



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

*Article 5 CRPD
(Equality and non-discrimination)*

April 2024

Article 5 - Equality and non-discrimination

1. States Parties recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law.
2. States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.
3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided.
4. Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention.

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 (BOLIVARIAN REPUBLIC OF) (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)
SENEGAL (2019)
SPAIN (2019)
TURKIYE (2019)
VANUATU (2019)
ALGERIA (2018)
BULGARIA (2018)

MALTA (2018)
NORTHERN MACEDONIA (2018)
PHILIPPINES (2018)
POLAND (2018)
SOUTH AFRICA (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 (2016)
BOSNIA AND HERZEGOVINA (2016)
CANADA (2016)
CYPRUS (2016)
HONDURAS (2016)
IRAN (ISLAMIC REPUBLIC OF) (2016)
JORDAN (2016)
REPUBLIC OF MOLDOVA (2016)
BOLIVIA (PLURINATIONAL STATE OF) (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)
BELGIUM (2014)

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

Azerbaijan (2024)

11. The Committee is concerned that:

- (a) The new law "On the Rights of Persons with Disabilities" lacks an explicit prohibition of discrimination on the basis of disability across all sectors and areas of life, including by recognizing the denial of reasonable accommodation as a form of prohibited discrimination;
- (b) The legal and policy frameworks do not contain measures to address multiple and intersectional discrimination faced by older persons with disabilities, persons with disabilities living in rural areas, persons with disabilities belonging to ethnic, religious and linguistic minorities, internally displaced persons, refugee, asylum seekers and persons in refugee-like situations with disabilities, and lesbian, gay, bisexual, transgender, intersex and queer persons with disabilities in the State party;
- (c) Information and access to remedies and redress in cases of discrimination is limited, including among persons with disabilities in residential institutions.

12. Recalling its general comment No. 6 (2018) on equality and non-discrimination, the Committee reiterates its previous Concluding observations and recommendations (CRPD/C/AZE/CO/1, para. 13), and recommends that the State party:

- (a) Adopt comprehensive anti-discrimination legislation that explicitly prohibits disability-based and other discrimination against persons with disabilities, including direct and indirect discrimination, in public and private spheres, and that it covers areas including education, employment, goods and services;**
- (b) Recognize the obligation to provide persons with disabilities with reasonable accommodation in all areas of life and in public and private sectors and the denial of reasonable accommodation as a form of discrimination;**
- (c) Address intersectional discrimination against persons with disabilities belonging to ethnic, religious and linguistic minorities, older persons with disabilities, persons with disabilities living in rural areas, internally displaced persons, refugee, asylum seekers, and those in refugee-like situations with disabilities, and lesbian, gay, bisexual, transgender, intersex and queer persons with disabilities;**
- (d) Ensure appropriate and effective legal remedies and sanctions in relation to intersectional discrimination in civil, administrative and criminal proceedings.**

Bahrain (2024)¹

10. The Committee is concerned about:

- (a) The complete absence of a definition of discrimination on the basis of disability in the State party's national legislation.
- (b) The absence of a complaints and verification mechanism for cases of direct and indirect discrimination on the basis of disability
- (c) The absence of a definition of reasonable accommodation and the failure to recognise its denial as a form of discrimination
- (d) Persons with disabilities with non-Bahraini parents are denied access to the measures and services provided for in Law 74 of 2006 (on the care, rehabilitation and employment of persons with disabilities) and other legislation.

11. Recalling its general comment No. 6 (2018), the Committee recommends that the State party:

- (a) Include in national legislation a clear definition of discrimination on the basis of disability in line with the general principles of the Convention.**
- (b) Establish an easily accessible national mechanism to seek redress for cases of direct and indirect discrimination on the basis of disability.**
- (c) Include in national legislation provisions that recognise the denial of reasonable accommodation as a form of discrimination and establish measures to combat it.**

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

Costa Rica (2024)

9. Al Comité le preocupa lo siguiente:

- a) La persistente discriminación hacia las personas con discapacidad, especialmente mujeres, niños y niñas, y personas con discapacidad psicosocial e intelectual, y la inexistencia de mecanismos accesibles de denuncia y reparación para las víctimas de discriminación por motivos de discapacidad;
- b) La demora para la aprobación del Proyecto de Ley Expediente N. 20174 “Ley Marco para Prevenir y Sancionar todas las Formas de Discriminación, Racismo e Intolerancia”, así como la ausencia del criterio de discapacidad en la definición de discriminación y de referencias sobre las formas múltiples e interseccionales de discriminación.

10. **El Comité recomienda al Estado parte:**

- a) **Establecer mecanismos accesibles y eficaces, incluyendo procedimientos judiciales y administrativos, para combatir la discriminación por motivos de discapacidad, y garantizar que las víctimas reciban reparación y los perpetradores sean castigados.**
- b) **Acelerar la aprobación y adopción del Proyecto de Ley Expediente N. 20174 “Ley Marco para Prevenir y Sancionar todas las Formas de Discriminación, Racismo e Intolerancia”, con la incorporación del criterio de discapacidad en la definición de discriminación, así como de las formas múltiples e interseccionales de discriminación.**

Kazakhstan (2024)

11. The Committee notes with concern:

- (a) That national legislation lacks provisions defining discrimination on the basis of disability, and its intersection with other grounds, such as age, sex, gender, place of living, residence status and socio-economic situation;
- (b) That the provision of reasonable accommodation (CRPD/C/KAZ/1, para. 80) is limited to physical accessibility and that denial of reasonable accommodation is not recognized as a form of discrimination;
- (c) The limited mandate of the Commissioner for Human Rights in the Republic of Kazakhstan and the Commissioner for the Rights of Socially Vulnerable Categories of the Population to protect persons with disabilities from all forms of discrimination and prevent such discrimination.

12. **Recalling its general comment No. 6 (2018) on equality and non-discrimination, the Committee recommends that the State party:**

- (a) **Adopt comprehensive anti-discrimination legislation that protects persons with disabilities from direct, indirect, multiple and intersectional discrimination and recognize the denial of reasonable accommodation as a form of discrimination in all areas of life;**
- (b) **Include a definition of reasonable accommodation consistent with article 2 of the Convention;**
- (c) **Provide for effective remedies, including judicial and administrative complaint mechanisms, for persons with disabilities in cases of discrimination, and ensure just satisfaction to the injured parties;**
- (d) **Provide the Commissioner for Human Rights in the Republic of Kazakhstan with a broad mandate and independence to consider and address discrimination and other human rights violations against persons with disabilities, and the human, technical and financial resources necessary to perform its functions across the State party;**
- (e) **Ensure that the mandate of the Commissioner for the Rights of Socially Vulnerable Categories of the Population include prevention and combating discrimination on the basis of disability in all areas of life and at the national and local levels.**

Nicaragua (2024)

8. Al Comité le preocupa:

a) La falta de información sobre los resultados de las “medidas específicas” (CRPD/C/NIC/3, párrafo 29) tomadas por el Estado parte para eliminar todas las formas de discriminación basada en la discapacidad, incluida la discriminación por género, interseccional, múltiple y la discriminación por asociación;

b) La falta de claridad sobre si existe en el Estado parte un sistema establecido para recibir quejas y denuncias relacionadas con la discriminación hacia personas con discapacidad, así como el número de quejas recibidas y qué acciones se han tomado al respecto, incluyendo medidas de justicia restaurativa, investigación y en su caso sanciones correspondientes para aquellos responsables de la discriminación.

9. En consonancia con su observación general núm. 6 (2018), sobre la igualdad y la no discriminación, el Comité recomienda al Estado parte:

a) Promulgar, cuanto antes, una legislación contra toda forma de discriminación, incorporando las formas múltiples e interseccionales de discriminación, incluyendo la discriminación a las personas indígenas con discapacidad, el concepto de ajustes razonables en los distintos ámbitos y que reconozca la denegación de ajustes razonables como discriminación por motivos de discapacidad;

b) Establecer procedimientos que sean accesibles y eficaces, incluyendo procedimientos judiciales, administrativos y de presentación de quejas, para las víctimas de discriminación por motivos de discapacidad, y garantizar que se les proporcione una reparación y se investigue y, de ser el caso, sancione a los autores.

Sweden (2024)

13. The Committee is concerned:

(a) That the Discrimination Act 2008 does not contain any explicit provisions on intersectional and multiple forms of discrimination;

(b) That the State party’s legislation, including the Discrimination Act 2008, does not define the denial of reasonable accommodation as a form of discrimination throughout the legal system, but that reasonable accommodation is confined to a few selected areas, and that the concept of inadequate accessibility used by the State party is too narrow;

(c) At the lack of data about hate crime against persons with disabilities, and that hate speech against persons with disabilities is not prohibited under the specific hate crime legislation;

(d) That police activities cannot be challenged under the Discrimination Act 2008, in particular the introduction of new “visitation zones” that have a higher risk for persons with disabilities to be stopped, searched and interrogated without probable cause;

(e) That not all persons who are blind or partially sighted are eligible for support services under the Act on Support and Service for Persons with Certain Functional Impairments (LSS), or other support schemes, and need to bear additional cost for support, inhibiting them from participation in political and public life, cultural life, recreation, leisure and sport;

(f) At the lack of implementation of the recommendations issued in its communication No. 45/2018 (Richard Sahlin v. Sweden).

