulations for personal assistance in leisure time and work';

(e) Refrain from any further investment in existing or new institutions for persons with disabilities and allocate appropriate financial, technical and educational resources to foster the right to independent living of all persons with disabilities.

### Germany (2023)

43. The Committee is concerned about:

(a) The extensive segregation of persons with disabilities in institutional settings and the lack of measures to progress deinstitutionalisation;

(b) The range of barriers to enable persons with disabilities to exercise choice and preference regarding place of residence and support services, such as the additional cost proviso, the forcible pooling of inclusion benefits and services, the complexity of utilising personal budgets and benefit allowances based on shared accommodation rather than individual requirements.

**44. Recalling its general comment No. 5 (2017) on living independently and being included in the community, its Guidelines on deinstitutionalization, including in emergencies (2022) and the report of the Special Rapporteur on the Rights of Persons with Disabilities, 'Transformation of services for persons with disabilities' (2023), the Committee recommends that the State party, in close consultation with and active involvement of persons with disabilities:**

**(a) Develop a comprehensive deinstitutionalisation strategy to end, as a matter of priority, the institutionalisation of persons with disabilities, including in small residential homes, with measures to prevent trans-institutionalisation and to support the transition from institutions to life in the community, with specific timeframes, human, technical and financial resources, and clear responsibilities for implementation and monitoring;**

**(b) Develop measures to remove barriers for persons with disabilities to choose where and with whom they live, including by committing to increase the supply of affordable and accessible housing, by establishing personal assistance supports and services, by removing additional cost requirements and the forced pooling of inclusion benefits and services, reducing the complexity in utilising personal budgets and by basing benefit allowances on individual requirement rather than shared accommodation.**

### Israel (2023)

43. The Committee observes with concern:

(a) Institutionalization of persons with disabilities on the basis of impairment in psychiatric facilities, residential facilities, full care facilities, home facility apartments and in the context of the implementation of the 'ecological-rehabilitation model' and the denial of legal capacity to make choices concerning living arrangements;

(b) The continued development of congregate housing and the transfer of persons with disabilities from large residential facilities into small institutions such as 'home facilities' or apartments for up to 6 persons and barriers to access to accessible housing, including for renting;

(c) Insufficient and/or denial of in-home and community-based support affecting in particular persons with complex support needs, older persons with disabilities and persons with disabilities in Arab communities, migrants with disabilities, refugees and asylum seekers with disabilities and persons with disabilities in refugee-like situations;

(d) The lack of accessible community services and reports of persons with disabilities who are excluded from services provided in the community.

44. Recalling its general comment No. 5 (2017) on living independently and being included in the community, and its guidelines on deinstitutionalization, including in emergencies<sup>2</sup> (2022), the Committee recommends that the State party:

(a) End all forms of institutionalization based on impairment, including for the purpose of providing rehabilitation and adopt a comprehensive strategy and action plan to transition from institutions, redirecting efforts to the development of a range of individualized support to live in the community, including personal assistance, and community-based supports and networks, in close consultation and active involvement of organizations of persons with disabilities;

(b) Develop safe, accessible and affordable housing in the community, including through reviewing eligibility criteria for public housing, increasing rental subsidies and measures to address in-home accessibility arrangements, providing in-home and community-based support, increasing the allowance for independent living, including for those who leave institutions, and enabling persons with disabilities to enter into legally binding rental or ownership agreements;

(c) Implement measures to ensure equal access by persons with disabilities in Arab communities, older persons with disabilities, persons with disabilities who have complex support needs, migrants and refugees with disabilities and persons with disabilities in refugee-like situations to the range of in-home and individualized support to live in the community, including personal assistance and access to mainstream services in the community, including health care and education;

(d) Implement measures to remove access barriers to mainstream services in the community based on migrant, refugee or asylum seeker status or persons with disabilities in refugee-like situations.

### Malawi (2023)

39. The Committee is concerned about:

(a) The lack of measures to recognise and realise the right of persons with disabilities to live in the community and have choices equal to others and that persons with disabilities, in particular persons with psychosocial disabilities and persons with intellectual disabilities, often become dependant on their families, and face isolation and confinement at home or in institutions;

(b) The overreliance of persons with disabilities on “well-wishers”, in absence of individualised support, in particular personal assistance to facilitate their participation in the community;

(c) That lack of income, employment and social protection prevent persons with disabilities from achieving an autonomous life and an adequate standard of life to participate in the community;

(d) The lack of accessibility of community services and facilities that limit participation of persons with disabilities in society.

40. The Committee recommends that the State party, in line with its general comment No. 5 (2017) on living independently and being included in the community, and with the support of the guidelines on deinstitutionalization, including in emergencies,<sup>3</sup> issued in 2022:

(a) Ensure the recognition of the right of persons with disabilities, irrespective of age, gender and impairment, to live in the community and to choose where they live and with whom they wish to live. The State party should address stigma and stereotypes that lead to isolation and confinement at home;

(b) Put in place legal and policy measures for the deinstitutionalization of persons with disabilities and their effective inclusion in the community, in close consultation with and involvement of persons with disabilities through their representative organizations;

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<sup>2</sup> [CRPD/C/5.](#)

<sup>3</sup> [CRPD/C/5.](#)

- (c) **Strengthen community rehabilitation programmes and adopt measures to ensure the economic and social autonomy of persons with disabilities and their families;**
- (d) **Ensure that services for the general population in the community take an inclusive approach throughout the State party, including by strengthening the role of organizations of persons with disabilities in supporting people with disabilities in accessing the labour market, transport, housing, education, health, recreation and other publicly accessible facilities and services.**

### Mauritania (2023)

33. The Committee is concerned about:

- (a) The continued institutionalization of persons with disabilities and lack of efforts, including budgetary and other measures, made towards the inclusion of persons with disabilities in the community and the provision of all necessary support services, including personal assistance services, as well as the lack of awareness in society and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;
- (b) The absence of a deinstitutionalization strategy for persons with disabilities, including women and children with disabilities placed in existing residential institutions, the lack of programmes for resettling of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities who cannot afford housing.

34. **The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and the Committee's Guidelines on Deinstitutionalization, including in emergencies (2022) and recommends that the State party:**

- (a) **Ensure the deinstitutionalization of all persons with disabilities in institutions of any kind, provide community-based services facilitating the full enjoyment by all persons with disabilities of their right to live in the community and to be fully included and participate in the community;**
- (b) **Develop a strategy and an action plan in close consultation with and active involvement of persons with disabilities through their representative organizations for the process of deinstitutionalization of those adults and children with disabilities who are still in a residential setting and render the community-based services available aimed at enabling persons to live independently and participate in the community.**

### Mongolia (2023)

39. The Committee observes with concern:

- (a) The continuous institutionalization of persons with disabilities and lack of efforts, including budgetary and other measures, made towards the inclusion of persons with disabilities in the community and the provision of all necessary support services, including personal assistance services, as well as the lack of awareness in society and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;
- (b) The absence of a deinstitutionalization strategy for persons with disabilities, including women and children with disabilities placed in existing residential institutions, the lack of programmes for resettling of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities who cannot afford housing;
- (c) That despite some progress made under the "Universal Progress" programme of the Independent Living Center for Persons with Disabilities to train personal assistants, and the slight increase of wages for personal assistants, the current wages for personal assistants remains low and there is a lack of individualized support and personal assistance for living independently in the community.

40. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and the Committee's Guidelines on Deinstitutionalization, including in emergencies (2022) and recommends that the State party:

(a) Develop a national strategy on deinstitutionalization of persons with disabilities, in close consultation and active involvement of persons with disabilities through their representative organizations, ensure that it is in line with the Convention and includes sufficient budgetary and other measures, as well as awareness-raising activities to promote understanding of the right of choice and self-determination of persons with disabilities concerning their living arrangements, the right not to be obliged to live in a particular living arrangement, and the value of inclusion in, as opposed to segregation from, the community;

(b) Increase the availability of community-based services aimed at enabling persons to live independently and participate in the community;

(c) Strengthen personal assistance trainings and support and services for persons with disabilities for living independently in the community, and increase the wages for personal assistants.

### Paraguay (2023)

35. El Comité observa con preocupación:

a) La ausencia de una estrategia nacional, multisectorial y global para la desinstitucionalización;

b) La falta de apoyos a las secretarías municipales de discapacidad, creadas por la [Ley N.º 6808/2022](#), que tiene por objeto promover la atención a las personas con discapacidad, en cada gobernación y municipio;

c) El establecimiento de hogares sustitutos que no garantizan adecuadamente el derecho de las personas con discapacidad a vivir de forma independiente y a ser incluidas en la comunidad;

d) La ausencia de partidas presupuestales significativas para financiar la vida independiente de las personas con discapacidad a pesar de estar contemplado en la Política Nacional de Protección Especial para niñas y niños separados de sus familias (PONAPROE) en su eje estratégico 3;

e) La falta de información sobre viviendas accesibles proporcionadas a personas con discapacidad.

36. El Comité recuerda su observación general núm. 5 (2017), sobre el derecho a vivir de forma independiente y a ser incluido en la comunidad, y sus Directrices sobre la desinstitucionalización, incluso en situaciones de emergencia (2022), e insta al Estado parte a:

a) Adoptar una estrategia nacional y multisectorial de desinstitucionalización de las personas con discapacidad, en particular de la niñez, de las mujeres y de las personas con discapacidad psicosocial, en estrecha consulta y con participación activa de las organizaciones de personas con discapacidad, que incluya plazos específicos, recursos financieros necesarios, asegurando que las personas con discapacidad tengan acceso a alternativas de vivienda en la comunidad que promuevan su voluntad y preferencias, a redes y servicios de apoyo, incluyendo apoyo entre pares, y atención integral a sus necesidades básicas;

b) Fortalecer, con el presupuesto suficiente a las Secretarías Municipales de discapacidad, creadas por la [Ley N° 6808/2022](#);

c) Eliminar los "hogares sustitutos" ya que no cumplen con las Directrices y no garantizan el derecho de las personas con discapacidad a vivir de forma independiente y a ser incluidas en la comunidad;

d) Asignar el presupuesto suficiente a la estrategia 3 de la Política Nacional de Protección Especial para niñas y niños separados de sus familias (PONAPROE) para impulsar la vida independiente de las personas con discapacidad;

**e) Implementar un programa que proporcione créditos asequibles para la obtención de viviendas accesibles en la comunidad para personas con discapacidad desinstitucionalizadas;**

### Angola (2023)

31. The Committee observes with concern that:

(a) Notwithstanding the Integrated Social Support Centres, there is still a lack of awareness in society and amongst public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;

(b) The absence of a deinstitutionalization strategy for persons with disabilities placed in existing residential institutions, and the lack of programmes for resettling of those persons, in particular persons with psychosocial and/or intellectual disabilities who cannot afford housing.

**32. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and its Guidelines on deinstitutionalization, including in emergencies (2022) and recommends that the State party:**

**(a) Adopt a strategy that includes awareness-raising activities to promote understanding of the right of persons with disabilities to choose with respect to their living arrangements, the right not to be obliged to live in a particular living arrangement and the value of inclusion in, as opposed to segregation from, the community;**

**(b) Commence the deinstitutionalization of those persons with disabilities who are still in a residential setting and increase the availability of community-based services aimed at enabling persons to live and participate in their communities.**

### Argentina (2023)

37. El Comité observa con preocupación:

a) La institucionalización de las personas con discapacidad, en particular las personas con discapacidad intelectual y/o psicosocial, y su internamiento prolongado en hospitales psiquiátricos o en otro tipo de instituciones;

b) Pese a los avances de la Provincia de Buenos Aires, el incumplimiento del cierre definitivo de los hospitales monovalentes públicos y privados y la creación de un sistema de atención en comunidad para el año 2020, conforme a la Ley Nacional de Salud Mental;

c) Los pocos avances en la implementación de la Estrategia Federal de Abordaje Integral de la Salud Mental y en la desinstitucionalización de las personas con discapacidad que residen en instituciones y hospitales psiquiátricos;

d) La falta de reglamentación de la Ley 26.480 que incorporó los asistentes domiciliarios a la Ley 24.901; y la regulación de los apoyos para la vida independiente enmarcada en el modelo médico que no reconoce el derecho de la persona con discapacidad usuaria a designarlos y gestionarlos;

e) Algunas de las casas asistidas para personas con discapacidad psicosocial externadas siguen el modelo médico, son dirigidas por el personal de salud y no se respeta la autonomía de las personas con discapacidad;

f) La ausencia de partidas presupuestales significativas para financiar la vida independiente de las personas con discapacidad pese a la existencia del Programa Servicio y Apoyo a la Vida Autónoma; y el gran porcentaje de presupuesto asignado a los hospitales psiquiátricos;

g) El limitado cumplimiento del cupo del 5% para las personas con discapacidad en los planes de adjudicación o mejoramiento de viviendas del Fondo Nacional de Vivienda;

h) La poca participación de las personas con discapacidad psicosocial en la elaboración e implementación de planes nacionales de salud mental y de desinstitucionalización.

**38. Remitiéndose a su observación general núm. 5 (2017), sobre el derecho a vivir de forma independiente y a ser incluido en la comunidad, y a sus Directrices sobre la desinstitucionalización, incluso en situaciones de emergencia (2022), el Comité urge al Estado parte a:**

- a) Poner fin a la institucionalización de las personas con discapacidad, en particular de los niños y las niñas con discapacidad, y a las hospitalizaciones indefinidas;**
- b) Avanzar en los procesos de externación de las personas institucionalizadas, cerrar los hospitales psiquiátricos, e implementar redes de atención en salud mental integrada al primer nivel de atención, incluyendo un enfoque interinstitucional coordinado, previsiones presupuestarias y cambios de actitud en todos los niveles, incluidas las autoridades locales, que garanticen el derecho a vivir de forma independiente y ser incluido en la comunidad;**
- c) Implementar un Plan Integral para la Desinstitucionalización y la Estrategia Federal de Abordaje Integral de la Salud Mental, y asegurar que cuenten con plazos específicos, medidas de evaluación y los recursos humanos, técnicos y financieros necesarios para la transición efectiva de las personas con discapacidad de las instituciones a la vida independiente en la comunidad, con el reconocimiento de su derecho a la autonomía y a la plena inclusión social;**
- d) Reglamentar la Ley 26.480 del asistente domiciliario y garantizar la disponibilidad de apoyos para la vida independiente para las personas con discapacidad en el marco de la Convención, incluyendo viviendas accesibles y asequibles, la asistencia personal, servicios a domicilio y el acceso a los servicios en la comunidad;**
- e) Revisar el funcionamiento de las casas asistidas para que puedan ser gestionadas de forma autónoma por personas con discapacidad;**
- f) Aumentar el presupuesto para salud mental conforme a la pauta del 10% del presupuesto de salud, establecida por la Ley 26.657, y redireccionar los presupuestos destinados al mantenimiento y construcción de hospitales psiquiátricos al financiamiento para programas de vida independiente en la comunidad;**
- g) Garantizar el cumplimiento de la Ley 26.182 que establece un cupo preferente del 5% destinado a personas con discapacidad en los planes de adjudicación o mejoramiento de viviendas que se ejecuten en el Fondo Nacional de Vivienda;**
- h) Asegurar la participación activa y efectiva de las personas con discapacidad psicosocial en el diseño, monitoreo, evaluación y seguimiento de planes de salud mental, incluyendo usuarias de estos servicios.**

### Georgia (2023)

**39. The Committee observes with concern:**

- (a) That sub-programs of “community organizations” and “small family-type homes” referred to by the State party in its initial report (CRPD/C/GEO/1, para. 126) reproduce institutionalization, discrimination and marginalization of persons with disabilities;**
- (b) That the deinstitutionalization programme is implemented in a fragmented manner, leaving some large institutions operating, and the absence of measures to support persons with disabilities in developing their skills to live independently and in the community;**
- (c) The insufficient range of support measures to live in the community, including home care services and personal assistance;**
- (d) The lack of measures to develop accessible and affordable housing in the community, providing persons with disabilities with a choice of where and with whom they live, on an equal basis with others.**

**40. The Committee recommends that the State party, in line with its General comment No. 5 (2017) on living independently and being included in the community, and with the support of the Guidelines on Deinstitutionalization, including in emergencies issued in 2022:**

- (a) Ensure the right of persons with disabilities to live independently, and their freedom to choose where and with whom to live, preventing any type of congregated living**

arrangements, including “family-like environments”, which reproduce isolation and institutionalisation, and that it redirect resources from institutions, including small size institutions, towards support for living in the community;

(b) Develop and implement a deinstitutionalization strategy, with the active involvement of organizations of persons with disabilities, with clear time frames and budgetary allocation, extending to all persons with disabilities regardless of age, gender or type of impairment, containing measures to develop independent living skills and to facilitate the transition between institutional settings and life in the community;

(c) Strengthen measures to develop community-based services and individualized forms of support, ensuring even geographical coverage of all support measures, such as peer support groups or cash transfers/personal budgets;

(d) Establish an accessible and affordable housing strategy for living in the community, including the allocation of resources for the adaptation of housing infrastructure in rural and urban areas that allows adults with disabilities to choose where and with whom they live, on an equal basis with others and avoiding small-congregated settings. Adopt a monitoring strategy with benchmarks to assess the achievements of housing programs;

(e) Ensure availability, accessibility, affordability and adaptability of services in the community, including education, health care, participation in political and public life, rehabilitation, and remove segregated services.