14. Recalling its general comment No. 6 (2018), the Committee recommends that the State party:

(a) Review the Discrimination Act 2008 to provide for explicit protection from multiple and intersectional forms of discrimination, including discrimination based on the intersection between disability and other status, such as age, sex, gender, race, indigeneity, lesbian, gay, bisexual, transgender and intersex status, ethnicity, migration status, or national origin;

(b) Amend the Discrimination Act 2008, as well as other relevant legislation and policies to rescind the restrictions on the prohibition of inadequate accessibility with respect to persons inquiring for work, housing and private persons, and include an express guarantee of reasonable accommodation consistent with article 2 of the Convention, applicable in all areas of the law;

(c) Amend the national legislation on hate crimes and include provisions on hate crimes against persons with disabilities, and ensure the collection and analysis of data on hate crimes specifically against persons with disabilities;

- (d) Ensure that all discriminatory actions by the police force can effectively be challenged in a court of law;**
- (e) Extend of provision of support to all persons with disabilities who are blind or partially sighted, under the national legislation, including the Act on Support and Service for Persons with Certain Functional Impairments (LSS), in order to improve their participation in political and public life, cultural life, recreation, leisure and sport;**
- (f) Extend its policy to adhere to recommendations issued in the procedure under Article 2 of the Optional Protocol to the Convention, as practiced with respect to interim measures in communications in asylum cases, to all recommendations issued under this procedure, implement the recommendations issued in Communication No. 45/2018 (Richard Sahlin v. Sweden), and ensure adherence to recommendations under this procedure in the future.**

Zambia (2024)

9. The Committee notes with concern:

- (a) That despite a comprehensive review undertaken by the Zambia's Law Development Commission of the Penal Code and the Criminal Procedure Code to remove derogatory and discriminatory terminology used to describe persons with disabilities, the proposed amendments have not been put into effect;**
- (b) That Constitution in its Bill of rights does not recognise disability-based discrimination and intersectional discrimination, and it does not recognize denial of reasonable accommodation as a form of discrimination;**
- (c) That despite the recognition by the Persons with Disabilities Act of 2012 the denial of reasonable accommodation as a prohibited ground of discrimination, the State party has not developed guidance or mechanisms to give effect to the duty to provide reasonable accommodations to persons with disabilities, nor set out procedures for persons with disabilities to challenge the lack of provision of reasonable accommodations;**
- (d) Persons who are deaf are still discriminated against under the Traffic Act with regard to obtaining motor vehicle driving licenses;**
- (e) The absence of an accessible and effective complaints mechanism for persons with disabilities to report incidences of discrimination.**

10. **The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party:**

- (a) Take measures to ensure that the proposals made in the comprehensive review of the Penal Code and the Criminal Procedure Code by Zambia's Law Development Commission that included the removal of derogative and discriminatory words used to describe persons with disabilities are legislated and put into effect;**
- (b) Review and amend the Bill of Rights of the Constitution and other existing anti-discrimination legislation to recognize multiple and intersectional forms of discrimination on the grounds of disability and its intersection with other grounds, such as age, sex, race, ethnicity, gender identity, or any other status, and adopt strategies to eliminate multiple and intersecting forms of discrimination; and ensure that it explicitly recognizes that the denial of reasonable accommodation constitutes discrimination on the basis of disability, and ensure effective investigation of reports of such discrimination;**
- (c) Develop regulations and guidelines in close consultation and active involvement of persons with disabilities and their representative organisations and establish mechanisms, policies, and practices to ensure the provision of reasonable accommodations as specified under sections 2 and 6 of the Persons with Disabilities Act and establish effective and easily accessible remedies in cases where reasonable accommodations have not been provided;**
- (d) Review the Roads and Road traffic Act to allow issuance of motor vehicle driving licenses to persons who are deaf;**
- (e) Put in place an accessible and effective complaints mechanism for persons with disabilities to report incidences of discrimination, and provide persons with disabilities subjected to discrimination with redress, compensation, and rehabilitation and ensure that perpetrators are sanctioned.**

Andorra (2023)

11. The Committee is concerned about the following:

- (a) The lack of a normative framework prohibiting intersectional discrimination against persons with disabilities and insufficient measures to address intersecting forms of discrimination against women and girls with disabilities, children with disabilities, and persons with intellectual and/or psychosocial disabilities;
- (b) That only one complaint of disability-based discrimination has been received by the Ombudsman (Raonador del Ciutadà) between October 2017, when its mandate was expanded by Act No. 26/2017, and December 2021, date of reception of the Replies to List of Issues by the State party;
- (c) The absence of statistics on disability-related cases before the judiciary;
- (d) The limited guidance and provision of reasonable accommodation in a broad range of areas.

12. The Committee, recalling its general comment No. 6 (2018) on equality and non-discrimination, and targets 10.2 and 10.3 of the Sustainable Development Goals, recommends that the State party:

- (a) Incorporate the concept of intersectional discrimination into domestic legislation, including the Act No. 13/2019 on Equal Treatment and Non-Discrimination, and reinforce strategies to eliminate multiple and intersecting forms of discrimination on the grounds of disability, in particular, against women and girls with disabilities, children with disabilities, and persons with intellectual and/or psychosocial disabilities;**
- (b) Strengthen its efforts to raise awareness of non-discrimination among persons with disabilities themselves and their families, and guarantee accessible complaint mechanisms, including judicial and administrative procedures, for victims of disability-based discrimination, provide them with redress, and ensure that perpetrators are sanctioned;**
- (c) Collect disaggregated data by sex, age, type of barrier encountered and sector in which the discrimination occurred, as well as on remedies and redress available, and sanctions applied in the framework of the judiciary;**
- (d) Adopt guidelines and training for State and non-State actors on their obligations to provide reasonable accommodation in a broad range of areas, including health, education, employment and access to services in the community.**

Austria (2023)

16. The Committee recognizes the progress made by the State party in developing anti-discrimination laws at the Federal and regional levels. However, it notes that with some exceptions, such as suits in the employment sector and suits against harassment and against large companies, the only remedy available to victims of discrimination based on disability is financial compensation. It further notes several reports that, despite strict legal requirements, the mandatory conciliation procedure in civil suits based on the Federal Disability Equality Act is, in fact, often not fully accessible.

17. The Committee recommends the State party further strengthen its Federal Disability Equality Act by extending the scope of available remedies to injunctive and remedial relief in all areas, render the conciliation procedure under the Act in fact fully accessible, and improve the financial support of organizations of persons with disabilities who have standing in such procedures.

Germany (2023)

11. The Committee is concerned that:

- (a) Legal protection against discrimination and of the specific rights under the Convention does not, with few exceptions, encompass private providers of goods and services;

(b)The State party's laws do not define the denial of reasonable accommodation as a form of discrimination throughout the legal system, but are confined to some specific areas, and that the understanding of the requirements to implement reasonable accommodations could be improved;

(c)The State party's laws, including the laws of the Länder, do not generally and explicitly address multiple and intersectional forms of discrimination;

(d)The relief of burden of proof in the General Law on Equality (AGG) does not unequivocally encompass the parties' obligations to prove the existence of a disadvantage.

12. Recalling its general comment No. 6 (2018) on equality and non-discrimination, the Committee recommends that the State party:

(a) Fulfil its pledges in the Coalition Agreement and extend the legal protection against discrimination and of the specific rights under the Convention to all private entities who provide goods and services to the public, and establish effective remedies to enforce the respective obligations;

(b) Amend its laws, at the Federal and Länder levels, so as to include an explicit recognition of the denial of reasonable accommodation as a form of discrimination in all areas of the law, and to include a legal definition of reasonable accommodation consistent with the meaning provided in article 2 of the Convention;

(c) Adopt legal and other measures necessary to provide for explicit protection from multiple and intersectional forms of discrimination, including discrimination based on the intersection between disability and other status, such as age, sex, gender, race, indigeneity, lesbian, gay, bisexual, transgender and intersex status, ethnicity, migration status, and national origin;

(d) Amend its laws on the relief of burden of proof, in particular para. 22 of the General Law on Equality (AGG), to explicitly include the parties' obligations to prove the existence of a disadvantage as a part of that relief.

[Israel \(2023\)](#)

11. The Committee notes with concern:

(a) Gaps in legislation to address discrimination on the basis of disability, including its intersection with other grounds, in all areas of life;

(b) That the Commission for Equal Rights of Persons with Disabilities is prevented from filing lawsuits against government authorities in its own name in all areas of life.

12. The Committee, recalling its general comment No. 6 (2018) on equality and non-discrimination, recommends that the State party:

(a) Adopt a comprehensive anti-discrimination law that protects persons with disabilities from direct, indirect, multiple and intersectional discrimination and the denial of reasonable accommodation by State and non-State actors in all areas of public life. The State party should strengthen accountability mechanisms with respect to State and non-State actors;

(b) Strengthen its efforts to ensure the improvement of the Commission for Equal Rights of Persons with Disabilities' enforcement powers;

(c) Provide different forms of reparations, including non-pecuniary reparations and strengthen the human, technical and financial resources of the Commission for Equal Rights of Persons with Disabilities to undertake its mandate concerning all persons with disabilities, including the most marginalized, and with respect to all fields of life.

[Malawi \(2023\)](#)

11. The Committee notes with concern:

(a) The lack of legislative and executive measures to give effect to the guarantees of equality and the prohibition of discrimination for persons with disabilities contained in the Constitution, particularly against women and girls with disabilities and persons with albinism, and the insufficient enforcement mechanisms, including to ensure reasonable accommodation;

(b)The decline in and current low number of cases dealing with disability discrimination by the Malawi Human Rights Commission, and the lack of information about remedies and redress in cases of discrimination;

(c)The absence of information about measures to prevent discrimination on the basis of disability and its intersection with other grounds, and about measures to make operative section 20 of the Constitution that guarantees the protection of children with disabilities from discrimination.

12. Recalling its general comment No. 6 (2018) on equality and non-discrimination, and targets 10.2 and 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Enact specific and comprehensive anti-discrimination legislation to enforce constitutional provisions on non-discrimination, prohibit discrimination on the basis of disability and its intersection with other grounds (such as age, sex, race, ethnicity, gender identity or any other status), and recognize the denial of reasonable accommodation as a form of discrimination. The State party should set up a framework for the provision of remedies and sanctions in relation to discrimination, including the granting of compensation and non-pecuniary remedies;

(b) Adopt measures to inform and raise awareness of the right of persons with disabilities to equality and non-discrimination under the Convention, and of the ability to seek redress. The State party should develop information about complaint mechanisms in Easy Read and other accessible formats and provide free legal aid for persons with disabilities seeking judicial and administrative remedies;

(c) Establish research programmes to identify inequalities, discriminatory practices and patterns of disadvantage affecting persons with disabilities, including intersectional discrimination, and adopt, in consultation with persons with disabilities through their representative organizations, a strategy to prevent and tackle intersectional discrimination, including discrimination against children with disabilities in all areas covered in the Convention.

[Mauritania \(2023\)](#)

9. The Committee is concerned about:

(a) The absence of a comprehensive definition of discrimination against persons with disabilities, encompassing multiple and intersectional forms of discrimination;

(b) The lack of recognition of denial of reasonable accommodation as a form of discrimination on the basis of disability.

10. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals, and recommends that the State party:

(a) Adopt a comprehensive definition of discrimination on grounds of disability, including multiple and intersectional disability encompassing age, race, gender, ethnicity, religion, language, sexual orientation, nationality and migration status, or any other status, and ensure that persons with disabilities are comprehensively protected from discrimination;

(b) Adopt legal provisions to recognize denial of reasonable accommodation as a form of discrimination in all areas of life and include an express definition of reasonable accommodation consistent with article 2 of the Convention.

[Mongolia \(2023\)](#)

11. The Committee notes with concern:

(a) That the State party has not yet taken measures to enact a specific comprehensive anti-discrimination legislation on disability and to mainstream into policy and legislation a legal definition of discrimination against persons with disabilities that would allow for the provision of appropriate and effective legal remedies and sanctions in civil, administrative and criminal proceedings;

(b) That the denial of reasonable accommodation is not recognized as a form of discrimination against persons with disabilities in all areas of life;

(c) There is a lack of recognition of multiple and intersectional forms of discrimination against persons with disabilities in law and policy, particularly on the ground of disability, age, gender, ethnicity, religion, language, nationality and migration status.

12. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party:

(a) Adopt a comprehensive anti-discrimination law, to ensure equal and effective legal protection against direct and indirect discrimination on the basis of disabilities, including harassment, abuse, denial of reasonable accommodation, and multiple and intersectional discrimination., to recognize multiple and intersectional forms of discrimination on the grounds of disability and its intersection with other grounds, such as age, sex, race, ethnicity, gender identity, sexual orientation, or any other status, and adopt strategies to eliminate multiple and intersecting forms of discrimination;

(b) In close consultation and active involvement of persons with disabilities through their representative organizations, include the provision of reasonable accommodation in all relevant laws and policies and adopt procedures and standards on implementation, including the duty to negotiate accommodations and applicant(s) requesting such accommodations, and access to action and remedy.

Paraguay (2023)

11. Al Comité le preocupa:

a) Que siga sin aprobarse un proyecto de ley contra toda forma de discriminación que contenga transversalmente la obligación de no discriminar a las personas con discapacidad, enfoque de género y de edad, con mecanismos para la presentación de quejas por motivo de discriminación y establezca sanciones a quienes discriminen, acorde con el eje 6.3 del Plan de Acción Nacional por los Derechos de Personas con Discapacidad;

b) Que persista la discriminación hacia personas con discapacidad, y no existan mecanismos accesibles de denuncia y reparación para las víctimas de discriminación por motivos de discapacidad.

12. En consonancia con sus anteriores observaciones finales (CRPD/C/PRY/CO/1, párrafo 14) y con su observación general núm. 6 (2018), sobre la igualdad y la no discriminación, el Comité recomienda al Estado parte:

a) Aprobar, cuanto antes, la ley contra toda forma de discriminación que incorpore las formas múltiples e interseccionales de discriminación, incluyendo la discriminación a las personas indígenas con discapacidad, el concepto de ajustes razonables en los distintos ámbitos, y que reconozca la denegación de ajustes razonables como discriminación por motivos de discapacidad;

b) Establecer procedimientos que sean accesibles y eficaces, incluyendo procedimientos judiciales, administrativos y de presentación de quejas, para las víctimas de discriminación por motivos de discapacidad, y garantizar que se les proporcione una reparación y se sancione a los autores.

Angola (2023)

7. The Committee observes with concern that:

(a) Despite the explicit prohibition of discrimination against persons with disabilities by the Constitution, the anti-discrimination legislation excludes certain categories;

(b) The definition of persons with disabilities in disability-related legislation is not in line with that of the CRPD, as it is based on the medical model instead of the human rights model;

(c) There is a lack of accessible complaint mechanisms for persons with disabilities whose rights have been violated.

8. The Committee recalls its general comment No. 6 (2018) on equality and non-discrimination and recommends that the State party:

- (a) Review the existing anti-discrimination legislation, as well as relevant sections of the Constitution, and take appropriate measures to ensure that all persons with disabilities are protected from discrimination, such as children, women, persons affected by leprosy and persons with albinism;**
- (b) Ensure that the definition of persons with disabilities in domestic law is brought in line with the CRPD;**
- (c) Establish an accessible complaint mechanism for persons with disabilities whose rights have been violated, as well as appropriate means of redress and appropriate sanctions for the perpetrators.**

Argentina (2023)

11. Al Comité le preocupa lo siguiente:

- a) La Ley 23.592 contra actos discriminatorios (1988) no reconoce las formas múltiples e interseccionales de discriminación ni la denegación de ajustes razonables como una forma de discriminación por motivos de discapacidad;
- b) El aumento de la discriminación, destacando la discapacidad como uno de los primeros motivos de discriminación, conforme al Mapa Nacional de la Discriminación;
- c) La falta de un Plan Nacional contra la Discriminación con perspectiva de discapacidad que aborde la situación de las personas con discapacidad que experimentan múltiples e interseccionales formas de discriminación, incluyendo las personas indígenas con discapacidad;
- d) La falta de mecanismos accesibles de denuncia y reparación para las víctimas de discriminación por motivos de discapacidad.

12. El Comité, en consonancia con su observación general núm. 6 (2018), sobre la igualdad y la no discriminación, recomienda al Estado parte:

- a) Promulgar una nueva legislación contra la discriminación que incorpore las formas múltiples e interseccionales de discriminación, incluyendo la discriminación a las personas indígenas, el concepto de ajustes razonables en los distintos ámbitos, y que reconozca la denegación de ajustes razonables como discriminación por motivos de discapacidad;**
- b) Incrementar acciones para prevenir y eliminar las barreras que causan discriminación en perjuicio de las personas con discapacidad, incluyendo la provisión individual de ajustes razonables en todos los ámbitos de la vida, tanto en la esfera privada como en la pública;**
- c) Aprobar el Plan Nacional contra la Discriminación y asegurar que incluya la situación específica de las personas con discapacidad que enfrentan múltiples e interseccionales formas de discriminación; incluyendo niños y niñas con discapacidad, mujeres con discapacidad, personas LGBTQI+ con discapacidad, las personas indígenas con discapacidad, las personas con discapacidad intelectual y/o psicosocial, las personas sordociegas, las personas migrantes con discapacidad, incluyendo a quienes viven en zonas rurales;**
- d) Establecer mecanismos accesibles y eficaces, incluyendo procedimientos judiciales y administrativos, para las víctimas de discriminación por motivos de discapacidad, y garantizar que se les proporcione una reparación y se sancione a los autores.**

Georgia (2023)

11. The Committee is concerned about:

- (a) The lack of legislative and executive measures to give effect to the guarantees of equality and the prohibition of discrimination of persons with disabilities contained in the Law on the Rights of Persons with Disabilities, and about insufficient enforcement mechanisms, including coordination of enforcement;
- (b) The absence of provisions in the Law on the Rights of Persons with Disabilities accounting for the specific requirements of older persons with disabilities, and about information that older persons with disabilities had to choose between social benefits for older persons or for persons with disabilities during the COVID-19 pandemic;

(c) De facto discrimination of persons with disabilities living in rural areas, mainly due to insufficient access to services in the community, and about intersectional discrimination affecting LGBTQI persons with disabilities, including the absence of a normative framework recognising intersectional discrimination;

(d) The limited often ad-hoc provision of reasonable accommodation in a broad range of areas, including in health, education, employment and access to services in the community.

12. The Committee, taking note of its general comment No. 6 (2018) on equality and non-discrimination, recommends that the State party:

(a) Include the right to equality and protection against discrimination of persons with disabilities in all legislative and executive measures and establish enforcement mechanisms for all legislation protecting persons with disabilities against unequal treatment and discrimination, and endow these mechanisms with sufficient financial resources and personnel;

(b) Amend the law on the Rights of Persons with Disabilities to account for the specific requirements of older persons with disabilities therein;

(c) Institute legislative and policy measures at the national and municipal levels aimed at addressing the situation of persons with disabilities living in rural areas, including timebound targets and indicators of progress, and measures to combat discrimination against LGBTQI persons with disabilities;

(d) Adopt guidelines and training, in close consultation with organizations of persons with disabilities, for State and non-State actors on their obligations to provide reasonable accommodation, and particularly on the application of the concept of “a disproportionate or undue burden” as contained in article 2 of the Convention.

Peru (2023)

10. Al Comité le preocupa:

a) Que pese a la existencia de leyes que prohíben todas las formas de discriminación, esta persiste en todos los ámbitos de la vida de las personas con discapacidad, particularmente en la denegación de ajustes razonables en el sector público y privado;

b) La falta de información, incluidos datos desglosados, sobre la situación de las mujeres y niñas con discapacidad, personas indígenas y afrodescendientes con discapacidad, y sobre el impacto de la legislación y las políticas públicas en sus derechos bajo la Convención.

11. Recordando su observación general núm. 6 (2018) sobre la igualdad y la no discriminación, el Comité recomienda al Estado parte que:

a) Establezca un marco global de lucha contra la discriminación de las personas con discapacidad que abarque a los agentes estatales y no estatales, asimismo que otorgue protección contra la discriminación directa e indirecta, la denegación de ajustes razonables, el acoso y la discriminación interseccional. Además, que proporcione recursos jurídicos efectivos y reparación por todas las formas de discriminación, incluidas sanciones e indemnizaciones y facilite procedimientos claros y la asignación de recursos financieros suficientes para la realización de ajustes razonables. Adicionalmente, que encomiende a la Autoridad Nacional de Protección del Consumidor, el Instituto Nacional de Defensa de la Competencia y de la Protección de la Propiedad Intelectual (INDECOPI), que inicie procedimientos de oficio para monitorear situaciones de discriminación por motivos de discapacidad en el sector privado;

b) Garantice que los sistemas de recopilación de datos y las evaluaciones de impacto de la legislación y las políticas incluyan indicadores y datos desglosados sobre la situación de mujeres y niñas con discapacidad y personas indígenas y afrodescendientes con discapacidad.

Togo (2023)

9. The Committee observes with concern the absence of an anti-discrimination framework which prohibits discrimination based on disability including direct and indirect discrimination,

the denial of reasonable accommodation, harassment and vilification, and multiple and intersectional discrimination against persons with disabilities.

10. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party:

(a) Incorporate the definition of reasonable accommodation into domestic legislation and apply it in accordance with article 2 of the Convention and, in particular, ensure that it explicitly recognizes that the denial of reasonable accommodation constitutes discrimination on the basis of disability, and ensure effective investigation of reports of such discrimination;

(b) Review and amend the existing anti-discrimination legislation to recognize multiple and intersectional forms of discrimination on the grounds of disability and its intersection with other grounds, such as age, sex, race, ethnicity, gender identity, or any other status, and adopt strategies to eliminate multiple and intersecting forms of discrimination;

(c) Strengthen its efforts to raise awareness of non-discrimination among legal professionals, in particular members of the judiciary, and among persons with disabilities themselves, inter alia, through training programmes on the concept of reasonable accommodation;

(d) Adopt measures to provide persons with disabilities subjected to discrimination with redress, compensation, and rehabilitation and ensure that perpetrators are sanctioned.

Tunisia (2023)

7. The Committee is concerned that discrimination against persons with disabilities still persists particularly in the areas of education and employment. It is further concerned that the State party maintains segregated programmes for persons with disabilities, which are discriminatory. It is also concerned that no specific actions have been taken to ensure that denial of reasonable accommodation is fully recognised as discrimination, in line with the Convention.

8. The Committee, recalling its General Comment No. 6 (2018) on equality and non-discrimination as well as SDG Goal 10 to reduce inequality within and among countries, recommends that the State party:

(a) Strengthen the anti-discrimination legislations on persons with disabilities and ensure that they are complied with in all situations;

(b) Develop inclusive program in replacement of segregationist policies by meaningfully involving persons with disabilities in the design, implementation and monitoring of all programmes that affect them and ensure that they are included in all development programmes on equal basis with others;

(c) Include the denial of reasonable accommodation in anti-discrimination legislations, as a form of discrimination on the ground of disability, and ensure that this is complied with in all settings;

(d) Provide an accessible mechanism for reporting discrimination cases against persons with disabilities as well as means for appropriate redress.