### Peru (2023)

38. El Comité está especialmente alarmado por:

a) El hecho de que se planeen construir nuevos Centros de Acogida Residencial (CAR), que funcionan como instituciones cerradas con altos niveles de hacinamiento para niños y adultos con discapacidad;

b) La ausencia de una estrategia nacional, multisectorial y global para la desinstitucionalización, incluyendo con la creación de “hogares protegidos” y que estos no aseguren la participación de las organizaciones de personas con discapacidad y no garanticen adecuadamente el derecho de las personas con discapacidad a vivir de forma independiente y a ser incluidas en la comunidad;

c) Los proyectos de ley acumulados 00648/2021-CR, 01125/2021-CR, 01264/2021-CR y 02266/2021-CR sobre el derecho a la asistencia personal de las personas con discapacidad carece de un enfoque que promueva y garantice la voluntad y preferencias de los usuarios, incluido el reconocimiento explícito de un derecho a la asistencia personal con obligaciones claras para el Estado de garantizar estos servicios, y no contempla el financiamiento necesario para hacerlo operativo.

**39. El Comité recuerda su observación general núm. 5 (2017), sobre el derecho a vivir de forma independiente y a ser incluido en la comunidad, y a sus directrices sobre la desinstitucionalización, incluso en situaciones de emergencia (2022), el Comité insta al Estado parte a que:**

a) **Adopte una estrategia nacional y multisectorial de desinstitucionalización de las personas con discapacidad, en particular de la niñez, con la participación de las organizaciones de personas con discapacidad, que incluya plazos específicos, recursos financieros necesarios, asegurando que las personas con discapacidad tengan acceso a alternativas de vivienda en la comunidad que promuevan su voluntad y preferencias, a redes y servicios de apoyo, incluyendo apoyo entre pares, y atención integral a sus necesidades básicas;**

b) **Cree una comisión multisectorial de investigación, con la participación de la Defensoría del Pueblo y las organizaciones de personas con discapacidad, para documentar todas las formas de institucionalización y otras violaciones de derechos humanos relacionadas, que realice campañas de sensibilización, recomiende reformas y proponga programas integrales de reparación;**

c) Que se modifiquen los proyectos de ley acumulados 00648/2021-CR, 01125/2021-CR, 01264/2021-CR y 02266/2021-CR para lograr el reconocimiento legal del derecho a la asistencia personal de las personas con discapacidad, a fin de que el Estado garantice y financie estos servicios desde un enfoque que promueva la autonomía, independencia y control de los usuarios, los servicios de asistencia personal deben permitir a las personas con discapacidad elegir su modo de vida y lugar de residencia y expresar su voluntad y preferencias, con un enfoque que tenga en cuenta el género, la edad y la cultura.

### Togo (2023)

39. The Committee observes with concern:

(a) The continued institutionalization of persons with disabilities and lack of efforts, including budgetary and other measures, made towards the inclusion of persons with disabilities in the community and the provision of all necessary support services, including personal assistance services, as well as the lack of awareness in society and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;

(b) The absence of a deinstitutionalization strategy for persons with disabilities, including women and children with disabilities placed in existing residential institutions, the lack of programmes for resettling of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities who cannot afford housing.

**40. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and the Committee's Guidelines on Deinstitutionalization, including in emergencies (2022) and recommends that the State party:**

(a) Review the Law on Social Protection of persons with disabilities to bring its full conformity with the Convention and ensure that it includes sufficient budgetary and other measures, as well as awareness-raising activities to promote understanding of the right of choice and self-determination of persons with disabilities concerning their living arrangements, the right not to be obliged to live in a particular living arrangement, and the value of inclusion in, as opposed to segregation from, the community;

(b) Develop a strategy and an action plan in close consultation with and active involvement of persons with disabilities for the process of deinstitutionalization of those adults and children with disabilities who are still in a residential setting and render the community-based services available aimed at enabling persons to live independently and participate in the community.

### Tunisia (2023)

33. The Committee is concerned that the State party continues to apply the Orientation Law 83-2005 which provides for the placement of persons with disabilities in specialised accommodation and care facilities, thus institutionalising them without their consent for these living arrangements and where they may be admitted either through judicial authorisation or by decision of their guardian and where they may remain for an indefinite period. It is further concerned about community services targeted at the general population which still fail to be inclusive and without available personal assistants' services.

**34. The Committee, in accordance with its General Comment No. 5 (2017) on Living independently and being included in the community recommends the State party to:**

(a) Put in place legal and policy measures for the deinstitutionalization of persons with disabilities and their effective inclusion in the community in accordance with the guide on deinstitutionalization developed by the Committee on the Rights of Persons with Disabilities;

(b) Take appropriate measures to recognize the right of persons with disabilities, irrespective of age, gender and impairment, to choose their place of residence and with whom they want to live and the right to have access to social support including personal assistants and security based on their individual requirements;

(c) Ensure that services aimed at the general population in the community adopt an inclusive approach throughout the State party;

(d) Consult with persons with disabilities through their representative organisations to ensure the inclusiveness of services and to identify the adequate support services to be provided.

### Bangladesh (2022)

39. The Committee observes with concern:

(a) Insufficient community-based services, recurrent discrimination and segregation of persons with disabilities from the community, as a result of stigma and attitudinal barriers, in particular, against women and children with disabilities, persons affected by leprosy and persons with intellectual and/or psychosocial disabilities to enable them to live independently and be included in the community, particularly in rural and remote areas;

(b) The lack of financial resources, accessible physical infrastructure, and inadequate support services including provision of personal assistance and assistive devices to promote independent living, to enable persons with disabilities, particularly women, and children with disabilities, persons affected by leprosy and persons with intellectual and/or psychosocial disabilities, to choose where and with whom they want to live.

**40. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and its Guidelines on deinstitutionalization of persons with disabilities, including in emergency situations (2022), and recommends that the State party:**

(a) In close consultation with representative organisations of persons with disabilities, develop a national strategy to ensure access by persons with disabilities to mainstream community services, eliminating all barriers that hinder the enjoyment and participation of persons with disabilities, particularly women and children with disabilities, persons affected by leprosy and persons with psychosocial and/or intellectual disabilities, and provide sufficient human, financial and material resources for the realisation of the strategy, including particularly in rural and remote areas;

(b) Ensure sufficient budgetary allocations for the acquisition of personal assistance and assistive devices to ensure that community support services are available, accessible, affordable, including in remote and rural areas, so that all persons with disabilities can exercise their right to live independently and be included in the community.

### China (2022)

40. The Committee is concerned about:

(a) The institutionalization of adults and children with disabilities, including persons with intellectual and/or psychosocial disabilities and autistic persons;

(b) The absence of a strategy to recognize the right of persons with disabilities to live independently in the community, including the development of community support services for persons with disabilities, and technical and financial resources allocated to persons with disabilities who require high levels of support.

**41. Recalling its general comment No. 5 (2017), the Committee recommends that the State party, in close consultation with organizations of persons with disabilities, including women with disabilities, develop an action plan to end, as a matter of priority, the institutionalization of all persons with disabilities, including in leprosy colonies or villages, with measures to prevent trans-institutionalisation, with specific timeframes, human, technical and financial resources, and clear responsibilities for implementation and independent monitoring.**

### Hong-Kong (2022)

71. The Committee is concerned about the insufficient community support services for persons with disabilities, including personal assistance, and the human, technical and financial resources allocated to persons with disabilities who require high levels of support.

**72. Recalling its general comment No. 5 (2017), the Committee recommends that Hong Kong SAR, China, in close consultation with organizations of persons with disabilities, including women with disabilities develop an action plan to end, as a matter of priority, the institutionalization of all persons with disabilities and to support the transition from institutions to life in the community, with specific timeframes, human, technical and financial resources, and clear responsibilities for implementation and independent monitoring.**

### Indonesia (2022)

44. The Committee observes with concern:

(a) The absence of a deinstitutionalization strategy for persons with disabilities, including children with disabilities placed in residential institutions, social care institutions, hospitals, half-way homes and rehabilitation centres;

(b) The lack of gender and age-appropriate community-based support services to implement independent living for persons with disabilities, including persons with psychosocial or intellectual disabilities.

**45. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and recommends that the State party:**

**(a) Adopt a strategy for the process of deinstitutionalization of adults and children with disabilities who reside in residential and social care institutions, hospitals, half-way homes and rehabilitation centres;**

**(b) Establish a community-based support system for independent living with allocated budget that includes social protection, employment, housing, health, education, and any other support needed for persons with disabilities, to choose where and with whom they live and to live independently and participate in the community.**

### Japan (2022)

41. The Committee observes with concern:

(a) Perpetuation of institutionalization of persons with intellectual disabilities, persons with psychosocial disabilities, elderly persons with disabilities, persons with physical disabilities and those who require more intense support, in particular living arrangements outside community, and of children with disabilities, particularly, children with intellectual, psychosocial or sensory disabilities and those who require more intense support, through the Child Welfare Act, in various types of facilities, depriving them family and community life;

(b) Promotion of institutionalization of persons with psychosocial disabilities and persons with dementia in psychiatric hospitals, both public and private, particularly, the continuance of indefinite hospitalisations of persons with psychosocial disabilities in them;

(c) Limited opportunities for persons with disabilities to choose their place of residence and where and with whom to live, including for those, dependent on parents and living in their homes, and those, placed in particular arrangements such as group homes under the Act on the Comprehensive Support for the Daily and Social Life of Persons with Disabilities;

(d) Lack of a national strategy and legal framework for the deinstitutionalization of persons with disabilities residing in residential institutions and psychiatric hospitals, and their independent living in the community on an equal basis with others, including the recognition of their right to autonomy and full social inclusion;

(e) Insufficient support arrangements for persons with disabilities for living independently in the community, including accessible and affordable housing, in-home service, personal assistance and access to services in the community;

(f) Assessment schemes for granting support and services in the community that are based on medical model of disability.

**42. With reference to its General comment No. 5 (2017) on living independently and being included in the community and its Guidelines on Deinstitutionalisation (2022), the Committee urges that the State party:**

**(a) Takes expedited measures to end the institutionalisation of persons with disabilities, including children with disabilities, by redirecting its budgets allocations from the placement of persons with disabilities in residential institutions towards arrangements and supports for persons with disabilities for living independently in the community on an equal bases with others;**

**(b) Review all cases of persons with disabilities hospitalized in psychiatric hospitals to cease any indefinite hospitalization, ensure their informed consent and foster their independent living along with the required mental health support in the community;**

**(c) Ensure that persons with disabilities have opportunity to choose their place of residence and where and with whom they live in the community and are not obliged to live in a particular living arrangement, including group homes, and enable persons with disabilities to exercise choice and control over their lives;**

**(d) Launch, in consultation with organisations of persons with disabilities, a legal framework and national strategy with time-bound benchmarks, human, technical and financial resources, aiming at the effective transition of persons with disabilities from institutions into independent living in the community on an equal basis with others, including the recognition of their right to autonomy and full social inclusion, and obligations for prefectures to ensure its implementation;**

**(e) Strengthen support arrangements for persons with disabilities for their living independently in the community, including the independent, accessible and affordable housing outside any type of congregated premises, personal assistance, user-led budget, and access to services in the community;**

**(f) Revise existing schemes of assessment for granting support and services in the community for ensuring that they are based on human right model of disability, including the assessments of barriers in society for persons with disabilities and their required support for their social participation and inclusion.**

### [Lao People's Democratic Republic \(2022\)](#)

34. The Committee observes with concern:

(a) The segregation or exclusion of persons with disabilities from the community into particular living arrangements, including owing to stigmatization and attitudinal barriers, in particular against persons affected by leprosy, children with disabilities, and persons with intellectual and/or psychosocial disabilities;

(b) The lack of information about community support services, support of independent living and inclusion in the community, including personal assistance, especially in remote and rural areas;

(c) The lack of disaggregated data on the number of persons with disabilities, including children with disabilities and persons affected by leprosy living in institutions, special villages, rehabilitation centres other than community-based, group homes, or other settings with defining elements of an institution.

**35. With reference to its General Comment No. 5 (2017) and its Guidelines on deinstitutionalization, including in emergencies (2022), the Committee recommends that the State party:**

**(a) Promote the rights of persons with disabilities, particularly persons affected by leprosy, children with disabilities, and persons with intellectual and/or psychosocial disabilities, to live independently and be included in the community, including by raising awareness among the general public to tackle stigmatization and attitudinal barriers;**

**(b) Ensure that support services in the community, such as personal assistance, are available, accessible, affordable and of quality across the State party, including in remote**

and rural areas, and enable persons with disabilities to exercise choice and control over their lives and to make decisions concerning where and with whom to live;

**(c) Collect disaggregated data on the number of persons with disabilities, including children with disabilities and persons affected by leprosy, still living in institutions, special villages, or other settings with defining elements of an institution.**

### [New Zealand \(2022\)](#)

39. The Committee is concerned about:

- (a) The protracted rollout of initiatives under the Enabling Good Lives programme and the exclusion of particular impairment types, such as people with foetal alcohol syndrome disorder, from the programme;
- (b) The lack of a comprehensive deinstitutionalization strategy to close all residential institutions, including group homes and residential specialist schools, and to enable community supports for persons with disabilities to live independently in the community;
- (c) Barriers for persons with disabilities to choose where and with whom they live, such as the lack of affordable and accessible housing and the Disability Community Residential Support Services Strategy that provides congregate living arrangements linked with shared support;
- (d) The continued investment of public resources in residential specialist schools for children with disabilities.

**40. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community, and its guidelines on deinstitutionalization, including in emergencies, and recommends that the State party:**

- (a) Expedite the national rollout of the Enabling Good Lives programme and ensure that all persons with disabilities, including people with foetal alcohol syndrome disorder, are eligible;**
- (b) Develop a comprehensive deinstitutionalization strategy, with specific time frames and adequate budgets, to close all residential institutions, including group homes and residential specialist schools, to provide community supports for persons with disabilities to live independently in the community;**
- (c) Develop measures to remove barriers for persons with disabilities to choose where and with whom they live, including by committing to increase the supply of affordable and accessible housing and by reforming programmes, such as the Disability Community Residential Support Services Strategy to prevent congregate living arrangements linked with shared support;**
- (d) Take measures to cease investment in residential specialist schools for children with disabilities and establish a deinstitutionalization process that ensures adequate support is provided for children with disabilities to return to their families and exercise their right to an inclusive education.**

### [Republic of Korea \(2022\)](#)

41. The Committee observes with concern:

- (a) The continuous institutionalization of persons with disabilities and lack of efforts, including budgetary and other measures, made towards the inclusion of persons with disabilities in the community and the provision of all necessary support services, including personal assistance services, as well as the lack of awareness in society and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;
- (b) The weak implementation of the deinstitutionalization strategy for persons with disabilities, including women and children with disabilities placed in existing residential institutions, the lack of programmes for resettling of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities who cannot afford housing.

**42. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and the Committee's Guidelines on Deinstitutionalization, including in emergencies (2022) and recommends that the State party:**

**(a) Review the Roadmap to Support Independent Living of Deinstitutionalized Persons with Disabilities in consultation with organizations of persons with disabilities, and bring it in line with the Convention and ensure that it includes sufficient budgetary and other measures, as well as awareness-raising activities to promote understanding of the right of choice and self-determination of persons with disabilities concerning their living arrangements, the right not to be obliged to live in a particular living arrangement, and the value of inclusion in, as opposed to segregation from, the community;**

**(b) Strengthen the implementation of the Deinstitutionalization strategy for the process of deinstitutionalization of those adults and children with disabilities who are still in a residential setting and increase the availability of community-based services aimed at enabling persons to live independently and participate in the community.**

### Singapore (2022)

37. The Committee is concerned about:

(a) The lack of awareness in society and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;

(b) Widespread institutionalization of persons on the basis of their impairment and the construction of new institutions, groups homes, adult disability hostels and homes, which results in a high number of persons with disabilities, including autistic persons, persons with intellectual disabilities and persons with psychosocial disabilities who are deprived of their right to live independently and being included in the community.

**38. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and its Guidelines on deinstitutionalization, including in emergencies and recommends that the State party:**

**(a) Ensure deinstitutionalization of all persons with disabilities in institutions of any kind, provide community-based services facilitating the full enjoyment by all persons with disabilities of their right to live in the community and their full inclusion and participation in the community, and adopt a strategy to this end with clear goals, benchmarks and time frames;**

**(b) Adopt awareness-raising programmes to broadly promote an understanding of the right of choice and self-determination of persons with disabilities concerning their living arrangements, the right not to be obliged to live in a particular living arrangement, and the crucial significance of inclusion in, as opposed to segregation from, the community for the effective guarantee of all rights of persons with disabilities.**

### Hungary (2022)

40. The Committee is concerned about:

(a) The perpetuation of institutionalization of children with disabilities by the refurbishing and building of new institutionalized settings and by placing children with disabilities who require higher levels of support in institutions for adult persons with disabilities;

(b) The lack of an independent monitoring mechanism for the deinstitutionalization of children;

(c) The lack of recognition of the right of persons with disabilities to live independently and be included in the community, in line with the provisions of the Convention. The Committee is also concerned about the transinstitutionalization of persons with disabilities moving from large institutions into small-scale institutions, including supported houses, and the refurbishment of existing institutions, including with the use of structural funds from the European Union, perpetuating institutionalization and exclusion on the basis of disability;

- (d) The mistaken interpretation of the substitute decision-making regime, depriving persons with disabilities of the opportunity to exercise their right to choose their place of residence and live independently on an equal basis with others in the community;
- (e) The continuing admissions of persons with disabilities into residential institutions under the Act on Social Administration and Social Benefits and government decree No. 1295/2019 (V.27), due to the lack of community-based services and individualized support for persons with disabilities to live independently;
- (f) Insufficient measures to promote and ensure access by persons with disabilities on an equal basis with others to community services and facilities.

**41. Recalling its general comment No. 5 (2017), the Committee reiterates the recommendations set out in its report on the inquiry concerning Hungary under article 6 of the Optional Protocol to the Convention, urging the State party to:**

- (a) Discontinue the institutionalization of children with disabilities and ensure their right to a family life by redirecting investments from institutions into support measures for families and the provision of inclusive community services, such as inclusive early intervention, across the State party;**
- (b) Ensure independent monitoring of the deinstitutionalization of children with disabilities and independent methodological support for that process, with the close involvement of disability rights organizations;
- (c) Revise its deinstitutionalization strategy with the aim of redefining its objectives;
- (d) Redesign its measures and redirect its efforts and budgets into community-based support services, including personal assistance, with the aim of providing for persons with disabilities to live independently in the community equally with others, regardless of their type of impairment, guarantee that community services and facilities for the general population are available for persons with disabilities and ensure that persons with disabilities have the opportunity and right to choose their place of residence on an equal basis with others in the community.

### [Jamaica \(2022\)](#)

34. The Committee observes with concern:

- (a) The lack of awareness in society and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;
- (b) The absence of a deinstitutionalization strategy for persons with disabilities, including women and children with disabilities placed in existing residential institutions, and the lack of programmes for resettling of persons with disabilities, in particular persons with intellectual disabilities who cannot afford housing.

**35. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and recommends that the State party:**

- (a) Adopt a strategy that includes awareness-raising activities to promote understanding of the right of choice and self-determination of adults and children with disabilities concerning their living arrangements, the right not to be obliged to live in a particular living arrangement, and the value of inclusion in, as opposed to segregation from, the community;**
- (b) Adopt a strategy for the process of deinstitutionalization of those adults and children with disabilities who are still in a residential setting and increase the availability of community-based services aimed at enabling persons to live independently and participate in the community.**

### [Mexico \(2022\)](#)

50. The Committee is concerned about the lack of a federal and state strategy for the inclusion of persons with disabilities in society and their ability to live independently, and about the

absence of a specific and effective strategy for the deinstitutionalization of persons with disabilities.

**51. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community, and recommends that the State party:**

**(a) Amend or adopt laws, policies, financial and other measures, including time frames for their implementation, to ensure that persons with disabilities can live independently in the community. These measures should include personal assistance services, be culturally appropriate, enable beneficiaries to choose their lifestyle and place of residence, express their will and preferences and contain a gender and age perspective;**

**(b) Take expedited measures to end the institutionalization of persons with disabilities by, inter alia, developing and implementing a strategy for the deinstitutionalization of persons with disabilities, in particular children with disabilities, including specific time frames, assessment measures and an adequate budget.**

### [Switzerland \(2022\)](#)

39. The Committee notes with concern:

(a) The institutionalization of adults and children with disabilities, including persons with intellectual or psychosocial disabilities and autistic persons, and reports of violence and abuse in these institutions;

(b) The lack of a comprehensive system to provide individualized support and personal assistance for living independently in the community, and the shortage of affordable and accessible housing in the community for persons with disabilities.

**40. Recalling its general comment No. 5 (2017), the Committee recommends that the State party, in close consultation with organizations of persons with disabilities, including women with disabilities:**

**(a) Develop a strategy and action plan to end, as a matter of priority, the institutionalization of all persons with disabilities, including in small residential homes, with measures to prevent transinstitutionalization and to support the transition from institutions to life in the community, with specific time frames, sufficient human, technical and financial resources, and clear responsibilities for implementation and independent monitoring;**

**(b) Strengthen personal assistance support and services for persons with disabilities for living independently in the community, and ensure access for persons with disabilities to affordable and accessible housing in the community on the basis of individual choice.**

### [Venezuela \(2022\)](#)

36. The Committee notes with concern that:

(a) Persons with disabilities are largely unaware of the implementation of support programmes for independent living;

(b) The departure from the country of trained health, education and other professionals is limiting the opportunities for persons with disabilities to live independently in the community;

(c) Projects related to persons with disabilities are the responsibility of the Ministry of People's Power for Public Health, thus reinforcing the medical approach to disability, which is at odds with the Convention.

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

**(a) Raise awareness, in consultation with organizations of persons with disabilities, of the programmes in place to support persons with disabilities in the community;**

**(b) Ensure that support services for independent living in the community have interdisciplinary staff;**

**(c) Take measures to promote independent living in the community, including personal assistance, sign language interpreters and other forms of individual support for persons with disabilities with a human-rights based approach, through the ministries for the economy, education, labour, culture and others.**

### [Djibouti \(2021\)](#)

33. The Committee observes with concern:

- (a) The lack of accessible independent living support services, such as in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, particularly in rural areas and for refugees with disabilities;
- (b) The limited accessibility for persons with disabilities of mainstream services and facilities for the public, including employment, education and health.

**34. The Committee recalls its general comment No. 5 (2017) and recommends that the State party:**

- (a) Adopt legal and policy measures to promote the rights of persons with disabilities to live independently and be included in the community and provide information in accessible formats to persons with disabilities and their families, including refugees with disabilities and persons with disabilities in rural areas, on how to access independent living support services and assistance;**
- (b) Provide budgetary allocations to ensure that all persons with disabilities can decide where, how and with whom they wish to live, and provide the necessary accompanying community support services, including personal assistance;**
- (c) Adopt measures to ensure the accessibility of mainstream services for the public by persons with disabilities, on an equal basis with others.**

### [France \(2021\)](#)

40. The Committee observes with concern:

- (a) Regulations, structures and budgets that promote placement of children and adults with disabilities in segregated settings, including 'medico-social institutions' and specialized services, including in small-size residential care institutions so-called "l'habitat inclusive" or "l'habitat partagé", particularly impacting persons requiring higher levels of support;
- (b) Placement of children with disabilities in psychiatric hospitals and other institutions, including in third States parties, mainly Belgium;
- (c) The lack of awareness of public authorities, professionals and social servants about the negative impacts of institutionalization on persons with disabilities, and the absence of strategies and action plans to end institutionalization;
- (d) The lack of arrangements for living independently and in the community, including the lack of independent accessible and affordable housing, individualized support, and lack of equal access to services in the community.

**41. The Committee recalls its General comment No. 5 (2017) on living independently and being included in the community, and recommends that the State party, in consultation with organisations of persons with disabilities:**

- (a) Ensure the availability of support to live independently and in the community, such as user-led budget and personalised support, and enable persons with disabilities to exercise choice and control over their lives and to make decisions concerning where and with whom to live, as outlined in General comment No. 5 (2017);**
- (b) Adopt measures to ensure access of persons with disabilities to affordable and accessible housing on the basis of individual choice and outside any type of congregated premises;**
- (c) Set up a time frame and benchmarks for achieving full accessibility for persons with disabilities to mainstream community services, such as education, health, work and employment.**

### [Estonia \(2021\)](#)

38. The Committee observes with concern:

- (a) The lack of awareness in society and among public authorities of the right of persons with disabilities to live independently and be included in the community, the right to choose where and with whom to live and the right not to be obliged to live in a particular living arrangement;
- (a) That institutionalization on the basis of disability persists in the form of alternative care homes and new small-scale “family type” or “special care villages” and that such forms of institutionalization affect particularly persons with intellectual disabilities, persons with psychosocial disabilities and persons with autism;
- (b) The absence of a system to provide individualized support and personal assistance for living independently and in the community;
- (c) The limited accessibility for persons with disabilities of mainstream services and facilities for the general population, including education and health.

**39. The Committee recalls its general comment No. 5 (2017) and recommends that the State party:**

- (a) Adopt a strategy that includes awareness-raising activities to promote understanding of the right to choose and self-determination of persons with disabilities concerning their living arrangements, the right not to be obliged to live in a particular living arrangement and the value of inclusion in, as opposed to segregation from, the community;**
- (b) Enact a moratorium on the institutionalization of persons with disabilities, revise its deinstitutionalization strategy, redirect the use of public funds, including the European regional development funds, to the development of individualized support for living independently and ensure that programmes based on congregated settings, such as “home-like institutions”, “family type houses” and “special care villages”, are amended so as to prioritize inclusion in the community;**
- (c) Develop a system for self-managed personal assistance that includes person-directed tools for supporting living independently in the community in accordance with an individual’s requirements and preferences;**
- (d) Set up a time frame and benchmarks for achieving the accessibility of mainstream services for the general population by persons with disabilities, on an equal basis with others.**

### [Albania \(2019\)](#)

33. The Committee is concerned about the insufficiency of:

- (a) Effective measures taken to urgently advance the deinstitutionalization process of persons with disabilities;
- (b) Progress made in implementing independent living arrangements and the lack of programmes and in-home, residential and individualized support in the community, including personal assistance for persons with disabilities who require it and benefits for housing, so that they may exercise their right to independent living and to be included in their community;
- (c) Disaggregated data on the number of persons with disabilities still living in institutional settings;
- (d) Information on legal, administrative and financial measures taken to ensure the right of persons with disabilities to choose their place of residence and where and with whom to live.

**34. In line with its general comment No. 5 (2017) on the right to independent living and to be included in the community and recalling the report of the Commissioner for Human Rights of the Council of Europe following her visit to Albania (para. 83), the Committee recommends that the State party to:**

- (a) Develop and implement an effective deinstitutionalization plan, with a clear time frame and benchmarks and allocate sufficient funds for its implementation, particularly at the local level;**
- (b) Promote independent living schemes and roll out programmes and services, including personal assistance for persons with disabilities who require it, so that they may exercise their right to live independently and be included in their community;**

- (c) **Collect disaggregated data on the number of persons with disabilities still living in institutions;**
- (d) **Take all necessary measures to develop community support services for persons with disabilities to ensure that they have the right to choose their place of residence and where and with whom they live, including in rural areas, on an equal basis with others;**
- (e) **Ensure the involvement of organizations of persons with disabilities in the development of independent living strategies and schemes that provide for accessible community services, supports and facilities, especially at the local level, including accessible and affordable housing.**

### Australia (2019)

37. The Committee is concerned about:

- (a) The fact that the Specialist Disability Accommodation framework facilitates and encourages the establishment of residential institutions and will result in persons with disabilities having to live in particular living arrangements in order to access National Disability Insurance Scheme support;
- (b) The lack of appropriate, affordable and accessible social housing, which severely limits the capacity of persons with disabilities to choose their place of residence;
- (c) The fact that the Younger People in Residential Aged Care action plan only outlines ways to reduce the number of persons under 65 years of age, including persons with disabilities, living in aged care facilities, but does not end the practice.

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

- (a) **Develop a national framework aimed at closing all disability-specific residential institutions and preventing transinstitutionalization, including by addressing how persons with disabilities not eligible for the National Disability Insurance Scheme can be supported to transition from living in an institution to living independently in the community;**
- (b) **Increase the range, affordability and accessibility of public and social housing for persons with disabilities, including by implementing a quota for accessible social housing and by developing regulations and standards to guarantee the progressive application of universal design principles in accessible housing;**
- (c) **Revise the Younger People in Residential Aged Care action plan to ensure that by 2025 no person under 65 years of age enters or lives in residential aged care.**

### Ecuador (2019)

37. The Committee notes with concern that public policies and programmes directed towards persons with disabilities, including the “Las Manuelas” Mission, disability pensions and the “Neighbourhood Doctor” Strategy are not primarily focused on measures that will help persons with disabilities to live independently and be included in the community. The Committee is also concerned at:

- (a) The fact that the State party’s laws, in particular the Organic Act on Disabilities, do not provide for the right to live independently and be included in the community;
- (b) The institutionalization of persons with disabilities and the lack of deinstitutionalization plans and community service programmes that involve organizations of persons with disabilities.