Bangladesh (2022)

11. The Committee observes with concern:

(a) The lack of legislative and policy measures in the Constitution and laws of the State party that explicitly prohibit discrimination on the basis of disability in line with the Convention, particularly against persons with intellectual and/or psychosocial disabilities and multiple intersecting forms of discrimination;

(b) Insufficient steps taken to repeal all legislation and policies that are discriminatory in nature, particularly the policy for implementation of living standard development programs for Vedas and backward people of 2013 and section 21 of the Mental Health Act of 2018 on the guardianship of a person with mental illness;

(c) The delay in the adoption of the Anti-discrimination Act which would recognize the denial of reasonable accommodation as a form of disability-based discrimination.

12. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party:

(a) Review and amend the Constitution and the Rights and Protection of Persons with Disabilities Act of 2013 to prohibit disability-based discrimination in line with the Convention, including multiple and intersectional forms of discrimination on the grounds of gender, age, ethnicity, religion, caste, profession, nature and type of disability;

(b) Repeal all laws and policies that are discriminatory to persons with disabilities, including persons affected by leprosy and persons with intellectual and/or psychosocial disabilities;

(c) Adopt without delay the Anti-discrimination Act (2015) and ensure that it prohibits discrimination on the basis of disability in all areas of life, provides appropriate protection against disability-based discrimination, including multiple and intersectional discrimination and considers the denial of reasonable accommodation as a form of disability-based discrimination.

[China \(2022\)](#)

12. The Committee observes with concern that:

(a) The State party has not yet taken measures to enact specific and comprehensive anti-discrimination legislation and to mainstream into policy and legislation a legal definition of discrimination against persons with disabilities that would allow for provision of appropriate and effective legal remedies and sanctions in civil, administrative and criminal proceedings;

(b) There is a lack of recognition of multiple and intersectional forms of discrimination against persons with disabilities in law and policy, particularly on gender-based discrimination against women with disabilities;

(c) The denial of reasonable accommodation as a form of discrimination against persons with disabilities is restricted to laws and regulations in sectors such as Education, Employment and Transportation, and is not accompanied by guidance on implementation and effective legal remedies.

13. The Committee, in line with its General Comment No. 6 (2018) on equality and non-discrimination and targets 10.2 and 10.3 of the Sustainable Development Goals, recommends that the State party:

(a) Adopt a comprehensive anti-discrimination law, to ensure equal and effective legal protection against all discrimination on the basis of disability, including indirect discrimination, harassment, denial of reasonable accommodation, multiple and intersectional discrimination;

(b) Include provision of reasonable accommodation in all relevant laws and policies and adopt procedures and standards on implementation, including the duty to negotiate accommodations with the applicant(s), and access to action and remedy.

[Indonesia \(2022\)](#)

10. The Committee observes with concern the lack of harmonisation of the Convention equality provisions across national, provincial, city and regency and sub-district levels, in particular protection from direct, indirect, multiple and intersectional discrimination and the denial of reasonable accommodation by State and non-State actors in all areas of public life, and the lack of a right of action and access to a remedy.

11. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party adopt measures to harmonise legislation at the national, provincial, city and regency and sub-district levels to ensure comprehensive and uniform protection for all persons with disabilities from all forms of discrimination and to ensure a right of action and access to a remedy.

[Japan \(2022\)](#)

13. The Committee is concerned that:

- (a) The Act for Eliminating Discrimination against Persons with Disabilities does not include multiple and intersectional forms of discrimination, and is concerned about the limited scope of the definition of persons with disabilities;
- (b) The denial of reasonable accommodation is not recognized as a form of discrimination on the ground of disability in all areas of life;
- (c) There is no accessible complaint and redress mechanisms for victims of disability-based discrimination.

14. The Committee, in line with its general comment No. 6 (2018) on equality and non-discrimination, recommends that the State party:

- (a) Review the Act for Eliminating Discrimination against Persons with Disabilities to prohibit disability-based discrimination, in accordance with the Convention, including multiple and intersectional forms of discrimination on the grounds of disability, sex, age, ethnicity, religion, gender identity, sexual orientation and any other status, and the denial of reasonable accommodation;**
- (b) Adopt the necessary measures to ensure that reasonable accommodation is provided to all persons with disabilities in all areas of life, including in the private and public spheres;**
- (c) Establish accessible and effective mechanisms, including judicial and administrative procedures, for victims of disability-based discrimination, and provide them with comprehensive redress, and sanctions against the perpetrator.**

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

8. The Committee notes with concern that:

- (a) Legislation does not explicitly prohibit discrimination on the basis of disability (including against persons affected by leprosy), in all areas of life, including health and education;
- (b) The definition of discrimination does not include multiple and intersectional forms of discrimination;
- (c) The denial of reasonable accommodation is not recognized as a form of discrimination on the ground of disability;
- (d) The lack of effective redress in cases of discrimination on the basis of disability and multiple and intersectional discrimination.

9. The Committee, in line with its general comment No. 6 (2018) on equality and non-discrimination, recommends that the State party:

- (a) Review legislation to explicitly prohibit discrimination on the basis of disability (including against persons affected by leprosy), including the Law No.73 on Hygiene, Disease Prevention and Health Promotion, the Law No.62 on Education, and the Law No.77 on Gender Equality;**
- (b) Prohibit multiple and intersectional discrimination on the grounds of disability and its intersection with other grounds, such as age, sex, race, ethnicity, gender identity, sexual orientation and any other status, and adopt strategies to eliminate multiple and intersectional discrimination;**
- (c) Recognize within anti-discrimination law the denial of reasonable accommodation as a form of discrimination within all areas of life;**
- (d) Ensure access by persons with disabilities to effective legal remedies and redress, including compensation in cases of disability-based discrimination and the denial of reasonable accommodation.**

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

7. The Committee is concerned about:

- (a) The lack of an explicit provision within the Human Rights Act of 1993 to recognize the denial of reasonable accommodation as a form of discrimination;
- (b) Multiple and intersectional forms of discrimination, including for Māori and Pasifika persons with disabilities;

(c) The high number of complaints received by the Human Rights Commission on the ground of disability and the significant length of time for the resolution of complaint cases submitted to the New Zealand Human Rights Commission and the Human Rights Review Tribunal.

8. The Committee, recalling its general comment No. 6 (2018) on equality and non-discrimination, recommends that the State party:

(a) Amend the Human Rights Act of 1993 to include an explicit recognition of the denial of reasonable accommodation as a form of discrimination and include a legislative definition of reasonable accommodation consistent with the meaning provided in article 2 of the Convention;

(b) Adopt the legal and other measures necessary to provide for explicit protection from multiple and intersectional forms of discrimination, including discrimination based on the intersection between disability and other identities and life status, such as age, sex, gender, race, indigenous status, lesbian, gay, bisexual, transgender and intersex status, ethnicity, migratory status and national origin;

(c) Provide the New Zealand Human Rights Commission and the Human Rights Review Tribunal with the necessary financial and human resources for timely resolution of discrimination complaints.

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

11. The Committee observes with concern:

(a) That the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of their Rights, Etc., does not recognize multiple and intersecting forms of discrimination faced by persons with disabilities, in particular women with disabilities, migrants with disabilities, LGBTI persons with disabilities and HIV infected persons with disabilities;

(b) The fact that the amended article 15 of the Act on Welfare of Persons with Disabilities excludes persons with psychosocial disabilities from the universal welfare service delivery system;

(c) The lack of recognition of the denial of reasonable accommodation as a form of discrimination on the basis of disability in all areas of life;

(d) The burden of litigation costs, including attorney fees, which limits access to justice of persons with disabilities.

12. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party:

(a) Review the existing anti-discrimination legislation, in particular the Act on the Prohibition of Discrimination against Persons with Disabilities, Remedy against Infringement of their Rights, Etc., and enact a comprehensive anti-discrimination legislation, to recognize multiple and intersectional forms of discrimination on the grounds of disability and its intersection with other grounds, such as age, sex, race, ethnicity, gender identity, sexual orientation, or any other status, and adopt strategies to eliminate multiple and intersecting forms of discrimination;

(b) Review Article 15 of the Act on Welfare of Persons with Disabilities in line with the Convention, to include persons with psychosocial disabilities in the universal welfare service delivery system;

(c) Exempt persons with disabilities who lose a case about the rights of persons with disabilities from being burdened with the opposing party's attorney's fees and ensure accessible and fair reimbursement schemes in order to prevent any additional costs or administrative burdens for persons with disabilities;

(d) Recognize the denial of reasonable accommodation as discrimination on the grounds of disability and ensure effective investigation of reports of such discrimination.

[Singapore \(2022\)](#)

9. The Committee is concerned about the absence of:

- (a) A comprehensive definition of discrimination against persons with disabilities, encompassing multiple and intersectional forms of discrimination;
- (b) The recognition of the denial of reasonable accommodation as a form of discrimination on the basis of disability.

10. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals, and recommends that the State party:

- (a) Adopt a comprehensive definition of discrimination on the ground of disability, including multiple and intersectional disability encompassing age, race, gender, ethnicity, religion, language, sexual orientation, nationality and migration status, or any other status, and ensure that persons with disabilities are comprehensively protected from discrimination;**
- (b) Adopt legal provisions and create a practice recognizing the denial of reasonable accommodation as a form of discrimination in all areas of life, and include an express definition of reasonable accommodation consistent with article 2 of the Convention.**

[Hungary \(2022\)](#)

10. The Committee observes with concern the lack of:

- (a) Recognition of multiple and intersectional forms of discrimination against persons with disabilities, including gender-based discrimination against women with disabilities, in the anti-discrimination legislation of the State Party;
- (b) Recognition of the denial of reasonable accommodation as a form of discrimination on the basis of disability in all areas of life;
- (c) Investigation of reports of disability-based discrimination, effective remedies for victims of disability-based discrimination, and prosecution and enforcement of punishment for perpetrators.

11. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals, and recommends that the State party:

- (a) Recognize multiple and intersectional forms of discrimination in its anti-discrimination legislation, including all forms of gender-based discrimination against women with disabilities;**
- (b) Recognize the denial of reasonable accommodation as discrimination under Act CXXV of 2003 on equal treatment and the promotion of equal opportunities and ensure its effective enforcement across all sectors and all areas of life;**
- (c) Provide for mechanisms of effective remedy to victims of discrimination on the grounds of disability and ensure effective investigation of reports of such discrimination.**

[Jamaica \(2022\)](#)

10. The Committee observes with concern:

- (a) The fact that despite the explicit prohibition of discrimination against persons with disabilities by the Disabilities Act, 2014, the anti-discrimination legislation excludes persons with psychosocial disabilities from political participation;
- (b) The delay in the enactment of the Disabilities Act, 2014, which only has taken effect in February 2022, as well as the delay in the operationalization of the Disabilities Rights Tribunal and the Jamaica Council for Persons with Disabilities;
- (c) That despite the fact that the National Housing Trust reserves 5 per cent of all housing developments for persons with disabilities and provides a special loan option within its benefits programme which gives assistance to contributors with disabilities wishing to purchase homes, many persons with disabilities are excluded from these programmes due to the prohibitive costs of mortgages, and loan interest, as well as stereotypes and stigmatization of persons with disabilities by landlords.