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

- (a) **Revise the measures provided for in public policies and programmes directed towards persons with disabilities, including the “Las Manuelas” Mission, disability pensions and the “Neighbourhood Doctor” Strategy, so as to protect the right of persons with disabilities to live independently and be included in their communities;**
- (b) **Review and amend its laws, including, in particular, the Organic Act on Disabilities, to incorporate the right of persons with disabilities to live independently and be included in their communities;**

**(c) Establish, without delay and in coordination with the organizations representing persons with disabilities, a strategic deinstitutionalization plan that includes community strategies and programmes, family and social support networks, and personal and in-home assistance.**

### El Salvador (2019)

38. The Committee is concerned about:

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

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

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

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

### Greece (2019)

28. The Committee is concerned about:

(a) The lack of information provided to the Committee about in-home, residential and other community support services, including personal assistance, and effective measures for the deinstitutionalization of persons with disabilities, including for the support of independent living and inclusion in the community, in particular under the supported living scheme. It is also concerned about the lack of disaggregated data on the number of persons with disabilities, particularly children with disabilities, still living in institutions;

(b) The lack of information on legal, administrative and financial measures to ensure the equal right of persons with disabilities to choose their place of residence and where and with whom they live.

**29. The Committee recommends that, in line with its general comment No. 5 (2017) on living independently and being included in the community, the State party:**

**(a) Adopt a comprehensive national strategy with clear time-bound measures and sufficient funds for effective deinstitutionalization at all levels;**

**(b) Ensure the active involvement of persons with disabilities through their representative organizations in the development of independent living strategies and schemes that provide accessible community-based services, especially at the local level.**

### India (2019)

40. The Committee is concerned about:

(a) The institutionalization of persons with disabilities, including children with disabilities, in large and small congregated settings, and the absence of measures to ensure independent living and inclusion in the community;

(b) The lack of measures to establish individualized support to live in the community, and the reliance of persons with disabilities on kinship support to undertake daily activities;

(c) The lack of progress in improving access to community services by all persons with disabilities, particularly women and girls with intellectual or psychosocial disabilities, including access to affordable and accessible urban housing.

**41. The Committee recommends that the State party, guided by the Committee's general comment No. 5 (2017) on living independently and being included in the community:**

- (a) End all forms of institutionalization based on disability, repeal legislation providing for the establishment of institutions for persons with “severe disability”, and adopt a deinstitutionalization strategy, with an appropriate time frame and financial, human and technical resources, in consultation with organizations of persons with disabilities, prioritizing the deinstitutionalization of children from all types of institutions;**
- (b) Provide personal assistance and strengthen individualized support, and community support networks that facilitate the inclusion of persons with disabilities in the community;**
- (c) Adopt a strategy and indicators of progress concerning access by persons with disabilities to mainstream community services, and remove the barriers to access to public services, such as housing, inclusive education and work and employment, in particular for women with intellectual or psychosocial disabilities.**

### [Iraq \(2019\)](#)

35. The Committee is concerned about:

- (a) The absence in Law No. 38 (2013) of an explicit recognition of the right to live independently and be included in the community as an individual right;
- (b) The lack of community-based social and support services, which prevents persons with disabilities from enjoying their rights under article 19 of the Convention, and the absence of statistical data on the number of persons with disabilities who live in shelters, according to paragraph 10 of the law on rehabilitation;
- (c) The use of the medical model of disability to determine the beneficiaries of full-time assistance under article 19 of Law No. 38 (2013), the reportedly lengthy process of such an assessment and the absence of information on a monitoring mechanism to ensure that the service remains controlled by persons with disabilities, in particular in cases involving persons with intellectual or psychosocial disabilities, where the full-time assistant is chosen by a guardian.

**36. The Committee, in accordance with its general comment No. 5 (2017) on living independently and being included in the community, recommends that the State party:**

- (a) Enact legislation recognizing the right of persons with disabilities to be included in the community and to choose their place of residence and with whom to live, ensuring that all persons with disabilities, including persons with disabilities currently living in camps for internally displaced persons, have equal recognition before the law to exercise their freedom of choice concerning living arrangements;**
- (b) Increase community-based services, including the provision of appropriate housing units, established through the Commission for Persons with Disabilities and Special Needs and ensure systematic, up-to-date and appropriately disaggregated data collection;**
- (c) Establish a mechanism to determine, in an efficient manner, the beneficiaries of full-time assistance in line with the human rights model of disabilities and ensure that any services provided under article 19 of Law No. 38 (2013) remain controlled by the persons with disabilities benefiting from those services.**

### [Kuwait \(2019\)](#)

38. The Committee is concerned about the existence of segregated institutions for persons with disabilities, particularly children with disabilities, and the lack of:

- (a) A strategy to promote the rights of persons with disabilities to live independently, choose their place of residence and be included in the community, including with personal assistance;
- (b) Access to community-based services and facilities, including housing, for Kuwaiti women who are married to non-Kuwaitis with disabilities or who have children with disabilities.

**39. Recalling its general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party:**

- (a) In close consultation with and with the active involvement of organizations of persons with disabilities, adopt and implement a time-bound and adequately resourced**

**deinstitutionalization strategy and action plan for all children and adults with disabilities in favour of non-residential services, community-based supported living arrangements, including personal assistance, and a ban on new admissions in segregated institutions;**

**(b) Ensure equal access to mainstream community-based services and facilities, including housing, for persons with disabilities, including women with disabilities, regardless of their marital status, origin and nationality.**

### Myanmar (2019)

37. The Committee is concerned about:

(a) The persistence of institutionalization of persons with disabilities and the emphasis on the so-called "institution-based rehabilitation";

(b) Segregation or exclusion of persons with disabilities from the community, including owing to stigmatization and attitudinal barriers, in particular against persons affected by leprosy and persons with intellectual or psychosocial disabilities;

(c) The inadequate services and provision of personal assistance to promote independent living of persons with disabilities, especially in remote and rural areas, to enable their inclusion and full participation in the community.

**38. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community and recommends that the State party:**

**(a) Introduce and implement a strategy, with a clear time frame, to ensure the transition from institutions to full independent living and being included in the community for all persons with disabilities, in close consultation with representative organizations of persons with disabilities, and ensure the allocation of the resources necessary for the implementation of that strategy;**

**(b) Promote the rights of persons with disabilities, particularly persons affected by leprosy and persons with intellectual or psychosocial disabilities, to live independently and be included in the community, including by raising awareness among the general public to tackle stigmatization and attitudinal barriers;**

**(c) Allocate sufficient resources for the provision of personal assistance and to ensure that support services in the community are available, accessible, affordable and of high quality**

### Cuba (2019)

35. The Committee is concerned about:

(a) The lack of measures taken to ensure respect for the right of persons with disabilities to independent living and to be included in the community and the lack of programmes and services, including personal assistance for persons with disabilities who require it;

(b) Continuing investment of public funds in residential institutions for persons with disabilities, which may increase the use of institutionalization practices;

(c) That not all persons with disabilities might have access to information on the services available.

**36. In line with the Committee's general comment No. 5 (2017) on the right to independent living and to be included in the community, the Committee recommends that the State party:**

**(a) Expedite the measures taken to ensure that all persons with disabilities living in any form of institution, including those in psychiatric hospital units, have the right to live independently and to be included in the community with choices equal to those of other persons;**

**(b) Discontinue the investment of public resources for residential institutions for persons with disabilities and invest more in independent living arrangements in the community, as well as in all general services to make them inclusive, guaranteeing their accessibility and availability for all persons with disabilities, to enable their inclusion and participation in all spheres of life;**

**(c) Enact and enforce laws, standards and other measures with the purpose of making local communities and the environment, as well as information and communication, accessible to all persons with disabilities, including through information on and provision of community-based services.**

### [Niger \(2019\)](#)

31. The Committee is concerned about the lack of information on availability of accessible independent living support services in the community and ways to claim such assistance; the inaccessibility of such services in rural areas, and to migrant and refugees with disabilities; and the absence of home and community-based care for children with disabilities, especially in rural areas.

**32. The Committee recommends that the State party, in light of the Committee's general comment No. 5 (2017) on article 19 of the Convention:**

**(a) Adopt measures to promote the rights of persons with disabilities to live independently and be included in the community; and systematically provide information in accessible formats to persons with disabilities and their families, including refugees and migrants with disabilities, on how to access support services and assistance, in particular in rural areas;**

**(b) Ensure accessibility to community services and facilities by all persons with disabilities in all areas of life, as well as home and community-based care for children with disabilities, particularly in rural areas.**

### [Norway \(2019\)](#)

31. The Committee is concerned about:

(a) The lack of an action plan for the deinstitutionalization of persons with disabilities with clear timelines and budget, and the emphasis on the resettlement of persons with disabilities in shared housing instead of full independent living arrangements;

(b) The insufficient efforts to provide resources for the development of support services, particularly user-controlled personal assistance services, in municipalities;

(c) The existing regulative framework permitting for coercive health care and drug rehabilitation;

(d) The fact that persons who are deaf or hard of hearing do not receive interpreting services outside of office hours.

**32. With reference to the Committee's general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party:**

**(a) Develop, implement and provide adequate human, financial and technical resources for an effective deinstitutionalization plan, particularly for implementing the transformation to independent living arrangements, with a clear timeframe and benchmarks, involving persons with disabilities through their representative organizations at all stages;**

**(b) Adopt the necessary measures to ensure that persons with disabilities have a legal entitlement to a sufficient personal budget for independent living, which takes into account the additional costs related to disability and, at the same time, redirect resources from institutionalization to community-based services, while increasing the availability of personal assistance;**

**(c) Adopt legal and practical measures to end coercive measures in health and care services, which should guide the assessment of the State party's public multidisciplinary committee due in June 2019;**

**(d) Provide adequate human and financial resources to provide deaf and hard of hearing persons interpreting services when needed, including outside of office hours.**

### [Rwanda \(2019\)](#)

35. The Committee is concerned that there are persons with disabilities living in social isolation and segregated from their families and the community. It is also concerned that

inaccessible infrastructure and services make it difficult for persons with disabilities to participate in the activities of daily life independently, in particular in rural or remote areas.

**36. In line with its general comment No. 5 (2017) on the right to independent living and being included in the community, the Committee recommends that the State party adopt a national strategy for living independently and being included in the community, and prevent isolation or segregation of persons with disabilities. It also recommends that the State party enhance the availability, accessibility and inclusiveness of existing public services and develop community-based services for persons with disabilities to ensure that they have the opportunity to choose their place of residence and where and with whom they live, including in rural or remote areas. It also recommends that the State party ensure the availability and accessibility of support services, including personal assistance services for persons with disabilities.**

### Saudi Arabia (2019)

35. The Committee is concerned that:

- (a) Persons with disabilities, and particularly those with psychosocial or intellectual disabilities, are forced to live in habilitation and residential centers;
- (b) Persons with disabilities have limited access to and low level of awareness of available independent-living support services and ways in which such assistance may be claimed within their local community;
- (c) Data disaggregated by sex, age and disability on persons with disabilities residing in habilitation and other centers is not available.

**36. The Committee recommends that the State party, in line with its general comment No. 5 (2017) on the right to independent living and being included in the community:**

- (a) Adopt a strategy to deinstitutionalize all persons with disabilities, including those with psychosocial or intellectual disabilities, and ensure the allocation of the necessary resources for the implementation of this strategy;**
- (b) Promote the provision of individualized and community support services for the independent living and inclusion of persons with disabilities in the community, and systematically raise their awareness on the availability of such services and assistance, as well as on how to access these services;**
- (c) Provide, in its next periodic report, data disaggregated by sex, age and disability on persons with disabilities residing in habilitation and other centers.**

### Senegal (2019)

33. The Committee is concerned about the persisting marginalisation of persons with disabilities, especially persons affected by leprosy and persons with psychosocial or intellectual disabilities, from participation in daily life activities. It is also concerned about the lack of:

- (a) A well-defined and legislative framework on de-institutionalisation and the absence of independent living community support services that provide for inclusion of persons with disabilities;
- (b) Awareness, among persons with disabilities, of available independent-living support services, including personal assistance services, the inaccessibility of such services to persons affected by leprosy and those with physical disabilities, persons with disabilities in rural areas and to migrant workers;
- (c) Home-based and community-based care for children with disabilities, especially in rural areas.

**34. The Committee, in line with its General Comment No. 5 (2017) on the right to independent living and being included in the community, recommends that the State party:**

- (a) Adopt concrete measures to promote the rights of persons with disabilities to live independently and be included in the family and community;**

- (b) Provide systematically information to all persons with disabilities, including persons affected by leprosy, migrant workers and their families on how to access support services and assistance that would enable them to live independently in accordance with their choice, particularly in rural areas;
- (c) Undertake all necessary measures to ensure accessibility of community services and facilities for all persons with disabilities in all areas of life, as well as ensure home and community-based care for children with disabilities, including in rural areas.
- (d) Provide budgetary allocations to ensure that all persons with disabilities, including persons affected by leprosy, can decide where, how and with whom they wish to live, with accompanying necessary community support services, including personal assistance.

### Spain (2019)

37. The Committee is concerned about the:

- (a) Limited access to personal assistance, despite positive developments in some Autonomous Communities, due to non-personalized eligibility criteria and lack of a human rights-based approach of individualized support;
- (b) Continuing investment of public funds in the construction of new residential institutions for persons with disabilities;
- (c) Lack of a deinstitutionalization strategy and action plan to promote independent living for all persons with disabilities within their community.

**38. With reference to the Committee's general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party, in consultation with organizations of persons with disabilities:**

- (a) Recognize the right to personal assistance under the law ensuring that all persons with disabilities are entitled to personal assistance responding to personalized criteria for their independent living in the community, referring to a wide range of person-directed / user-led support and self-management of service delivery;
- (b) Discontinue the use of public funds for building residential institutions for persons with disabilities and invest in independent living arrangements in the community as well as in all general services to make them inclusive, guaranteeing their accessibility and availability for all persons with disabilities, to enable their inclusion and participation in all spheres of life;
- (c) Design, adopt and implement a comprehensive de-institutionalization strategy and implement safeguards to ensure the right to living independently and being included in the community across all regions, by redirecting resources from institutionalization to community-based services and increasing budget support for persons with disabilities to enhance their equal access to services, including personal assistance.

### Türkiye (2019)

42. The Committee is concerned about:

- (a) The absence of a legislative framework recognizing the right of persons with disabilities to live independently and choose their place of residence;
- (b) The prevalent institutionalization of persons with disabilities on the basis of impairment in facilities such as 'Hope homes', including children with disabilities, who remain in nursery residential schools and orphanages;
- (c) The medical approach to support, which is linked to institutions or for 'screening', 'diagnostic', 'intervention' and 'rehabilitation' purposes, particularly affecting autistic persons, and the low level of awareness among persons with disabilities of available forms of support, and mechanisms to access them;
- (d) The absence of measures to obtain personal assistance and that the minimum wage of in-home support is provided to relatives or guardians rather than to persons with disabilities themselves;

(e) The absence of a holistic approach to accessible community services for facilitating inclusion, in particular the lack of measures to ensure access to housing in the community.

**43. With reference to the Committee's general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party:**

**(a) Revise the Law on Social Services no. 2828 to comply and adhere to the Convention, recognizing the right of persons with disabilities to live independently as an individual right, and establishing measures to facilitate the exercise by persons with disabilities of their autonomy in choosing where, and with whom to live;**

**(b) In consultation with organizations of persons with disabilities, adopt, implement and monitor a strategy at the national and provincial levels, with a concrete timeframe and benchmarks to deinstitutionalize persons with disabilities, including children with disabilities and replace all institutionalized settings, with support for independent living;**

**(c) Allocate greater resources for developing individualized support for persons with disabilities, regardless of impairment or age, and ensure that human rights-based mental health is available for all persons with disabilities in all provinces;**

**(d) Systematically provide information in accessible formats to persons with disabilities and their families on how to access support to enable them to live independently and be included in the community;**

**(e) Enact policies and legislation and allocate financial resources for increasing accessibility in the community, including affordable housing, the built environment, public spaces and transport.**

### [Vanuatu \(2019\)](#)

32. The Committee is concerned at, despite the adoption of the Community-based rehabilitation Action Plan (2014-2024), the lack of sufficient support, including provision of personal assistants, for persons with disabilities to live independently in the community.

**33. In line with its general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party:**

**(a) Allocate adequate resources to provide support, including personal assistants and social protection, for persons with disabilities and their families to enable them to live independently in the community and to choose where and who they live with;**

**(b) Establish mechanisms for monitoring, evaluation and impact analysis of the Community-based rehabilitation Action Plan (2014-2024) in providing health and rehabilitative services to persons with disabilities in the home and in the community.**

### [Algeria \(2018\)](#)

32. The Committee is concerned that the State party has not initiated a process of deinstitutionalization of persons with disabilities and notes with concern the lack of measures taken to ensure respect for the right of persons with disabilities to independent living and inclusion in the community.

**33. The Committee recommends that the State party introduce and implement policy measures to initiate the process of deinstitutionalization of persons with disabilities in close consultation with representative organizations of persons with disabilities taking into account its General Comment No. 5 (2017) on article 19.**

### [Bulgaria \(2018\)](#)

39. The Committee notes with grave concern that according to the Action plan for the implementation of the National Long-term Care Strategy, the transition process from "institutional care to care in the community" would not be completed before 2034. It is also deeply concerned that the strategy envisages transfer of residents from large institutions to small group homes, contrary to the provisions of article 19, as elaborated in the Committee's general comment No. 5 (2017). It is further concerned that persons with psychosocial

disabilities are hospitalised in psychiatric hospital wards due to lack of recovery oriented rehabilitation, adequate individualized services and accommodation within the community.

**40. In line with its' General comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party:**

- (a) Significantly expedite the transition process ensuring all persons with disabilities living in any form of institution, including psychiatric hospital units, and small community-based group homes, the right to and possibility of living independently within the community, paying particular attention to persons with psychosocial disabilities, intellectual disabilities, children with disabilities, and elderly persons with disabilities;**
- (b) Increase resources for developing individualized support services for persons with disabilities regardless of type of impairment and age. These services should include peer support and personal assistance;**
- (c) Adopt legislation concerning individualized and self-managed personal assistance and social and support services, recognising the right to living independently and being included in the community as a subjective right for all persons with disabilities regardless of impairment and required level of support;**
- (d) Implement a procedure to meaningfully and disability-sensitively consult with organizations of persons with disabilities on all aspects of the implementation of article 19, including deinstitutionalization strategies and processes;**
- (e) Use financial national and international resources from the European Union to advance inclusion of persons with disabilities in society, and introduce efficient remedies and guidelines to avoid spending national and international funds on establishing infrastructure, housing and/or services which are not accessible and affordable for all persons with disabilities.**

### Malta (2018)

29. The Committee is concerned that the State party continues to institutionalize persons with disabilities and has not yet adopted a national legislation incorporating the legal provisions of article 19 of the Convention, so that they become directly justiciable, and provided tools for their enforcement. The Committee is also concerned at the limited, financial support to persons with disabilities to employ personal assistance that would allow them to live independently and the lack of skills training personnel to support persons with disabilities in the community.

**30. The Committee recommends that the State party take into account its general comment No. 5 (2017) on living independently and being included in the community, and:**

- (a) Ensure that existing residential institutions that contribute to the seclusion of persons with disabilities are closed and that the provision of appropriate community-based services is strengthened;**
- (b) Ensure that all projects supported by public funds are carried out in a community setting, do not contribute to seclusion of persons with disabilities, are monitored by organizations of persons with disabilities, and are provided with sustainable continuous funding;**
- (c) Adopt the legal and other necessary measures, such as the planned Personal Autonomy Bill and the UN CRPD Bill, that will make article 19 of the Convention justiciable;**
- (d) Ensure that the financial and other measures are in place that allow persons with disabilities to be provided with personal assistance and that personnel supporting persons with disabilities in the community are appropriately trained, if necessary.**

### Philippines (2018)

34. The Committee is concerned about:

- (a) The lack of recognition of the right to living independently and being included in the community as a subjective right;**

(b) The absence of a strategy to ensure the transition from institutions to full independent living for all persons with disabilities within the community, including personal assistance;  
(c) The lack of support services to enable persons with disabilities to be included and participate fully in the community, which contributes to perpetuation of the institutionalization model.

**35. The Committee recommends that the State party take into account the Committee's general comment No. 5 (2017) on living independently and being included in the community, and:**

**(a) Enact legislation aimed at recognising the right of persons with disabilities to live included in the community and to choose their place of residence, and where and with whom they live. The State party should ensure that all persons with disabilities have legal capacity to exercise their freedom of choice concerning living arrangements;**

**(b) Ensure the involvement of persons with disabilities and their representative organizations at all stages of the development of independent living strategies and schemes.**

**(c) Adopt the measures necessary to ensure that persons with disabilities have a legal entitlement to a sufficient personal budget for independent living, which takes into account the additional costs related to disability and, at the same time, redirect resources from institutionalization to community-based services, while increasing the availability of personal assistance;**

**(d) Implement community support services, with qualified human resources and adequate budgets, to enable persons with disabilities to make independent decisions on where to live and to be included in the community.**

### [Poland \(2018\)](#)

32. The Committee is concerned about:

(a) Critical stagnation and absence of determination in the process of deinstitutionalisation of persons with disabilities and their transition to independent living in community ensuring the right to choose where, with whom and how to live outside institutions and group homes, including the absence of a strategy and action plan and targeted funding for the deinstitutionalisation process after the termination of the European Union funds allocated for this purpose;

(b) Lack of access to community-based services, especially in villages, and the continuation of sheltered housing programmes, including the establishment of group homes, that are inconsistent with article 19 of the Convention as elaborated in Committee's General Comment No.5;

(c) Personal assistance services that are project-based, non-systemic and limited in budget, duration and territorial availability;

(d) Spending of the European Union funds allocated for deinstitutionalisation on measures that are not consistent with the Convention as elaborated in Committee's General Comment no.5, and the lack of monitoring of how these funds were used;

(e) Incorrect translation of the term "community" by "society" in the Polish version of the Convention.

**33. With reference to the Committee's general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party:**

**(a) Design and adopt concrete action plans for deinstitutionalisation and a time bounded transition to independent living schemes for persons with disabilities within the community, and ensure that adequate funding is allocated to this process after termination of European Union funds allocated specifically for this purpose;**

**(b) Adopt legal frameworks and allocate sustainable budget aimed at providing personal assistance within individualized and inclusive support arrangements to persons with disabilities;**

(c) Ensure spending of the European Union funds allocated for deinstitutionalisation on measures that is consistent with the Convention; as well as monitoring of spending of the European Union funds allocated for deinstitutionalisation, with the effective participation of persons with disabilities and/or their representative organisations, to ensure that spending is in line with requirements of persons with disabilities themselves.

(d) Ensure the correct translation of the term “community” in the Polish version of the Convention

### South Africa (2018)

34. The Committee is concerned about the lack of a well-defined national strategic and legislative framework on de-institutionalisation and the absence of independent living community support services that provide for inclusion of persons with disabilities, particularly for persons with psychosocial and/or intellectual disabilities. Furthermore, the Committee is deeply concerned that the Gauteng tragedy may discourage the continuation of the process of de-institutionalisation process in the State party.

**35. The Committee, in line with its general comment No. 5 (2017) on the right to independent living and to be included in the community, recommends that the State party:**

(a) Develop and adopt a national strategic and legislative framework on de-institutionalisation of persons with disabilities, including all necessary independent living community support services and ensure that persons with disabilities are effectively included, through their representative organisations, at all stages of the deinstitutionalization process;

(b) Step up the efforts for de-institutionalisation;

(c) Adopt an action plan at the national, regional and local level to develop community support services in urban and rural areas, including providing personal assistance, grants and support to families of children with disabilities and parents with disabilities, covering support for assistive devices, guides and sign language interpreters.

### North Macedonia (2018)

34. The Committee notes with concern:

(a) The weakness of the deinstitutionalization process and the emphasis given to the resettlement of persons with disabilities in small group homes instead of independent living arrangements;

(b) The absence of services and provision of personal assistance to promote independent living of persons with disabilities in the State Party;

(c) That the State Party still spends more funds on institutions as compared to community based services;

(d) (d)The age discriminatory nature of the personal assistance pilot program.

**35. With reference to the Committee’s general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party:**

(a) Provide adequate human, financial and technical resources for the full implementation of deinstitutionalization particularly for implementing the transition to independent living conditions;

(b) Allocates sufficient resources to ensure to ensure the provision of personal assistance and that services in the community are available, accessible, affordable, accommodating and of quality in order to enable persons with disabilities exercise their right to live independently and be included in the community;

(c) Adopt the measures necessary to ensure that persons with disabilities have a legal entitlement to a sufficient personal budget for independent living, which takes into account the additional costs related to disability and, redirect resources from institutionalization to community-based services;

**(d) Adopt measures to ensure the provision of personal assistance for persons with disabilities regardless of age limitations.**

### Haiti (2018)

36. The Committee is concerned that the legislation of the State party fails to recognize living independently and being included in the community as a human right that enshrines individual autonomy, control and choice as intrinsic aspects of that right. The Committee is also concerned at the lack of policies, priorities and measures that affect the ability to live independently in the community.

**37. The Committee recommends, in line with the Committee's general comment No. 5 (2017) on living independently and being included in the community, that the State party recognize the right to living independently and being included in the community as a subjective right, including the enforceability of all its elements, and adopt rights-based policies, regulations and guidelines to ensure implementation. The Committee further recommends that the State party set up a comprehensive plan, developed in close collaboration with organizations of persons with disabilities, with adequate and sufficient dedicated funding to allow persons with disabilities to live independently and be included in the community in rural as well as urban areas and ensure the deinstitutionalization of persons with disabilities.**

### Nepal (2018)

29. The Committee is concerned that persons with disabilities are not provided with adequate means to enable them to exercise choice and control over their lives and make all decisions concerning their lives, particularly to live independently and in communities. The Committee is further concerned that the State party has not adopted any policy measures to protect persons with disabilities against forced institutionalization.

**30. In line with General Comment No. 5 (2017) on the right to independent living, the Committee recommends that the State party adopt a strategy to implement independent living schemes and ensure access to disability specific and community services. The Committee also recommends that the State party ensure that persons with disabilities who live with or are dependent on their families receive appropriate support to enable them to live independently in the community.**

### Oman (2018)

35. The Committee is concerned about the low level of awareness among persons with disabilities of available independent-living support services and ways in which to claim such assistance within their local community, the inaccessibility of such services to persons with mobility impairments, persons with disabilities in rural areas and to migrant workers. The Committee is also concerned about the lack of home-based and community-based care for children with disabilities, especially in rural areas.

**36. The Committee recommends that the State party strengthen measures to promote the rights of persons with disabilities to live independently and be included in the family and community, and to systematically provide information to all persons with disabilities, including migrant workers and their families on how to access support services and assistance that would enable them to live independently in accordance with their own choice, in particular in rural areas. The Committee also recommends that the State party undertake all necessary measures to ensure accessibility to community services and facilities by all persons with disabilities in all areas of life, as well as ensure home and community-based care for children with disabilities, including in rural areas.**

### Russian Federation (2018)

40. The Committee is deeply concerned about the large number of persons with disabilities living in institutions and about the limited opportunities for persons with disabilities, especially those with intellectual and/or psychosocial disabilities, to access services and participate in local communities. It also notes with concern the lack of de-institutionalization strategy and that not all persons with disabilities are aware of the available support services and ways in which to claim assistance in local community.

**41. In line with its General comment No. 5, the Committee recommends that the State party adopt a strategy to promote the rights of persons with disabilities to live independently and be included in the community, to develop accessible support services for persons with disabilities of all types and ages in local communities, and to systematically provide information to persons with disabilities and their families on how to claim support services and assistance that would enable them to live independently in accordance with their own choice and as part of the community.**

### Seychelles (2018)

33. The Committee is concerned about:

- (a) The absence of legal measures in the State party to ensure that persons with disabilities can live independently;
- (b) The limited support that persons with disabilities and their families receive to enable them to exercise their right to independent living and inclusion in the community, which has resulted in cases of abandonment of persons with disabilities and their being placed in the care of the State in a residential institution;
- (c) The absence of a deinstitutionalization strategy for those persons with disabilities placed in existing residential institutions.

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

- (a) Expressly recognize in its legislation the right of persons with disabilities to choose with whom and where they wish to live;**
- (b) Provide sufficient support to persons with disabilities and their families to enable them to exercise their rights to independent living and to be included in the community;**
- (c) Urgently start the process of deinstitutionalization of those persons with disabilities still in a residential setting and increase the availability of community-based services aimed at enabling persons with disabilities to live and participate in the community.**

### Slovenia (2018)

31. The Committee is concerned at the large number of persons with disabilities still residing in institutions because of the lack of an explicit policy, national and municipal capacity and measures for deinstitutionalization of persons with disabilities, and the insufficient provision of independent living services in the community. It is also concerned about the practice of transferring persons with disabilities from larger to smaller institutions and about plans to build new institutions.

**32. With reference to the Committee ' s general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party:**

- (a) Adopt and implement a strategy and action plan, within a time frame, aimed at deinstitutionalization;**
- (b) Prevent any form of reinstitutionalization and provide sufficient funding for developing community-based independent living schemes;**
- (c) Allocate sufficient resources to ensure that services in the community are available, accessible, affordable, acceptable and accommodating of persons with disabilities, so that such persons may exercise their right to live independently and be included in their communities, in both urban and rural areas;**

**(d) Strengthen the national and municipal capacity to implement deinstitutionalization, in close cooperation with organizations of persons with disabilities.**

### Sudan (2018)

39. The Committee notes with concern the absence of a strategy to promote and ensure the transition to full independent living for all persons with disabilities within the community, including with support of personal assistance programs; and that persons with psychosocial disabilities are still forced to live in reformatories without their consent under the guise of ensuring close supervision and access to better health care and treatment.

**40. In the light of its general comment No. 5 (2017), the Committee recommends that the State party:**

**(a) Adopt the legal and political measures necessary to ensuring the right of all persons with disabilities to independent living and inclusion in the community, including by providing for personal assistance and assistive aids;**

**(b) Adopt the measures necessary to ensure that persons with disabilities have a legal entitlement to a sufficient personal budget for independent living, which takes into account the additional costs related to disability and, redirect resources from institutionalization to community-based services.**

### Latvia (2017)

30. The Committee is concerned about the:

(a) (a) Slow process of deinstitutionalizing persons with disabilities and allegations that residents are being transferred between institutions under the guise of deinstitutionalization;

(b) Absence of a strategy to ensure the continuity of deinstitutionalization after the termination of support from European structural funds;

(c) (c) Lack of commitment shown by municipalities to the deinstitutionalization process as a result, in part, of the limited knowledge of independent living;

(d) Excessive administration and limited provision of personal assistance for persons with disabilities.

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

**(a) (a) Expedite the complete deinstitutionalization of all persons with disabilities within a set time frame in order to close all remaining institutions, both those run by the State and the municipalities, ensuring that residents are not subject to transinstitutionalization;**

**(b) (b) Reinforce the engagement of municipalities in implementing the deinstitutionalization strategy, including through raising awareness about independent community-based living for persons with disabilities and ensuring sustainable provision of services to promote independent living following termination of European structural funds;**

**(c) (c) Ensure the provision of quality personal assistance that takes into account the individual needs of persons with disabilities and ensures their social inclusion and participation.**

### Luxembourg (2017)

36. The Committee is concerned about:

(a) Laws in place, including the reform to Act 7014 of 8 July 2016, that continue to curtail the right to independent living by setting limits and controls on persons with disabilities;

(b) The lack of an action plan for the deinstitutionalization of persons with disabilities with a specific timeline and appropriate funding;

(c) The absence of a clear strategy to promote and ensure the transition to full independent living for all persons with disabilities within the community, including with support of a personal assistant, and that future plans and construction projects still contain elements that limit the rights of persons with disabilities under article 19.