11. The Committee recalls its general comment No. 6 (2018) and targets 10.2 and 10.3 of the Sustainable Development Goals and recommends that the State party:

- (a) Review the existing anti-discrimination legislation, in particular section 36 of the Disabilities Act, 2014, as well as relevant sections of the Constitution, to ensure that persons**

with disabilities, including those with psychosocial disabilities, are comprehensively protected from discrimination;

(b) Accelerate the operationalization of the Disabilities Rights Tribunal and the Jamaica Council for Persons with Disabilities and ensure the availability of sustainable and appropriate human and financial resources to carry out their mandates;

(c) Establish mechanisms, including social protection measures, to ensure full implementation of 5 per cent housing quotas and that housing is available to all regardless of economic status.

Mexico (2022)

15. The Committee is concerned that the federal government and some states and municipalities have not adopted laws prohibiting discrimination of persons with disabilities, in particular women and girls with disabilities and other persons facing multiple and intersecting forms of discrimination; that many laws in force do not recognize a denial of reasonable accommodation as a form of discrimination; and that reparation and compensation are not available as remedies against discrimination in all areas of the Convention.

16. The Committee, in line with its general comment No. 6 (2018) on equality and non-discrimination, and taking into account targets 10.2 and 10.3 of the Sustainable Development Goals, recommends that the State party:

(a) Adopt laws in all States that explicitly prohibit multiple and intersectional discrimination of persons with disabilities;

(b) Recognize a denial of reasonable accommodation as a form of discrimination within all areas of life;

(c) Provide, inter alia, effective legal remedies and redress against discrimination in all areas of the Convention, including compensation in cases of disability-based discrimination and the denial of reasonable accommodation, taking account of the gender dimension of discrimination against women with disabilities.

Switzerland (2022)

11. The Committee notes with concern that provisions on equality across the federal, cantonal and municipal levels are not harmonized with each other or with the Convention, in particular regarding protection from direct, indirect, multiple and intersecting forms of discrimination and the denial of reasonable accommodation by State and non-State actors in all areas of public life, and the lack of a right of action and access to a remedy.

12. Recalling its general comment No. 6 (2018), the Committee recommends that the State party adopt measures to harmonize legislation at the federal, cantonal, and municipal levels to ensure comprehensive, uniform protection for all persons with disabilities, to ensure that all the elements of the Convention's standard of non-discrimination are included, and to ensure a right of action and access to a remedy.

Venezuela (Bolivarian Republic of) (2022)

8. The Committee is concerned that:

(a) There is no law or mechanism for identifying and punishing acts of discrimination against persons with disabilities, including persons with sequelae of leprosy, persons of African descent and women, that provides for preventive measures, monitoring, sanctions and full redress, including non-repetition;

(b) The obligation to provide reasonable accommodation is not mainstreamed in the State party's legislation, accommodations of this sort are infrequent and the denial of reasonable accommodation is not recognized as a form of discrimination.

9. The Committee recommends that the State party:

(a) Adopt a law on the prevention and elimination of discrimination, based on general comment No. 6 (2018) and the commitments made at the Global Disability Summit 2022, that expressly refers to disability-based discrimination and that mainstreams recognition of

multiple and intersectional discrimination, particularly against women, children, indigenous persons and persons of African descent with disabilities, persons with psychosocial or intellectual disabilities and persons living with leprosy, in all spheres of life;

(b) Put in place a specific, independent mechanism for receiving, investigating and following up on complaints of discrimination while also providing for the imposition of sanctions in both the public and private spheres and for measures that will afford full redress; establish a system for compiling data disaggregated by age, sex, ethnic origin and basis of the complaint; and disseminate the results of the follow-up conducted;

(c) Incorporate an explicit provision into its domestic legislation under which the denial of reasonable accommodation is defined as a form of discrimination on the basis of disability.

Djibouti (2021)

7. The Committee notes with concern:

(a) That the definition of discrimination under Act No. 207/AN/17/7ème L (2018) does not consider explicitly the denial of reasonable accommodation as a form of disability-based discrimination and lacks provisions to address multiple and intersectional forms of discrimination against persons with disabilities, including gender-based discrimination against women with disabilities;

(b) The absence of information on the availability of legal remedies, complaint procedures, and redress mechanisms for persons with disabilities subjected to discrimination.

8. The Committee recalls its general comment No. 6 (2018) and recommends that the State party:

(a) Review Act No. 207/AN/17/7ème L (2018) to explicitly recognize the denial of reasonable accommodation as a form of disability-based discrimination and to prohibit multiple and intersectional forms of discrimination against persons with disabilities;

(b) Adopt measures to provide persons with disabilities subjected to discrimination with redress, compensation, and rehabilitation and ensure that perpetrators are sanctioned.

France (2021)

11. The Committee observes with concern:

(a) That the current definition of discrimination does not include multiple and intersectional forms of discrimination on the basis of disability and its intersection with other grounds, such as the grounds of age, sex, ethnicity, sexual orientation and gender identity;

(b) That the denial of reasonable accommodation is not recognised as a form of discrimination on the ground of disability in all areas of life, except in the areas of work and employment, and in education with regards examinations.

12. The Committee recalls its General comment No. 6 (2018) on equality and non-discrimination, and targets 10.2 and 10.3 of the Sustainable Development Goals, and recommends that the State party:

(a) Prohibit multiple and intersectional discrimination on the grounds of disability and its intersection with other grounds, such as age, sex, race, ethnicity, gender identity, sexual orientation, or any other status, and adopt strategies to eliminate multiple and intersectional discrimination;

(b) Recognize the denial of reasonable accommodation as a form of discrimination within all areas of life within anti-discrimination law.

Estonia (2021)

11. The Committee observes with concern:

(a) That anti-discrimination law recognises discrimination on the basis of disability only in relation to vocational training and work, and that it has not made provision about multiple and intersectional forms of discrimination against persons with disabilities, including gender-based discrimination against women with disabilities;

- (b) The insufficient financial and human resources of the Gender Equality and Equal Treatment Commissioner to implement its mandate concerning persons with disabilities;
- (c) The absence of measures to prevent and address discrimination on the basis of disability in all areas of life;
- (d) The limited awareness about the right of persons with disabilities to request reasonable accommodation and that denial of reasonable accommodation is not recognised as a form of discrimination on the basis of disability.

12. The Committee recalls its General comment No. 6 (2018) on equality and non-discrimination, and targets 10.2 and 10.3 of the Sustainable Development Goals, and recommends that the State party:

- (a) Accelerate the amendment of the Equal Treatment Act, ensuring that it recognises discrimination on the basis of disability across all areas of life, and sectors, and multiple and intersectional forms of discrimination, including all forms of gender-based discrimination against women with disabilities;**
- (b) Ensure sustainable and appropriate human and financial resources for the Gender Equality and Equal Treatment Commissioner to carry out its mandate;**
- (c) Adopt mechanisms to allow persons with disabilities exposed to discrimination access redress, including compensation, and rehabilitation, and ensure that perpetrators are sanctioned;**
- (d) Adopt a definition of reasonable accommodation in line with the Convention and recognize it across all sectors and areas of life, and recognise in legislation the denial of reasonable accommodation as a form of discrimination on the basis of disability.**

Albania (2019)

11. The Committee is concerned about:

- (a) The lack of a clear prohibition of discrimination on the grounds of disability as well as sanctions and remedies available in cases of discrimination, including denial of reasonable accommodation, especially in the Law on Protection from Discrimination and the Law on Inclusion and Accessibility for Persons with Disabilities;
- (b) The amendment made to Law 93/2014 which establishes different legal entitlements for persons with disabilities;
- (c) The lack of a strategy to promote the rights of Roma persons with disabilities and the lack of information on their situations, particularly women and girls, with a focus on all aspects of their lives, mainly their rights to education, health care and employment.

12. The Committee recommends that the State party:

- (a) Review its legislation to incorporate a clear prohibition of disability-based discrimination that explicitly includes all forms of discrimination on grounds of disability including multiple and intersecting discrimination, and the denial of reasonable accommodation;**
- (b) Develop and apply harmonized and transparent criteria, fair assessment procedures and equal entitlements for persons with disabilities regardless of where they live in the State party;**
- (c) Adopt a national programme with effective incentives to improve the situation of Roma persons with disabilities, particularly women and girls, with a focus on, inter alia, their rights to education, health care and employment, on an equal basis with others.**

Australia (2019)

9. The Committee is concerned that there is no effective legislative framework to protect persons with disabilities from systemic, intersectional and multiple forms of discrimination, especially at the Commonwealth level, that Aboriginal and Torres Strait Islander persons with disabilities are particularly disadvantaged and are often not consulted on matters that affect them, and that the complaints mechanisms under existing law, especially the Disability Discrimination Act 1992, are inaccessible to persons with disabilities.

10. In line with its general comment No. 6 (2018) on equality and non-discrimination, the Committee reiterates its previous recommendation (CRPD/C/AUS/CO/1, para. 15) that the State party strengthen anti-discrimination laws, particularly the Disability Discrimination Act 1992, to:

(a) Address and prohibit systemic, intersectional and multiple forms of discrimination, recognizing discrimination on a single or on multiple and/or intersectional characteristics and allowing for systematic complaints, representative and group actions and sanctions for addressing lack of access and discriminatory behaviour;

(b) Support persons with disabilities in making their own decisions, taking action and filing complaints, especially persons with high support requirements and persons with intellectual or psychosocial disabilities.

[Ecuador \(2019\)](#)

13. The Committee is concerned that:

(a) Ecuadorian law does not incorporate an explicit, cross-cutting definition or prohibition of discrimination on the basis of disability, particularly with regard to women, children, indigenous persons, persons of African descent, Montubio persons, migrants and refugees with disabilities, in all areas of life;

(b) There is no law or mechanism for the identification and punishment of acts of discrimination against persons with disabilities that provides for preventive measures, monitoring, sanctions and full redress, including non-repetition;

(c) The definition of reasonable accommodation is not mainstreamed in the State party's laws, accommodations of this sort are infrequent and the denial of reasonable accommodation is not recognized as a form of discrimination.