**37. The Committee recommends that the State party take into account its general comment No. 5 (2017) on living independently and being included in the community, and:**

**(a) Adopt the legal and other measures necessary, including repealing Reform Act 7014 and relevant disability insurance systems, replacing them by legislation promoting the right to independent living and being included in the community, providing for, among others, personal assistance and clarifying the responsibilities and resource allocations of central and local authorities;**

**(b) Develop and implement an effective deinstitutionalization plan, with a clear time frame and benchmarks, involving persons with disabilities through their representative organizations in all stages;**

**(c) Adopt the measures necessary to ensure that persons with disabilities have a legal entitlement to a sufficient personal budget for independent living, which takes into account the additional costs related to disability and, at the same time, redirect resources from institutionalization to community-based services, while increasing the availability of personal assistance.**

### Montenegro (2017)

36. The Committee is concerned about the continuation of institutional care and the lack of any comprehensive strategy of deinstitutionalization. It is also concerned about:

(a) The high number of persons with disabilities who are institutionalized, and the fact that the efforts made by the State party to develop individual support services remain insufficient;

(b) The fact that persons who are institutionalized are transferred to other institutions as a form of "holiday";

(c) The allocation of resources to the creation of smaller, albeit still segregated settings, which constitute de facto institutions, instead of increasing resource allocation to community-based care.

**37. The Committee urges the State party to adopt a comprehensive strategy with clear time-bound goals for effective deinstitutionalization and to allocate adequate resources to its implementation. It recommends that the State party:**

**(a) Commit to not building new institutions or other forms of segregated settings, and instead develop a wide range of community-based services, including at the local level, that respond to the needs of persons with disabilities and respect their autonomy, choices, dignity and privacy and that include peer support and other alternatives to the medical model of mental health;**

**(b) Discontinue the concept of holidays in a different institution and ensure that persons with disabilities can spend holidays in a community care environment;**

**(c) Ensure the involvement of persons with disabilities and their representative organizations at all stages of the development of independent living strategies and schemes.**

### Morocco (2017)

38. The Committee notes with concern:

(a) The high number of persons with disabilities, including children, living in institutions;

(b) The absence of community support services that provide for inclusion of persons with disabilities in the community;

(c) The marginalization of persons with disabilities, especially persons with psychosocial and/or intellectual disabilities, from participation in the activities of daily life owing to a lack of accessible essential services;

(d) The absence of a policy on deinstitutionalization and independent living.

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

**(a) Recognize in its legislation the subjective right of persons with disabilities to live independently and be included in the community;**

- (b) Set up a strategy for the deinstitutionalization of persons with disabilities that includes provisions for collecting data, particularly of abandoned children with disabilities in institutions, a clear time frame and indicators;**
- (c) Adopt a plan at the national and regional levels to develop community support services in urban and rural areas, including personal assistance, grants and support for families of children with disabilities and parents with disabilities, including support for the provision of assistive devices, guides and sign language interpreters;**
- (d) Adopt measures at the national and local levels to ensure the accessibility of community services and facilities for all persons with disabilities in all areas of life.**

### Panama (2017)

42. The Committee is concerned at the limited progress made in implementing an independent living model and the lack of programmes and services, including personal assistance for persons with disabilities who require it, so that they may exercise their right to independent living and to be included in their community.

**43. In line with its general comment No. 5 (2017) on the right to independent living and to be included in the community, the Committee recommends that the State party promote independent living schemes and roll out programmes and services, including personal assistance for persons with disabilities who require it, so that they may exercise their right to live independently and be included in their community. It also recommends that the State party introduce a budget line to guarantee fair wages for individuals who provide personal assistance to persons with disabilities.**

### United Kingdom of Great Britain and Northern Ireland (2017)

44. The Committee is concerned about:

- (a) The fact that the State party's legislation fails to recognize living independently and being included in the community as a human right that enshrines individual autonomy, control and choice as intrinsic aspects of that right;
- (b) Policies and measures that affect the ability to live independently in the community, such as the reduction in social protection schemes related to housing, household income and budgets for independent living, as well as the closure of the Independent Living Fund;
- (c) The fact that responsibility for supporting independent living has been transferred to the devolved administrations and local authorities without providing appropriate and earmarked budget allocation;
- (d) The fact that many persons with disabilities are still institutionalized and deprived of the right to live independently and be included within the community, when: (i) they lack the financial resources to afford personal assistance; (ii) local authorities are of the opinion that they can provide assistance within care homes; and (iii) the cost rationale constitutes the main parameter of an assessment;
- (e) The lack of support services and accessible public facilities, including personal assistance, for persons with disabilities, regardless of sex, gender, age and other status, to live independently and be included in the community.

**45. The Committee recommends that the State party, in line with the Committee's general comment No. 5 (2017) on living independently and being included in the community and the Committee's report on its inquiry concerning the United Kingdom of Great Britain and Northern Ireland carried out under article 6 of the Optional Protocol to the Convention:**

- (a) Recognize the right to living independently and being included in the community as a subjective right, recognize the enforceability of all its elements, and adopt rights-based policies, regulations and guidelines to ensure implementation;**
- (b) Conduct periodic assessments in close consultation with organizations of persons with disabilities to address and prevent the negative effects of policy reforms through sufficiently funded and appropriate strategies in the area of social support and living independently;**

(c) Provide adequate, sufficient earmarked funding to local authorities and administrations, including the devolved governments, to be able to continuously allocate adequate resources allowing persons with disabilities to live independently and be included in the community and to exercise their right to choose their place of residence and where and with whom to live;

(d) Set up a comprehensive plan, developed in close collaboration with organizations of persons with disabilities, aimed at the deinstitutionalization of persons with disabilities, and develop community-based independent living schemes through a holistic and cross-cutting approach, including education, childcare, transport, housing, employment and social security;

(e) Allocate sufficient resources to ensure that support services are available, accessible, affordable, acceptable, adaptable and are sensitive to different living conditions for all persons with disabilities in urban and rural areas.

### Armenia (2017)

31. The Committee is concerned about the slow progress of the deinstitutionalization process and the large number of children and adults with disabilities still living in residential institutions. It is also concerned about the very limited support to enable them to live independently within the community.

**32. The Committee recommends that the State party expedite the process of deinstitutionalization and implement, without delay, its action plan for deinstitutionalization, including timelines for closing all remaining institutions. It also recommends that the State party adopt legal measures and allocate sufficient resources for the development of support services, including personal assistance, that would facilitate the independent living of all persons with disabilities in the community. The Committee further recommends that persons with disabilities, through their representative organizations, be involved in all stages of the deinstitutionalization process (planning, implementation, evaluation and monitoring).**

### Bosnia and Herzegovina (2017)

34. The Committee is concerned that:

(a) Institutional care is still prevalent and there is no comprehensive strategy of deinstitutionalization in the State party;

(b) The number of institutionalized persons with disabilities remains high, and insufficient efforts have been made to provide resources for the development of support services, in particular personal assistance, in local communities for those leaving institutions;

(c) Resources are still invested in renovating or extending institutions, while initiatives of – and opportunities provided for – organizations of persons with disabilities for developing services within the community that enable independent living are not sufficiently supported.

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

(a) **Adopt a comprehensive strategy with clear time-bound measures and the allocation of sufficient funds for effective deinstitutionalization;**

(b) **Legally ensure that no further investment will be made in new institutions and that the staff of current institutions will be provided with adequate training on the Convention, and update the current curricula of social worker students accordingly;**

(c) **Facilitate the involvement of organizations of persons with disabilities in the development of independent living strategies and schemes that provide for accessible community-based services, especially at the local level.**

### Canada (2017)

37. The Committee commends the steps taken by different provinces in the State party towards deinstitutionalization, and welcomes in particular the information that Ontario closed its last residential institution for persons with “developmental” disabilities in 2009. However,

the Committee is concerned that persons with disabilities continue to be placed in institutions in many provinces, such as Alberta, British Columbia, Manitoba, Nova Scotia, Prince Edward Island and Quebec, and in the territories. It is also concerned about the lack of adequate services and support available to persons with disabilities within the over 600 First Nation communities in the State party.

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

**(a) Adopt national guidelines on, and provide on a continuous basis advice to provincial and territorial jurisdictions towards, the recognition of the right to live independently and be included in the community as a subjective and enforceable right for persons with disabilities, reaffirming the principle of respect for the individual autonomy of persons with disabilities and their freedom to make choices about where and with whom to live;**

**(b) Adopt a human rights-based approach to disability in all housing plans and policies at all levels. To that end, the State party should increase the availability of affordable and accessible housing units for persons with psychosocial and intellectual disabilities, as well as support services;**

**(c) Ensure that provincial and territorial jurisdictions set up strategies with time frames to close institutions and replace them with a comprehensive system of support for independent living, including home support and personal assistance for persons with disabilities;**

**(d) Ensure that accessibility legislation, plans and programmes include the accessibility of services and facilities with the aim of facilitating the inclusion of persons with disabilities in the community and preventing their isolation and institutionalization;**

**(e) Ensure appropriate service provision within First Nation communities (on reserves) to individuals with intellectual and/or psychosocial disabilities.**

### Cyprus (2017)

43. The Committee is deeply concerned about the significant number of persons with disabilities who are currently still institutionalized.

**44. The Committee recommends that the State party, in close collaboration with representative organizations of persons with disabilities, and in line with article 4 (3) of the Convention:**

**(a) Develop and implement safeguards securing the right to independent living;**

**(b) Adopt and immediately implement an adequately funded deinstitutionalization strategy;**

**(c) Redirect resources allocated to institutionalization and earmark and allocate them to community-based services and increase the budget enabling persons with disabilities to live independently across the State party with access to individually assessed and adequate services, including personal assistance, within the community.**

### Honduras (2017)

45. Al Comité le preocupa la inexistencia de iniciativas concretas para la desinstitucionalización de personas con discapacidad y apoyos en la comunidad para la vida independiente. También le preocupa las inconsistencias entre el Programa de Asistencia Personal y la persistencia del enfoque médico en la aplicación de la legislación sobre cuidadores.

**46. El Comité alienta al Estado parte en sus esfuerzos de no aceptar ninguna nueva institucionalización y le recomienda que impulse un plan con plazos concretos y un presupuesto suficiente para la desinstitucionalización de personas con discapacidad, particularmente personas con discapacidad intelectual o psicosocial, que garantice a las personas con discapacidad el acceso a los servicios y apoyos necesarios, incluyendo la asistencia personal, con el objetivo de una vida independiente en la comunidad, todo esto en consultas con las organizaciones de personas con discapacidad.**

### [Iran \(Islamic Republic of\) \(2017\)](#)

40. The Committee is concerned about isolation and institutionalization of persons with disabilities, in particular persons with intellectual and/or psychosocial disabilities who depend on 'care' provided by their families or in institutions. It is further concerned about the absence of support services, including personal assistance aimed at ensuring inclusion of persons with disability in the community.

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

**(a) Adopt a strategy for the de-institutionalization of persons with disabilities, within a time frame, budget and measurable indicators, and withdraw the program community mental health center run by the Ministry of Health and Medical Education; and**

**(b) Redirect resources from institutionalization to community-based services and increase budgets to enable persons with disabilities to live independently with access to services, including personal assistance.**

**(c) Raise awareness about the right to autonomy and self-determination of persons with disabilities, including concerning decisions of where and with whom to live.**

### [Jordan \(2017\)](#)

37. The Committee is concerned about the low level of awareness among persons with disabilities of available independent-living support services and ways in which to claim such assistance within their local community.

**38. The Committee recommends that the State party adopt the deinstitutionalization strategy, ensure the allocation of the resources necessary for it to realize its objective of promoting the rights of persons with disabilities to live independently and be included in the family and community, and systematically provide information to persons with disabilities and their families on how to access support services and assistance that would enable them to live independently in accordance with their own choice and as part of the community and the family.**

### [Republic of Moldova \(2017\)](#)

36. The Committee is concerned about the slow pace of the deinstitutionalization process. It is concerned that, despite the executive moratorium on new admissions, persons with disabilities continue to be institutionalized. It is also concerned that the State party lacks the legal measures to ensure that persons with disabilities who have been deinstitutionalized can live independently, and that there is a lack of clarity as to the responsibilities of central and local authorities regarding the provision of community-based services.

**37. The Committee recommends that the State party expedite the process of deinstitutionalization and ensure the application of the moratorium. It recommends that the State party:**

**(a) Execute, without delay, the action plan for the implementation of reforms relating to deinstitutionalization, which should include a deadline and timelines for closing all remaining institutions;**

**(b) Adopt legal measures providing for independent living, including personal assistance, and clarify the responsibilities and resource allocations of central and local authorities;**

**(c) Involve persons with disabilities, through their representative organizations, in all stages of the deinstitutionalization process (planning, implementation, evaluation and monitoring).**

### [Bolivia \(2016\)](#)

49. The Committee is concerned about the non-existence of support services to enable persons with disabilities to be included and participate fully in the community, which contributes to perpetuation of the institutionalization model.

50. The Committee urges the State party to implement community support services, with qualified human resources and adequate budgets, to enable persons with disabilities to make independent decisions on where to live and to be included in the community.

### Colombia (2016)

48. The Committee is concerned that the transition of persons with disabilities from institutions to living in the community has not begun, and that there is a lack of support services for independent living.

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

**(a) Implement a plan for the deinstitutionalization of persons with disabilities, in close consultation with organizations of persons with disabilities, with specific timelines and sufficient resources for its implementation;**

**(b) Ensure that community services are available to persons with disabilities and are inclusive of persons with disabilities, and develop and make available at all levels, including municipalities and communities, the support services required by persons with disabilities, including personal assistance, to enable them to choose their place of residence and to live independently.**

### Ethiopia (2016)

43. The Committee is concerned at the absence of community support services that provide for the inclusion of persons with disability in society. It is also concerned at the lack of availability and accessibility of personal assistance services for persons with disabilities.

**44. The Committee recommends that the State party enhance the availability, accessibility and inclusiveness of existing public services and develop further community-based services for persons with disabilities to ensure that they have the opportunity to choose their place of residence and where and with whom they live, including in rural areas. It also recommends that the State party ensure the availability and accessibility of personal assistance services for persons with disabilities.**

### Guatemala (2016)

53. The Committee is concerned by the high number of children and adults with disabilities being held in institutions. The Committee is particularly concerned by the situation of persons at the Federico Mora National Mental Health Hospital, who are isolated indefinitely. It is also concerned by the large number of children, including many with disabilities, who are currently in institutions. The Committee notes with concern the lack of local community services designed to meet the needs of persons with disabilities to enable them to live independently. In addition, it is concerned by the lack of support for the families of children with disabilities to ensure that such children are able to remain in the family environment.

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

**(a) Urgently draw up a strategy for the deinstitutionalization of persons with disabilities, with time frames, adequate resources and specific assessment measures;**

**(b) Allocate sufficient resources to the development of local community support services, including personal assistance, to enable all persons with disabilities, regardless of disability, gender or age, to choose freely with whom, where and in what living arrangement they wish to live;**

**(c) Provide support to families of children with disabilities to prevent family breakdown and institutionalization of the children;**

**(d) Abolish the institutionalization of children of any age.**

### Italy (2016)

47. The Committee is deeply concerned about the trend to re-institutionalize persons with disabilities and that funds are not being reallocated from institutions to promoting and ensuring independent living for all persons with disabilities within their community. Furthermore, it notes with concern the gendered consequences of the current policies where women are “forced” to remain within the family as caregivers of their peers with disabilities instead of being employed in the labour market.

**48. The Committee recommends that the State party implement safeguards to retain the right to autonomous independent living across all regions, and redirect resources from institutionalization to community-based services and increase budget support to enable persons with disabilities to live independently across the country and have equal access to services, including personal assistance.**

### United Arab Emirates (2016)

37. The Committee is concerned that a number of cultural, social and environmental challenges prevent persons with disabilities from enjoying their rights to live independently and be included in the community, including the absence of a strategy to develop inclusive community-based services and provide personal assistance.

**38. The Committee recommends that the State party adopt a strategy to promote the rights of persons with disabilities, including Bidouns, to live independently and be included in the community, which includes developing community-based services, providing personal assistance and rendering existing services inclusive, regardless of place of residence, and to systematically provide information to persons with disabilities and their families on how to claim the kind of support services and assistance that would enable them to live independently in accordance with their own choices and as part of the community.**

### Uruguay (2016)

45. Al Comité le preocupa la inexistencia de iniciativas concretas para la desinstitucionalización de las personas con discapacidad y los apoyos en la comunidad para la vida independiente. También le preocupa las inconsistencias entre el Programa de asistencia personal y la persistencia del enfoque médico en la aplicación de la ley de cuidadores.

**46. El Comité alienta al Estado parte en sus esfuerzos de no aceptar ninguna nueva institucionalización y le recomienda que impulse un plan con plazos concretos y un presupuesto suficiente para la desinstitucionalización de personas con discapacidad, incluyendo a las personas con discapacidad intelectual o psicosocial, que garantice a las personas con discapacidad el acceso los servicios y apoyos necesarios, incluyendo la asistencia personal, con el objetivo de una vida independiente en la comunidad, todo esto en consulta con las organizaciones de personas con discapacidad.**

### Chile (2016)

43. Al Comité le preocupan los pocos avances en la implementación de la Ley núm. 20422 en lo relativo a las disposiciones para apoyar a personas con discapacidad a vivir independientemente pues estas personas carecen de sistemas de apoyos en la comunidad, lo cual las obliga a ingresar en instituciones o vivir en condiciones de indigencia. Asimismo, le preocupa la ausencia de un plan para la desinstitucionalización de personas con discapacidad y su transición hacia una vida de inclusión comunitaria.

**44. El Comité recomienda al Estado parte que impulse un plan para la desinstitucionalización de personas con discapacidad, particularmente personas con discapacidad intelectual o psicosocial, que incluya su transición hacia una vida independiente en la comunidad**

**contando con los servicios y apoyos necesarios, con plazos concretos y un presupuesto suficiente.**

### Lithuania (2016)

39. The Committee is deeply concerned at the lack of sufficient choice and range of adequate support mechanisms, including independent living schemes, to ensure that persons with disabilities can access accommodation within their local community, regardless of their sex, age or impairment. In particular:

- (a) Many children under 3 years of age with disabilities are still placed in residential institutions;
- (b) There are no guarantees that all younger persons with disabilities have realistic options of choosing not to live in residential facilities for the elderly;
- (c) There is no programme for individualized personal and financial assistance allowing persons with disabilities to live independently in the community, and a lack of range of community-based services.

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

- (a) **Adopt an adequately funded strategy for deinstitutionalization ensuring a range of community-based services for the social inclusion of persons with disabilities, including for children with intellectual and/or psychosocial impairments, including their right to live independently in the community, with the possibility of individualized personal assistance support services in their home;**
- (b) **Effectively implement the action plan for the implementation of the national programme for the social integration of persons with disabilities for the period 2013-2019 at all levels of the State;**
- (c) **Adopt a moratorium on new admissions of children into institutionalized care;**
- (d) **Eliminate excessive waiting time for receiving support services by investing in developing new services and rendering existing services accessible and inclusive and ensure that persons with disabilities have access to sufficient financial resources for independent living and improved access to accessible services in the community.**

41. The Committee is concerned that the national budget and European Union structural funds have been used in renovating existing institutional facilities and in constructing new ones.

**42. The Committee recommends that the State party further prioritize investing in a social service system for independent living in the community, and immediately refrain from using national and structural funds of the European Union to renovate, maintain or construct residential institutions for persons with disabilities.**

### Portugal (2016)

38. The Committee is concerned about the lack of a national policy for independent living in the State party, the lack of regulations governing personal assistance, and the fact that the amount currently paid for 'Third person assistance allowance' is very low, resulting in some persons in the State party being forced to live in institutions for persons with disabilities or in homes for older people, in which the State Party invest more than in support for living independently. It is also concerned that the National Mental Health Plan 2007-2016, which aims to extend the National Network for Integrated Continuous Care, has yet to put in place community-based services.

**39. The Committee recommends that the State party, in close consultation with representative organisations of persons with disabilities, adopt a national strategy for independent living, including increased investment in living independently in the community rather than in institutions, regulate in the field of personal assistance, and offer wider access to sign language interpreters and deafblind sign language interpretation in its public**

**services. Furthermore, the Committee urges the State party to establish community-based support services for persons with intellectual and psychosocial disabilities.**

### Serbia (2016)

39. The Committee is concerned about the lack of comprehensive strategy of deinstitutionalisation in the State party, further concerned that the number of institutionalised persons with disabilities remain high, and that insufficient efforts have been made to provide resources for the development of support services, personal assistance services in particular, in local communities for those leaving institutions. The Committee is further concerned that resources are still invested in renovating or extending institutions while a lot of barriers for initiatives by organisations of persons with disabilities (DPOs) including overcomplicated licencing process, still persist.

**40. The Committee urges the State party to adopt a comprehensive strategy and measures for an effective deinstitutionalisation. It further recommends to ensure no investment will be made for new institutions and to allocate resources to enable all persons with disabilities to live independently and to have support in the community based on their own choice and preference. It further recommends removing barriers for a greater participation of organisations of persons with disabilities (DPOs) in the development of community based services, especially at the level of municipalities.**

### Slovakia (2016)

55. The Committee is deeply concerned by the high number of institutionalized persons with disabilities, in particular women with disabilities; that progress on the deinstitutionalization process is too slow and partial; about the ongoing investments from government budgets in institutions; and the lack of provision of full support for persons with disabilities to live independently in their communities.

**56. The Committee recommends that the State party provide and implement a timetable to ensure that the implementation of the deinstitutionalization process is expedited, including by putting in place specific additional measures to ensure that community-based services are strengthened for all persons with disabilities, in particular women with disabilities and older persons with disabilities. Furthermore, the State party should ensure that the use of European structural and investment funds complies with article 19 and that new follow-up national action plans on the transition from institutional settings to community-based support are initiated with the comprehensive involvement of organizations of persons with disabilities and civil society organizations, including in the area of monitoring. The Committee also recommends that the State party no longer allocate resources from the national budget to institutions and that it reallocate resources into community-based services in accordance with the investment priorities of the European Regional Development Fund (art. 5.9 (a) of European Union regulation No. 1303/2013).**

57. The Committee is concerned at the geographic variation and unequal financial support of community-based social services and home-care services for persons with disabilities, including older persons, and at the slow rate of the remuneration process on behalf of the State party.

**58. The Committee recommends that the State party ensure the equal distribution of resources for social care, with an emphasis on community-based services. The Committee also recommends that the State party ensure that community-based social services and home-care services are available in all geographic regions and rural areas, and that funds are allocated to persons with disabilities who require them, especially those who are unemployed or in low-wage employment.**

### [Thailand \(2016\)](#)

39. The Committee is concerned about the institutionalization of persons with disabilities, including girls and boys, in residential institutions, hospitals, half-way homes and rehabilitation centres, and the insufficiency of community-based support services to implement independent living. The Committee is also concerned that many initiatives for facilitating the enjoyment of the right to independent living remain isolated examples and face challenges in terms of sustainability.

**40. The Committee recommends that the State party, in active dialogue with organizations of persons with disabilities:**

- (a) Adopt a concrete time frame for the deinstitutionalization of persons with disabilities;**
- (b) Make available a range of supports in the community to ensure that persons with disabilities can exercise choice and control regarding where and with whom they live;**
- (c) Continue and strengthen initiatives for independent living to ensure long-term sustainability.**

### [Uganda \(2016\)](#)

38. The Committee is concerned about the prevalence of institutionalization of persons with disabilities and the absence of community support services that provide for inclusion of persons with disability in society. It is also concerned about the marginalization of persons with disabilities, in particular persons with psychosocial and/or intellectual disabilities, from everyday life due to lack of provision of essential services.

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

- (a) Adopt a strategy for the deinstitutionalization of persons with**
- (b) disabilities, within a time frame and with indicators;**
- (c) Provide essential community-based services, including accessibility to education, health care, employment and accommodation, and personal assistance to guarantee independent living for persons with disabilities, including those living in rural areas;**
- (d) Provide grants to persons with disabilities to facilitate independent living in the community covering support for assistive devices, guides, sign language interpreters and affordable skin-care protection for persons with albinism.**

### [Brazil \(2015\)](#)

36. The Committee is concerned at the lack of access to support services and allowances, especially personal assistance services, aimed at enabling persons with disabilities to live independently and be included in the community. The Committee is also concerned that the State party does not have a comprehensive strategy to replace institutionalization with community-based living for persons with disabilities.

**37. The Committee recommends the State party to establish a framework providing for legal entitlement to personal assistance services to enable persons with disabilities to live independently in the community. The Committee also recommends that, in consultation with organizations of persons with disabilities, the State party develop and implement an effective de-institutionalization and community-based living strategy with clear time frames and benchmarks.**

### [European Union \(2015\)](#)

50. The Committee is concerned that across the European Union persons with disabilities, especially persons with intellectual and/or psychosocial disabilities still live in institutions rather than in local communities. It further notes that in spite of changes in regulations, in different Member States the ESI Funds continue being used for maintenance of residential institutions rather than for development of support services for persons with disabilities in local communities.

**51. The Committee recommends that the European Union develop an approach to guide and foster deinstitutionalisation, to strengthen the monitoring of the use of ESI Funds - to ensure they are being used strictly for the development of support services for persons with disabilities in local communities and not the re-development or expansion of institutions. It further recommends that the European Union suspend, withdraw and recover payments if the obligation to respect fundamental rights is breached.**

### Gabon (2015)

44. The Committee is concerned that community-based services aimed at enabling persons with disabilities to live and participate in the community with choices equal to others have yet to be developed. It is also concerned about the lack of measures aimed at persons with disabilities who are abandoned by their families, especially in and around the capital in so-called 'cités'.

**45. The Committee recommends that the State party comprehensively develop community-based services for persons with disabilities in close cooperation with them and their representative organisations including, in particular, the service of personal assistance. It also recommends that it adopt the necessary measures to prevent isolation or segregation of persons with disabilities from the community hidden in the family, in segregated institutions, and in the so-called 'cités'.**

### Kenya (2015)

37. The Committee is concerned about the institutionalization of persons with disabilities and the absence of community support services that provide for inclusion of persons with disability in society.

38. The Committee recommends that the State party:

- (a) Adopt a strategy for the de-institutionalization of persons with disabilities, within a timeframe and measurable indicators. This strategy must involve the participation of organizations of persons with disabilities;
- (b) Launch a comprehensive strategy with timeframe and human rights-based indicators to provide for community-based services available for persons with disabilities; and
- (c) Take steps to introduce specific budgetary allocations, for the promotion of independent living, including cash transfer schemes for personal assistance services.

### Mauritius (2015)

31. The Committee is concerned that families who are often the sole base of support for persons and children with disabilities, especially those with psycho-social and intellectual disabilities, receive limited assistance from the State. The Committee is also concerned that children are removed from family settings and placed in residential institutions where they lack care and psychological support and are sometimes subjected to cruel, inhuman and degrading treatment. The Committee is further concerned that private Day Care Centers where children with disabilities are placed are not regulated nor monitored by the State and that children with disabilities continue to be placed in "Centres de Sauvegarde" ("Abris des Enfants en Détresse").

**32. The Committee recommends that the State party urgently remove children with disabilities from the "Centres de Sauvegarde" ("Abris des Enfants en Détresse") and develop family and community-based alternatives for those deprived of a family environment. The State party should initiate without delay a transition from private unregulated Day Care Centers to inclusive early childhood education and education settings and in the interim, regulate and closely monitor these Centers. The State party should adopt urgent measures directed to the deinstitutionalisation of persons with disabilities and to develop mechanisms at the community level to promote choices, autonomy and inclusion, for persons with disabilities. The Committee also recommends that the State party develop effective quality**

**support services for parents caring for children with disabilities and for persons with disabilities to live independently in the community as well as effective protection systems.**

### [Qatar \(2015\)](#)

37. The Committee is concerned by the absence of a strategy to promote the rights of persons with disabilities to live independently and be included in the community and the lack of a systematic provision of information by the State party to persons with disabilities and their families on how to claim support services and assistance they are entitled to.

**38. The Committee recommends that the State party adopt a strategy to promote the rights of persons with disabilities to live independently and be included in the community, and to systematically provide information to persons with disabilities and their families on how to claim support services and assistance that would enable them to live independently in accordance with their own choice and as part of the community.**

### [Ukraine \(2015\)](#)

36. The Committee notes with concern that the State party continues to practice institutionalization of persons with disabilities and provides very limited support, especially to persons with intellectual and psychosocial disabilities, to live independently in their respective communities.

**37. The Committee urges the State party to adopt measures for deinstitutionalization and to allocate sufficient resources for development of support services in local communities that would enable all persons with disabilities, to choose freely with whom, where and under which living arrangements they will live.**

### [Cook Islands \(2015\)](#)

39. The Committee is concerned that there are no registered personal assistants services in the State party and that families are the sole base of support for persons with disabilities.

**40. The Committee recommends the State party develop support services for persons with disabilities to live independently in the community, including setting a concrete time frame and allocating budget for the establishment of professional personal assistance services, with the active participation of organisations of persons with disabilities.**

### [Croatia \(2015\)](#)

29. The Committee is, concerned, that not all residential institutions, such as smaller private institutions, wards for long-term care in psychiatric institutions and foster homes for adults, are covered by the deinstitutionalization plan. It is further concerned that a legal framework providing for personal assistant services allowing independent living in the community is lacking and that such services are only available to a limited number of persons with disabilities.

**30. The Committee recommends that the process of deinstitutionalization include all residential institutions for all persons with disabilities and foster homes for adult persons with disabilities. It recommends to adopt a legal framework providing for entitlement to personal assistance services in the community and to initiate a process of making local communities and mainstream services accessible to persons with disabilities.**

### [Czech Republic \(2015\)](#)

38. The Committee notes with concern that the State party continues to invest more resources in institutional settings than in support services that would enable persons with disabilities to live independently in their respective local communities. It further notes with concern the lack of plans to provide support services in local communities for older persons with disabilities

39. The Committee urges the State party to step up the process of deinstitutionalization and to allocate sufficient resources for development of support services in local communities that would enable all persons with disabilities, regardless of their impairments, gender or age, to choose freely with whom, where and under which living arrangements they will live, in line with the provisions of article 19 of the Convention.

The Committee recommends the State party to take all necessary measures to ensure that policy processes for deinstitutionalization, including the development of the National Plan on Promoting Equal Opportunities for Persons with Disabilities 2015-2020, have a clear timeline and concrete benchmarks for implementation which are effectively monitored at regular intervals. In particular, the Committee urges the State party to abolish the placement of children under three years old in institutionalized care as soon as possible.

### Dominican Republic (2015)

38. The Committee is deeply concerned at the fact that there is no strategy to deinstitutionalize persons with disabilities, particularly children with “severe” disabilities in the Angeles homes and that no community and support services have been created to enable persons with disabilities to live independently and be included in the community.

39. **The Committee recommends that the State party adopt a programme for the deinstitutionalization of persons with disabilities, particularly children with disabilities, in the Angeles homes. It also recommends setting up programmes and support networks to enable persons with disabilities to be included in the community and to live independently, in housing arrangements that meet their wishes, needs and preferences.**

### Germany (2015)

41. The Committee is concerned about the high levels of institutionalisation and the lack of alternative living arrangements or appropriate infrastructure, which comprise additional financial barriers for persons with disabilities. Furthermore, it is concerned that access to benefits and support services impede the right to live in the community with an adequate standard of living due to means-testing of benefits, which do not cover disability-related expenses.