14. The Committee recommends that the State party:

(a) Ensure that its laws, policies and strategies for eliminating discrimination include an explicit definition and prohibition of disability-based discrimination and that they incorporate, on a cross-cutting basis, a recognition of multiple and intersectional discrimination, particularly in the case of women, children, indigenous persons, persons of African descent, Montubio persons, asylum seekers, migrants and refugees with disabilities, in all areas of life;

(b) Adopt a law on the prevention and elimination of discrimination that expressly refers to disability-based discrimination; put in place a specific, independent mechanism for receiving, investigating and following up on complaints of discrimination while also providing for the imposition of sanctions in both the public and private spheres and for measures that will afford full redress; establish a system for compiling data disaggregated by age, sex, ethnic origin and basis of the complaint; and disseminate the results of its follow-up actions;

(c) Incorporate an explicit provision in its national legislation under which the denial of reasonable accommodation is defined as a form of discrimination on the basis of disability (CRPD/C/ECU/CO/1, para. 15).

[El Salvador \(2019\)](#)

8. The Committee is concerned that there is lack of recognition and prohibition of multiple and intersectional discrimination, especially against women, indigenous persons and persons of African descent with disabilities. It is also concerned that legislation, such as the Law on Equality, Fairness, and the Elimination of Discrimination against Women and the Special Comprehensive Law for a Violence-free Life for Women, does not include or consider the perspective of women and girls with disabilities, especially those with psychosocial or intellectual disabilities. It is concerned about the lack of progress in recognizing denial of reasonable accommodation as a form of disability-based discrimination under the law.

9. Recalling its general comment No. 6 (2018) on equality and non-discrimination, the Committee recommends that the State party adopt effective legal and policy measures, including the prohibition of all forms of discrimination against persons with disabilities,

particularly on the grounds of disability, sex, age, ethnicity and gender identity. It also recommends that denial of reasonable accommodation be recognized as a form of disability-based discrimination under the law.

10. The Committee is concerned that governmental entities such as the General Inspectorate of Public Security and the Human Rights Unit of the National Civil Police are responsible for receiving complaints of discrimination against persons with disabilities.

11. The Committee recommends that the State party designate an independent and impartial mechanism to receive complaints of discrimination against persons with disabilities, and maintain a system for collecting disaggregated data, including by age, sex, and reason for complaint.

Greece (2019)

7. The Committee is concerned about:

(a) The lack of a comprehensive legislative framework guaranteeing equal treatment and protection from discrimination, including the provision of specific measures and individualized support, and protection from the denial of reasonable accommodation, particularly in such key sectors as education, social protection and the provision of goods and services;

(b) The lack of effective implementation of the existing standards on equality and non-discrimination, including provision of specific measures and individualized support, particularly in the areas of education for children with disabilities and protection of refugees, asylum seekers and migrants with disabilities;

(c) The delay in the adoption of secondary legislation based on Law No. 4488/2017 (art. 74) extending protection against discrimination on the grounds of disability in the fields of education and the provision of goods and services.

8. Recalling its general comment No. 6 (2018) on equality and non-discrimination, the Committee recommends that the State party:

(a) Take legislative measures to ensure protection against discrimination on the grounds of disability, including to provide for specific measures, individualized support and protection from the denial of reasonable accommodation in all areas of life, in line with the Convention;

(b) Improve the implementation of standards on specific measures and individualized support in the public and private sectors, particularly in schools and in relation to refugees, asylum seekers and migrants with disabilities;

(c) Adopt the secondary legislation required under article 74 of Law No. 4488/2017 to guarantee equal treatment and prohibit discrimination of persons with disabilities in the areas of education and the provision of goods and services;

(d) Take into account article 5 of the Convention in the implementation of targets 10.2 and 10.3 of the Sustainable Development Goals.

India (2019)

12. The Committee is concerned about:

(a) The lack of an explicit prohibition of disability-based discrimination in the Constitution, and the exception to the anti-discrimination clause in section 3 (3) of the Rights of Persons with Disabilities Act, which allows discrimination against persons with disabilities under certain circumstances;

(b) Multiple and intersecting discrimination and discrimination by association in legislation and in practice against persons affected by leprosy and their family members, particularly women, who experience isolation, seclusion in "leprosy colonies" or at home, rejection from school, dismissal from jobs, and barriers to autonomy;

(c) The absence of measures to combat multiple and intersecting discrimination against, inter alia, persons with disabilities in scheduled castes and scheduled tribes, including Dalits and Adivasi, older persons with disabilities, persons with disabilities living with HIV/AIDS, indigenous persons with disabilities, persons with disabilities who belong to ethnic, linguistic

and religious minorities, and lesbian, gay, bisexual, transgender and intersex persons with disabilities;

(d) The lack of effective redress in cases of discrimination on the basis of disability and multiple and intersecting discrimination, including gender-based discrimination against women with disabilities.

13. The Committee recommends that the State party, guided by the Committee's general comment No. 6 (2018) on equality and non-discrimination and taking account of targets 10.2 and 10.3 of the Sustainable Development Goals:

(a) Amend the Constitution to explicitly prohibit disability-based discrimination and repeal section 3 (3) of the Rights of Persons with Disabilities Act, ensuring that its legislation recognizes direct and indirect disability-based discrimination and multiple and intersecting discrimination as faced by persons with disabilities;

(b) Repeal all discriminatory legislation against persons affected by leprosy in all areas, including provisions in the Hindu marriage rules and the family court rules and provisions restricting their freedom of movement or preventing them from participating in public life, and be guided by the principles and guidelines for the elimination of discrimination against persons affected by leprosy and their family members (A/HRC/15/30, annex) in order to address the situation of persons affected by leprosy and their family members;

(c) Assess the situation of and adopt anti-discrimination legislation and public policies to tackle multiple and intersecting discrimination, with the aim of achieving inclusive equality for persons with disabilities facing such discrimination;

(d) Ensure access by persons with disabilities to effective legal remedies and redress, including compensation in cases of disability-based discrimination and the denial of reasonable accommodation, taking account of the gender dimension of discrimination against women with disabilities.

[Iraq \(2019\)](#)

11. The Committee is concerned that:

(a) Discrimination against persons with disabilities remains widespread, especially against persons with psychosocial or intellectual disabilities and women with disabilities, and that limited progress has been made in combating multiple and intersecting forms of discrimination on the basis of, among other grounds, age, gender, ethnicity and geographical location, especially rural areas;

(b) National legislation does not recognize the denial of reasonable accommodation as a form of discrimination.

12. The Committee recalls its general comment No. 6 (2018) on equality and non-discrimination and recommends that the State party:

(a) Strengthen mechanisms for persons with disabilities exposed to discrimination to obtain redress, including compensation, and rehabilitation and for perpetrators to be sanctioned, ensure that such mechanisms are accessible to persons with disabilities and raise awareness among persons with disabilities, public officials and service providers on the available legal remedies;

(b) Explicitly include denial of reasonable accommodation as a form of discrimination on the basis of disability in Law No. 38 (2013) and take all measures necessary to ensure the provision of individualized supports and the implementation of specific measures to ensure equality.

[Kuwait \(2019\)](#)

10. The Committee is concerned that:

(a) The Constitution and Act No. 8/2010 do not explicitly recognize the right to equality, do not explicitly prohibit discrimination on the grounds of disability, including multiple and intersectional forms of discrimination, and do not view the denial of reasonable accommodations as constituting discrimination;

- (b) Act No. 8/2010 does not apply to non-Kuwaiti nationals unless they are children of a Kuwaiti woman married to a non-Kuwaiti man;
- (c) There are no effective legal remedies for persons with disabilities to claim their rights;
- (d) Derogatory language towards persons with disabilities is used in legislation.

11. The Committee recalls its general comment No. 6 (2018) on equality and non-discrimination and recommends that the State party:

- (a) Review its legislation, including the Constitution and Act No. 8/2010, to ensure that it prohibits discrimination on the basis of disability, including multiple and intersectional forms of discrimination, and to ensure also that its legislation recognizes and sanctions the denial of reasonable accommodations as constituting discrimination on the basis of disability;**
- (b) Ensure that equality and non-discrimination provisions apply to all persons with disabilities within its territory, including non-Kuwaiti nationals and stateless persons (Bidoon), and review its legislation, including Act No. 8/2010 and the Nationality Act accordingly;**
- (c) Ensure the availability of effective legal remedies for persons with disabilities to claim their rights, including in cases of disability-based discrimination;**
- (d) Remove any derogatory language against persons with disabilities from all legislation, including the Civil Code, the Penal Code and the Code of Civil Procedure.**

Myanmar (2019)

11. The Committee is concerned about the lack of:

- (a) Legal provisions in the Constitution and laws of the State party that explicitly prohibit disability-based discrimination in line with the Convention, including multiple and intersectional forms of discrimination and the denial of reasonable accommodation;
- (b) A comprehensive anti-discrimination policy that provides appropriate protection from disability-based discrimination in all areas of life, including multiple and intersectional forms of discrimination and the denial of reasonable accommodation;
- (c) Accessible complaints and redress mechanisms for victims of disability-based discrimination.

12. Recalling its general comment No. 6 (2018) on equality and non-discrimination, the Committee recommends that the State party:

- (a) Take the necessary legal measures, including reviewing the Constitution and laws to prohibit disability-based discrimination in line with the Convention, including multiple and intersectional forms of discrimination on the grounds of disability, sex, age, ethnicity, religion, gender identity, sexual orientation, and any other status, and the denial of reasonable accommodation, in all areas of life;**
- (b) Adopt and implement a comprehensive anti-discrimination policy to provide appropriate protection against disability-based discrimination, including multiple and intersectional discrimination and the denial of reasonable accommodation;**
- (c) Establish accessible and effective mechanisms, including judicial and administrative procedures, for victims of disability-based discrimination, and provide them with comprehensive redress, including compensation, rehabilitation and sanctions against the perpetrator.**

Cuba (2019)

11. The Committee is concerned about:

- (a) The absence of measures prohibiting and sanctioning all forms of discrimination against persons with disabilities, including denial of reasonable accommodation;
- (b) Derogatory terms that stigmatize persons with disabilities in the legislation, including the Civil, Administrative, Labour and Economic Procedure Act, the Children and Youth Code, the Family Code (1975), the Public Health Act (1983) and the National Plan of Action for persons with disabilities (2006-2010).

12. The Committee recommends that the State party:

- (a) Institute measures to prohibit all forms of discrimination on grounds of disability, including the denial of reasonable accommodation, as well as sanction violations;**
- (b) Repeal all legislation that still contains derogatory terms and stigmatizes persons with disabilities.**

13. The Committee notes that there is no impartial and independent mechanism to receive complaints from persons with disabilities that is accessible to persons with disabilities, including persons with disabilities in rural areas. It is also concerned that there are insufficient measures to expedite the complaint processes, including absence of trained personnel to assist in the process of filing complaints, nor any mechanisms of redress in cases of discrimination against persons with disabilities.