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

(a) **Take steps towards legal reform of Section 13 para. 1(3) of the Twelfth Book of the Social Code (SGB XII) for increased social assistance services to enable inclusion, self-determination and choice to live in the community;**

(b) **Allocate sufficient financial resources to facilitate de-institutionalisation and promote independent living, including increased financial resources to provide community-based outpatient services providing the required support to persons with intellectual or psychosocial disabilities based on the free and informed consent of the individual concerned across the whole country;**

(c) **Increase access to programmes and benefits to support living in the community and which cover disability-related costs.**

### Mongolia (2015)

31. The Committee is concerned about the lack of social assistance programmes aimed at enabling persons with disabilities to live independently in the community as prescribed for in article 19 of the Convention.

32. **The Committee recommends that the State party develop a de-institutionalisation plan, in consultations with persons with disabilities, which includes establishing support measures, including personal assistance to persons with disabilities, regardless of whether they have family or not.**

### [Turkmenistan \(2015\)](#)

37. The Committee is concerned at the absence of an effective roadmap with concrete targets to deinstitutionalize persons with disabilities.

**38. The Committee recommends that the State party design and effectively implement a strategy based on measurable targets for the deinstitutionalization of persons with disabilities taking into account the different types of institutions, with a view to promoting community-based services and supporting independent living. The above-mentioned strategy should be developed in consultation with organizations of persons with disabilities. The strategy should provide for sufficient trained therapists, social workers and other relevant specialists.**

### [New Zealand \(2014\)](#)

39. The Committee notes the independent living model and the Enabling Good Lives project, which both give greater independence to persons with disabilities. However, the Committee is concerned that there appears to be a lack of choice and of a range of supports to ensure that persons with disabilities can freely and by themselves choose to live included in the community, noting especially that persons with disabilities in some cases have no other option than to live in residential facilities for the elderly.

**40. The Committee recommends that the independent living model and the Enabling Good Lives programme be extended to enable more persons with disabilities to live independently in the community. The Committee also recommends that a range of supports be made available in the community to ensure that persons with disabilities can exercise choice and control regarding where they live.**

### [Denmark \(2014\)](#)

42. The Committee is concerned about the increased construction, by municipalities, with State-guaranteed loans, of large institution-like residences for persons with disabilities, with thirty to sixty or even more residents, often outside city centres. It is also concerned about the recent surveys indicating the limited possibility for persons with disabilities to freely choose where to live, which has included instances of forced relocation.

**43. The Committee recommends that the State party end the use of State-guaranteed loans to build institution-like residences for persons with disabilities; that it amend the legislation on social services so that persons with disabilities may freely choose where and with whom they live, while enjoying the necessary assistance to live independently; and that it take measures to close existing institution-like residences and to prevent the forced relocation of persons with disabilities, in order to avoid isolation from the community.**

### [Republic of Korea \(2014\)](#)

37. The Committee is concerned about the lack of efficiency of the deinstitutionalization strategies and the lack of sufficient measures aimed at including persons with disabilities in the community, as reflected by the increase in both the number of institutions for persons with disabilities and the number of residents, and the lack of policies for inclusion in the community with all necessary support services, including personal assistance services.

**38. The Committee urges the State party to develop effective deinstitutionalization strategies based on the human rights model of disability and to significantly increase support services in the community, including personal assistance services.**

39. The Committee is concerned that the amount that a person with disabilities is required to pay to receive personal assistant services is calculated based on the "degree of impairment" rather than on the characteristics, circumstances and needs of that person and on the income

of the family rather than on the income of the person concerned, resulting in the exclusion of some persons with disabilities from receiving personal assistant services.

**40. The Committee encourages the State party to ensure that social assistance programmes provide sufficient and fair financial assistance so that persons with disabilities can live independently in the community. The Committee recommends, in particular, that the State party base the amount of payment for the personal assistant services on the characteristics, circumstances and needs of the persons with disabilities, rather than on the “degree of impairment”, and on the income of the person with disabilities concerned, rather than on the income of his or her family.**

### Belgium (2014)

32. The Committee notes with concern the high rate of referral to institutional care for persons with disabilities in the State party and the lack of deinstitutionalization plans. It also notes that there is insufficient information on opportunities to continue living in society and the community, since institutional care is too often seen as the only lasting solution. Moreover, there are very few opportunities for persons with disabilities to live independently owing to a lack of investment and the inadequacy of personal assistance services. The Committee is concerned about the policy on registration of institutions that care for French persons with disabilities, in particular children with disabilities, in the State party and the lack of monitoring of such institutions.

**33. The Committee recommends that the State party work towards deinstitutionalization by reducing investment in collective infrastructure and promoting personal choice. The Committee urges the State party to implement a disability action plan at all levels of the State to guarantee access to services and an independent life for persons with disabilities so that they are able to live in the community. The action plan must eliminate current waiting lists and ensure that persons with disabilities have access to sufficient financial resources and that communities are accessible for persons with disabilities. The Committee recommends that the State party devise international cooperation programmes that respect the right of persons with disabilities to live in the community and involve disabled persons’ representatives and their families in their preparation.**

### Ecuador (2014)

34. The Committee is concerned that, although the Joaquín Gallegos Lara vouchers are provided so that persons with disabilities can have assistance in the home, these payments are made to the carers and not to the persons with disabilities themselves.

**35. The Committee recommends that the State party review the criteria for issuing Joaquín Gallegos Lara vouchers to persons with disabilities, with a view to ensuring that it is they who receive such support to live independently and be included in the community.**

### Mexico (2014)

43. The Committee is concerned at the lack of a State strategy for the inclusion of persons with disabilities in society and their ability to live independently. The Committee is further concerned by the absence of a specific and effective strategy for the deinstitutionalization of persons with disabilities.

44. The Committee recommends that the State party:

(a) Adopt legislative, financial and other measures to ensure that persons with disabilities may live autonomously in the community. These measures should include personal assistance services, be culturally appropriate, enable beneficiaries to choose their lifestyle and place of residence and express their preferences and needs, and contain a gender and age perspective;

(b) Urgently define a strategy for the deinstitutionalization of persons with disabilities, including specific time frames and assessment measures.

### [Sweden \(2014\)](#)

43. The Committee is concerned that State-funded personal assistance has been withdrawn for a number of people since 2010 due to a revised interpretation of “basic needs” and “other personal needs”, and that persons who still receive assistance have experienced sharp cutbacks, the reasons for which are unknown or only seemingly justified. It is further concerned at the reported number of positive decisions under the Swedish Act concerning Support and Service for Persons with Certain Functional Impairments that are not executed.

**44. The Committee recommends that the State party ensure that personal assistance programmes provide sufficient and fair financial assistance to ensure that a person can live independently in the community.**

### [Azerbaijan \(2014\)](#)

32. The Committee is concerned that notwithstanding the State party’s efforts to implement the State Programme on De-Institutionalisation and Alternative Care 2006-2015 and to reduce the number of people living in institutions, the level of institutionalisation remains high particularly among children. The Committee is particularly concerned at the lack of information on the promotion of independent living for persons with intellectual disabilities instead of their institutionalisation in psychiatric institutions

**33. The Committee recommends that the State party intensify the implementation of its de-institutionalization programme strategies with a view to promoting community based services and support independent living. The Committee further recommends that the State party ensure that social assistance programmes provide sufficient financial assistance to facilitate independent living in the community.**

### [Costa Rica \(2014\)](#)

39. The Committee regrets that there is no deinstitutionalization strategy for persons with disabilities in the State party. It is also concerned to note that, in the absence of due State supervision and control, the number of private care homes and shelters in which persons with disabilities are institutionalized is rising.

**40. The Committee urges the State party to immediately adopt a deinstitutionalization policy for persons with disabilities, including those in psychiatric hospitals, and which incorporates a comprehensive, human rights-centred mental health strategy. It also recommends the establishment of institutional facilities for persons with disabilities to be controlled and discouraged, and urges the State party to adopt a policy of developing community services so as to ensure that persons with disabilities can be included in the community.**

### [Australia \(2013\)](#)

41. The Committee is concerned that despite the policy to close large residential centres, new initiatives replicate institutional living arrangements, and many persons with disabilities are still compelled to live in residential institutions in order to receive disability support.

**42. The Committee encourages the State party to develop and implement a national framework for the closure of residential institutions and allocate the resources necessary for support services that would enable persons with disabilities to live in their communities. The Committee recommends that the state party takes immediate action to make sure that persons with disabilities are given a free choice of where they want to live and with whom and be able to receive the necessary support regardless of the place of residence. The State party should therefore conduct a mapping of the various forms of living accommodation based on the needs of various kinds of persons with disabilities.**

### [Austria \(2013\)](#)

36. The Committee notes with concern reports that over the last twenty years the population of Austrians with disabilities, who are institutional dwellers, has increased. The Committee is particularly concerned by this phenomenon because institutions are contrary to article 19 of the Convention and leave persons vulnerable to violence and to abuse.

**37. The Committee recommends that the State party ensure that the Federal Government and the Governments of the Länder place greater efforts on de-institutionalisation and in allowing persons with disabilities to choose where they live.**

38. The Committee commends Austria on its various personal assistance programs (at the federal and Länder levels) to assist persons with disabilities. The Committee notes with concern that the personal assistance programs are not available to persons with psychosocial disabilities and that not all cover persons with intellectual disabilities.

**39. The Committee recommends that the State party ensure that the assistance programs provide sufficient financial assistance to ensure that persons can live independently in the community. The Committee further recommends that the State Party harmonise and broaden its personal assistance programs by making personal assistants available to all persons with intellectual and psychosocial disabilities.**

### [El Salvador \(2013\)](#)

41. The Committee notes that the State party does not have a legal and public policy framework on the right to live independently and that poverty serves as a background for the abandonment and isolation of persons with disabilities and their separation from their families and communities. The Committee regrets that children with disabilities remain subject to institutional placement.

**42. The Committee urges the State party to adopt, in cooperation with organizations of persons with disabilities, an adequately funded strategy to deinstitutionalize persons with disabilities, including children with intellectual and/or psychosocial impairments, and ensure their social inclusion and their right to live independently in the community, with the possibility of a personal assistant or support services in the home. It also recommends the adoption of measures to prevent persons with disabilities being hidden or isolated from society or being separated from their families and social circle, including through granting their families the necessary support.**

### [Paraguay \(2013\)](#)

47. The Committee regrets that the State party has still made no significant progress on a mental health policy that includes measures to deinstitutionalize persons with disabilities who are currently housed in psychiatric hospitals, institutions for children with disabilities and shelters for homeless persons, particularly children, with disabilities.

**48. The Committee asks the State party to implement a policy to gradually deinstitutionalize persons with disabilities, with clear time frames and benchmarks, and which includes the setting up of community services, including rights-based mental health services.**

49. The Committee is concerned at the lack of understanding of the importance of persons with disabilities being able to live an independent life as part of the community. It is also concerned at the lack of measures and policies aimed at including persons with disabilities in the community and the low level of involvement of local authorities and institutions in this question.

**50. The Committee urges the State party to encourage the creation of services aimed at including persons with disabilities in the community and, to that end, to obtain the involvement and commitment of the authorities at all levels, particularly the local and the community levels, and to conduct appropriate consultations and encourage the involvement of disabled persons' organizations in these services.**

## [Argentina \(2012\)](#)

33. The Committee regrets that the State party's Support Service for Independent Living (SAVA) is not yet operational, and it is concerned that the available resources and services are of insufficient quality and quantity to guarantee the right of persons with disabilities to live independently and to be included in the community.

**34. The Committee urges the State party to ensure that the Support Service for Independent Living (SAVA) becomes operational as soon as possible and to develop and implement comprehensive programmes that will enable persons with disabilities to have access to a wide range of in-home, residential, community-based and other rehabilitation services and to freely choose where and how to live.**

## [China \(2012\)](#)

31. The Committee is concerned about the high number of persons with disabilities living in institutions and about the fact that China maintains institutions with up to 2000 residents. Such institutions are not in compliance with art. 19 CRPD. The Committee is further concerned about the existence of lepers colonies, where people with leprosy live in isolation

**32. The Committee recommends taking immediate steps to phase out and eliminate institutional-based care for people with disabilities. Further, the Committee recommends to State party to consult with organisations of persons with disabilities on developing support services for persons with disabilities to live independently in accordance with their own choice. Support services should also be provided to persons with a high level of support needs. In addition, the Committee suggests that the state party undertake all necessary measures to grant people with leprosy the medical treatment needed and to reintegrate them into the community, thereby eliminating the existence of such lepers' colonies.**

## [Hong-Kong \(2012\)](#)

69. The Committee is concerned about the shortage of subvented residential homes. It is also worried about the lack of premises for District Support Centres, whose aim is to strengthen the ability of persons with disabilities to live at home in their own community and be integrated into society.

**70. The Committee suggests that Hong Kong, China, allocate more resources to setting up more subvented mainstream residential homes and strengthening policies promoting establishment of accessible living facilities to secure the de facto possibility of free choice of accommodation. It calls upon Hong Kong, China, to ensure that the District Support Centres receive the necessary funds and premises in order to enable persons with disabilities to live in the community.**

## [Macao \(2012\)](#)

92. The Committee is concerned that the right to live independently and in the community has not yet been fully achieved in the Macao, China.

**93. The Committee urges the Macao, China, to prioritize the implementation of this right and shift from institutionalization to in-home or residential living as well as provide other community support services.**

## [Hungary \(2012\)](#)

33. The Committee takes note that the State party has recognized the need for the replacement of large social institutions for persons with disabilities in community-based settings (deinstitutionalisation). The Committee, however, notes with concern that the State party has set a 30 year time frame for its plan for deinstitutionalisation. It is furthermore concerned that the State party dedicated disproportionately large resources, including regional EU funds, to reconstruction of large institutions, which will lead to continued segregation in comparison to sufficient resources dedicated to setting up of community-based support

service networks. The Committee is concerned that the State party fails to provide sufficient and adequate support services in local communities that would enable persons with disabilities to live independently outside the residential institutions settings.

**34. The Committee calls upon the State party to ensure that an adequate level of funding is made available to effectively enable persons with disabilities to: enjoy the freedom to choose their residence on an equal basis with others; access a full range of in-home, residential and other community services for daily life, including personal assistance; and enjoy reasonable accommodation with a view to supporting their inclusion in their local communities.**

**35. The Committee further calls upon the State party to re-examine the allocation of funds, including the regional funds obtained from the EU, dedicated to the provision of support services for persons with disabilities, and the structure and functioning of the small community living centres, and ensure the full compliance with the provisions of article 19 of the Convention.**

### Peru (2012)

32. The Committee is concerned at the absence of resources and services to guarantee the right of persons with disabilities to live independently and to be included in the community, in particular in rural areas.

**33. The Committee urges the State party to initiate comprehensive programmes to enable persons with disabilities to access a whole range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community, especially in rural areas.**

### Spain (2011)

39. The Committee is concerned at the lack of resources and services to guarantee the right to live independently and to be included in the community, in particular in rural areas. It is further concerned that the choice of residence of persons with disabilities is limited by the availability of the necessary services, and that those living in residential institutions are reported to have no alternative to institutionalization. Finally, the Committee is concerned about linking eligibility of social services to a specific grade of disability.

**40. The Committee encourages the State party to ensure that an adequate level of funding is made available to effectively enable persons with disabilities: to enjoy the freedom to choose their residence on an equal basis with others; to access a full range of in-home, residential and other community services for daily life, including personal assistance; and to so enjoy reasonable accommodation so as to better integrate into their communities.**

41. The Committee is concerned that the law for the promotion of autonomy limits the resources to hire personal assistants only to those persons who have level 3 disabilities and only for education and work.

**42. The Committee encourages the State party to expand resources for personal assistants to all persons with disabilities in accordance with their requirements.**