14. The Committee recommends that the State party take steps to achieve de facto equality of persons with disabilities and institute expeditious and independent judicial and administrative remedies to guarantee reparation in cases of discrimination.

Niger (2019)

7. The Committee is concerned about:

- (a) Discrimination against persons with disabilities, including in employment and education, particularly against women and children with disabilities, and migrants and refugees with disabilities, and those living in rural areas;
- (b) The absence of recognition in the legislation of denial of reasonable accommodation as a form of disability-based discrimination;
- (c) The lack of legislation to protect persons with disabilities, especially women, children, migrants and refugees with disabilities, and those living in rural areas, against multiple and intersecting forms of discrimination; and the absence of information about legal remedies, and compensation for persons with disabilities.

8. The Committee recommends that the State party include in national law the denial of reasonable accommodation as a form of disability-based discrimination; adopt relevant laws including the draft Law on Equal Opportunities and the Reintegration of Persons with Disabilities, and ensure that those laws are in line with the CRPD and explicitly protect persons with disabilities against multiple and intersectional forms of discrimination, provide redress for persons with disabilities who are victims of discrimination, and sanction the perpetrators.

Norway (2019)

7. The Committee is concerned that:

- (a) There is an absence of effective legislation and mechanisms addressing multiple and intersectional discrimination against persons with disabilities, especially against persons with disabilities belonging to ethnic minorities;
- (b) There is poor access to legal aid in discrimination cases;
- (c) The Anti-Discrimination Tribunal has limited powers to impose restitution and compensation;
- (d) Persons with disabilities with Sami background and children with disabilities from families with an immigrant background have poor access to public services because of communication problems, cultural differences and poor knowledge of the welfare system;
- (e) There is no specific research on the living conditions for persons with disabilities belonging to national minorities, including Roma and Tater/Romani.

8. The Committee, in line with its General Comment no. 6 (2018), recommends that the State party:

- (a) Adopt the necessary legal and other measures to provide for explicit protection against multiple and intersectional forms of discrimination on the basis of age, disability, national origin, sex, gender, ethnicity and migratory status, and for effective sanctions against perpetrators;**

- (b) Take effective measures to provide legal aid in all discrimination cases and increase the Equality and Anti-Discrimination Ombud's resources to enable it to assist persons with disabilities with filing complaints to the Anti-Discrimination Tribunal, including cases of and intersectional forms of discrimination;**
- (c) Amend the Anti-discrimination Act to expand the range of remedies available to complainants in disability discrimination cases before the Anti-Discrimination Tribunal;**
- (d) Undertake awareness-raising campaigns and training to inform indigenous persons with disabilities, persons with disabilities from ethnic minorities, and immigrants with disabilities about their rights and how to access them;**
- (e) Conduct a study on the living conditions of persons with disabilities belonging to minorities, such as the Roma and Tater/Romani, to design and adopt appropriate legislative, administrative and practical steps to address inequality and discrimination.**

Rwanda (2019)

9. The Committee is concerned about:

- (a) The absence of recognition in the national legislation of denial of reasonable accommodation as a form of disability-based discrimination;
- (b) Insufficient laws and policies to combat multiple and intersectional discrimination against persons with disabilities, especially women and children with disabilities;
- (c) The lack of accessible mechanisms for reporting cases of discrimination on the grounds of disability, and the lack of redress mechanisms and statistics on cases of disability-based discrimination.

10. The Committee recommends that the State party take all appropriate measures to prevent and address all forms of disability-based discrimination. It recommends that the State party:

- (a) Establish in law the denial of reasonable accommodation as a form of disability-based discrimination;**
- (b) Adopt a legislative framework to combat the multiple and intersectional discrimination experienced, particularly by women and children with disabilities, together with a coordinated strategy for its implementation;**
- (c) Take formal measures to ensure that mechanisms for reporting acts of discrimination on grounds of disability, as well as redress mechanisms are made available and accessible, and provide in its next periodic report, statistics on cases of disability based discrimination.**

Senegal (2019)

7. The Committee is concerned that:

- (a) The definition of discrimination does not include the denial of reasonable accommodation as a form of disability based discrimination and that persons with disabilities, especially persons with psychosocial or intellectual disabilities, persons with disabilities in rural areas, and persons with albinism, are not adequately provided with individualized accommodations;
- (b) There is widespread multiple and intersectional discrimination against persons with disabilities, and that legal remedies, complaint mechanisms and sanctions against perpetrators are lacking;
- (c) There is no available information on the legal remedies and measures of redress and compensation for persons with disabilities subjected to discrimination or statistics on the number of investigations of cases of discrimination on grounds of disability conducted, sanctions imposed and/or remedies provided to victims, particularly women and girls with disabilities.

8. The Committee recommends that the State party:

- (a) Take the necessary legal and other measures to recognise the denial of reasonable accommodation as a form of disability-based discrimination and to promote awareness about the concept of individualized support and accommodations among the general public;**

(b) Adopt measures to combat the widespread multiple and intersectional discrimination against persons with disabilities, especially women, girls and persons with psychosocial or intellectual disabilities, persons with albinism, and persons with disabilities in rural areas, and adopt measures for the provision of legal remedies, complaint mechanisms and sanctions against perpetrators, including redress and compensation mechanism for victims;
(c) Take the necessary steps to increase the availability of information, including statistics, on the number of investigations of cases of discrimination on the basis of disability conducted, sanctions imposed and/or remedies provided.

Spain (2019)

8. The Committee is concerned about the lack of explicit recognition and prohibition of multiple and intersectional discrimination on the grounds of disability, sex, age, ethnicity, gender identity and sexual orientation and any other status in all areas of life. The Committee regrets that a number of mental health conditions are not considered as disabilities under Spanish Law. It is further concerned about the lack of recognition of the denial of reasonable accommodation as a form of discrimination in all areas of life.

9. The Committee recommends that the State party refer to its general comment No. 6 (2018) on the right to equality and non-discrimination and targets 10.2 and 10.3 of the Sustainable Development Goals, to revise legislation to adhere to the Convention and to explicitly recognize and prohibit multiple and intersectional discrimination on the grounds of disability, sex, age, ethnicity, gender identity and sexual orientation and any other status in all areas of life within its anti-discrimination legislation, policies and strategies, including the Equality Act. Furthermore, the Committee reminds the State party that all persons with mental health conditions are considered as persons with psychosocial disabilities and fall under the scope of the Convention. Finally, it recommends that the State party recognise the denial of reasonable accommodation as a form of discrimination and ensure effective mechanisms of legal redress and reparation.

Turkiye (2019)

11. The Committee is concerned about:

(a) Discriminatory legislation and practices against persons with disabilities, such as the denial of legal capacity on the basis of impairment, unjustifiable provisions restricting the appointment of persons with disabilities as judges, prosecutors, governors or diplomats, and the legal prohibition of disability-based discrimination, which does not encompass indirect discrimination;

(b) Article 122 of the Turkish Penal Code No. 5237, according to which the criminal offense of disability-based discrimination requires the proof of hatred motivation;

(c) The absence of effective (recorded) sanctions in legislation in cases of denial of reasonable accommodation and the lack of information available about effective redress, including compensation and reparation in cases of disability-based discrimination;

(d) The absence of information about the situation and measures taken to address multiple and intersectional forms of discrimination, against persons with disabilities belonging to ethnic groups, such as Roma persons with disabilities or persons with disabilities of Kurdish origin.

12. The Committee recalls its general comment No. 6 (2018) on equality and non-discrimination and recommends that the State party:

(a) Revise its legal framework to repeal discriminatory provisions against persons with disabilities, as well as its anti-discrimination legislation and harmonize it with the Convention, particularly apply the concept of reasonable accommodation in all areas of life, and establish appropriate sanctions in case of non-compliance with reasonable accommodation required by persons with disabilities, including those with intellectual disabilities;

- (b) Eliminate the requirement of hatred motivation in the prosecution of cases of discrimination on the basis of disability;**
- (c) Monitor the number of discrimination claims on the basis of disability as a proportion of the total number of claims of discrimination, disaggregated by sex, age, geographical location, barriers identified and the number and percentage of judgments that led to compensation or sanctions, ensure legal safeguards and remedies, as well as related procedures and provide data on applied sanctions and fines, in cases of denial of reasonable accommodation;**
- (d) Adopt an antidiscrimination policy and concrete measures to achieve inclusive equality by all persons with disabilities, including those belonging to minority groups.**

Vanuatu (2019)

10. The Committee is concerned at:

- (a) The lack of legislation prohibiting discrimination on the basis of disability, including the denial of reasonable accommodation as a form of discrimination;
- (b) Intersectional discrimination faced by persons with disabilities and the lack of data on the number of victims of such discrimination;
- (c) The lack of mechanisms to provide remedy to persons with disabilities who are victims of discrimination.

11. The Committee recommends that the State party:

- (a) Amend article 5 of the Constitution and other relevant legislation to include disability as a prohibited ground of discrimination and ensure that the anti-discrimination framework under the National Disabilities Inclusive Development Policy (2018-2025) encompasses all forms of discrimination on the basis of disability, including the denial of reasonable accommodation as a form of discrimination;**
- (b) Address and explicitly prohibit intersectional discrimination against persons with disabilities and collect data on multiple and intersectional discrimination disaggregated by sex, age, type of impairment and place of residence;**
- (c) Establish a mechanism to monitor complaints of disability-based discrimination and provide legal remedy and support to persons with disabilities who are victims of discrimination.**

Algeria (2018)

10. The Committee is concerned about:

- (a) National legislation, including the Constitution, which does not explicitly recognize the principles of equality and non-discrimination of persons with disabilities;
- (b) The fact that the law does not explicitly identify the denial of reasonable accommodation as discrimination on the grounds of disability, and that reasonable accommodation is not well understood nor widely applied by employers and service providers, resulting in persons with disabilities being unable to enjoy their rights on an equal basis with others and;
- (c) Derogatory terms that stigmatize persons with disabilities in the legislation, including the Civil Code and the Family Code;
- (d) Discriminatory policies, notably the fact that persons with disabilities must produce a certificate of exoneration from liability before travelling on the national airline.

11. The Committee recalls its General Comment No. 6 (2018) on equality and non-discrimination and recommends that the State party:

- (a) Align its legislation with the Convention and amend all relevant national legislation to prohibit and sanction discrimination based on disability and recognize the denial of reasonable accommodation as disability-based discrimination;**
- (b) Repeal all legislation which still contains derogatory terms and stigmatizes persons with disabilities;**
- (c) Modify any policies that discriminate against persons with disabilities.**

12. The Committee is concerned that:

(a) There is no specific legislation protecting against multiple and intersectional forms of discrimination;

(b) There have been no complaints brought in relation to article 295 bis 1 of the Criminal Code dealing with discrimination on grounds of disability, which may indicate that complaints procedures are not well known to the victims

13. The Committee recommends that the State party:

(a) Introduce legislation and policy measures to ensure that persons with disabilities effectively enjoy their right to equality and non-discrimination in line with General Comment No. 6 (2018) on equality and non-discrimination and its concept of inclusive equality;

(b) Raise awareness among public and private actors, in particular lawyers, the judiciary, law enforcement officers, civil servants, employers, educational and health professionals and persons with disabilities themselves, of the right to equality and non-discrimination, including multiple and intersectional forms of discrimination, the provision of reasonable accommodation and provide the relevant training;

(c) Raise awareness among persons with disabilities, public officials and service providers on available legal remedies and increase efforts to foster environments that enable persons with disabilities to claim their rights.

[Bulgaria \(2018\)](#)

15. The Committee notes with concern that under the current legislation, denial of reasonable accommodation is not explicitly recognized as an act of prohibited discrimination in all areas. It is also concerned about the lack of enforceability of the decisions issued by the Equality and Human Rights Commission on equality and non-discrimination, and about the insufficient implementation of provisions of legislation on multiple and intersectional discrimination as an aggravated form of discrimination. It is further concerned about barriers faced by persons with disabilities to access remedies in cases of discrimination.

16. The Committee recommends that the State party, in line with the Committee's General comment No. 6 (2018) on Equality and non-discrimination:

(a) Amend its legislation and explicitly prohibit denial of reasonable accommodation as an act of disability-based discrimination in all spheres of life;

(b) Repeal provisions that discriminate persons with disabilities in legislation;

(c) Enhance the enforceability of decisions on disability-based discrimination, including decisions of multiple and intersectional discrimination, which persons with disabilities may face;

(d) Ensure that persons with disabilities, including persons under guardianship can access remedies available in cases of disability-based discrimination, and strengthen the capacity of the Equality Body to exercise its mandate concerning procedures for protection of persons with disabilities against discrimination.

[Malta \(2018\)](#)

7. The Committee notes with concern that the Equal Opportunities (Persons with Disability) Act refers to multiple discrimination, but does not, however, protect persons with disabilities from intersectional discrimination in its article 3A (1). It is also concerned that the institutions responsible for the monitoring of disability-based discrimination, including the Commission for the Rights of Persons with Disability, lack the human and CRPD/C/MLT/CO/1 3 financial resources to address complaints relating to discrimination in a timely manner and that legal aid is not provided to victims. While noting an increase in the number of complaints, the Committee remains concerned that the limited number of complaints by persons with disabilities, as reported by the State party, may indicate that such persons are not aware of the complaint procedures in place and of their rights, and that they may lack the necessary support to seek redress.

8. With reference to its general comment No. 5 (2017) on living independently and being included in the community and targets 10.2 and 10.3 of the Sustainable Development Goals,

the Committee recommends that the State party, while reviewing its legislation to bring it into line with the Convention:

- (a) Amend article 3A (4) of the Equal Opportunity (Persons with Disability) Act to protect persons with disabilities against intersectional discrimination;**
- (b) Ensure the provision of adequate human, technical and financial resources to the Commission for the Rights of Persons with Disability, so that it can address disability-based discrimination complaints in a timely and cost-effective manner;**
- (c) Ensure that persons with disabilities are provided with accessible information on the mechanisms and procedures for lodging complaints and seeking remedies.**

Northern Macedonia (2018)

7. The Committee is concerned that:

- (a) Article 9 of the Constitution of the State Party does not mention disability as a ground of discrimination;
- (b) There is no penalties in national laws, both for public and private institutions or individuals who discriminate against persons based on their disability and the lack of effective legal remedies against discrimination;
- (c) Training on non-discrimination and reasonable accommodation are not regularly imparted to public and private actors.

8. The Committee recommends that the State party:

- (a) Revise all legislation to incorporate all forms of discrimination on grounds of disability, including multiple and intersecting discrimination;**
- (b) Establish measures to provide redress, including compensation, for persons who have faced discrimination on the basis of disability, and sanction perpetrators;**
- (c) Regularly train public and private actors on non-discrimination and reasonable accommodation of persons with disabilities, focusing on the human rights-based approach to disability instead of the traditional medical and charity approach.**

9. The Committee is concerned that although the State Party instituted a National Coordinative Body for Equal Rights of Persons with Disabilities (NCOPDs) to serve as a bridge between government and organisations of persons with disabilities, its mandate and structures are not in line with the Convention.

10. The Committee urges the State Party to strengthen the effectiveness of the National Coordinative Body for Equal Rights of Persons with disabilities and ensure that its mandate and structures are in line with CRPD provisions.

11. The Committee is concerned that the National Strategy on Equal Rights of Persons with Disabilities 2010-2018 was not fully implemented, particularly in the field of support services that are necessary to ensure independent living of persons with disabilities.

12. The Committee recommends that the new National Strategy on Equal Rights of Persons with Disabilities provide adequate resources for its implementation, particularly regarding the support services for independent living of persons with disabilities.

Philippines (2018)

10. The Committee observes with concern that:

- (a) Provisions in the Magna Carta of Persons with Disabilities of 1992 (RA 7277) and its subsequent amendments in 2007 and 2016 only address disability based discrimination in employment, transportation, and use of public accommodations and services;
- (b) The absence of information and measures to address multiple and intersectional discrimination against Indigenous peoples and Muslim persons with disabilities;
- (c) The lack of recognition of reasonable accommodation in several areas of life and the denial of reasonable accommodation as a form of disability-based discrimination;
- (d) The lack of remedies and complaint procedures available in cases of discrimination on the basis of disability, and the absence of information about redress provided, including compensation.

11. The Committee, in line with its General comment No. 6 (2018) equality and non-discrimination, recommends that the State party:

(a) Recognize in its general legislation disability as a ground for discrimination in all areas of life;

(b) Adopt a comprehensive strategy to prevent all forms of discrimination against persons with disabilities to prevent intersectional and multiple forms of discrimination against persons with disabilities on the grounds of sex, age, origin, religion, ethnicity, sexual orientation and gender identity, impairment, migrant, asylum seeking or refugee status, and social status;

(c) Establish accessible and effective redress mechanisms, including judicial and administrative procedures, and ensure access to justice, on an equal basis with others, for victims of discrimination based on disability. The State party should provide persons with disabilities with accessible information about complaint procedures, and free legal aid to courts;

(d) Recognise in its legislation the concept of reasonable accommodation in line with article 5 (3) and the denial of reasonable accommodation as a form of disability-based discrimination;

(e) Take into account article 5 of the Convention in implementing targets 10.2 and 10.3 of the Sustainable Development Goals, in particular multiple and intersectional discrimination on the basis of gender, age, disability, and leprosy through anti-discrimination legislation and policies to help address stigma against persons with disabilities.

Poland (2018)

7. The Committee is concerned at the absence of:

(a) A clear definition of reasonable accommodation and obligation to provide it to all persons with disabilities in all spheres of life, including the absence of recognition of denial of reasonable accommodation as a form of disability-based discrimination;

(b) Recognition of multiple and intersectional discrimination in the anti-discrimination legislation, and prohibition of discrimination against all persons with disabilities on grounds such as sex, age, ethnicity, sexual orientation and gender identity in all areas of life;

(c) Effective mechanisms to prevent and protect persons with disabilities against discrimination and violation of their right to equal treatment;

(d) Awareness of the State and public actors as well of persons with disabilities themselves about the right of persons with disabilities to equality and non-discrimination, including to accessible legal information and legal counselling.

8. Recalling its general comment No. 6 (2017) on Equality and Non-Discrimination, the Committee recommends that the State party:

(a) Enact legislation that define and recognize reasonable accommodation across all areas of life, and that sanctions its denial as a form of disability-based discrimination;

(b) Explicitly recognize and prohibit multiple and intersectional discrimination on the grounds of disability, sex, age, ethnicity, gender identity and sexual orientation and any other status in all areas of life within its anti-discrimination legislation, policies and strategies, including the Equality Act;

(c) Establish judicial and quasi-judicial mechanisms to ensure prevention and protection of persons with disabilities against discrimination, including comprehensive redress;

(d) Take effective measures to provide continuous training and awareness-raising for civil servants and non-state actors, including persons with disabilities themselves about the rights of persons with disabilities to equality and non-discrimination, including to accessible legal information and free legal counselling.

South Africa (2018)

8. The Committee notes with concern that:

- (a) Understanding of the concept of reasonable accommodation is limited among public authorities and the society at large and is therefore not adequately applied to persons with disabilities, especially persons with psychosocial and/or intellectual disabilities as well as persons with albinism;
- (b) Discrimination remains widespread especially against persons with psychosocial and/or intellectual disabilities and persons with albinism, including persons with disabilities in rural areas;
- (c) The lack of specific legislation protecting persons with disabilities against multiple and intersectional discrimination;
- (d) The slow pace in promulgating Chapter 5 of the Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA), which imposes obligations on all members of society to promote equality, including the private sector;
- (e) The absence of information on the legal remedies and measures of redress and compensation for persons with disabilities subjected to discrimination and statistics on the number of investigations conducted, sanctions imposed and/or remedies provided to victims, particularly women and girls with disabilities.

9. The Committee recommends that the State Party:

- (a) Take concrete measures to promote awareness about the concept of reasonable accommodation among the general public and the private sector and ensure its application at all levels of government;**
- (b) Adopt effective legislation and policies that will explicitly provide protection against multiple and intersectional forms of discrimination;**
- (c) Establish effective mechanisms for persons with disabilities exposed to discrimination, to obtain redress, including compensation, rehabilitation and sanction perpetrators;**
- (d) Set up an integrated system to collect data on complaints submitted by persons with disabilities disaggregated by sex, age and disability type across all sectors, including information in accessible formats about the legal remedies and measures of redress and compensation provided for persons with disabilities who have faced disability-based discrimination.**

Haiti (2018)

8. The Committee is concerned about:

- (a) The absence of legislation prohibiting discrimination on grounds of disability, including inter alia the denial of reasonable accommodation as a form of discrimination and the express recognition of multiple and intersectional discrimination;
- (b) The lack of legal remedies available to persons with disabilities who have been victims of discrimination on grounds of disability, and the absence of redress and compensation measures;
- (c) The absence of a specific independent mechanism to deal with disability discrimination complaints and the lack of information on the number of complaints investigated and monitored regarding disability-based discrimination.

9. The Committee recommends that the State party:

- (a) Explicitly include disability as a grounds in national legislation prohibiting discrimination, incorporate the denial of reasonable accommodation as a form of discrimination on grounds of disability, and recognize intersectional and multiple forms of discrimination based on, inter alia, sex, gender, age, disability, national origin, ethnicity and immigration status, and effective redress and compensation measures;**
- (b) Ensure victims of discrimination on grounds of disability can seek redress, remedies and compensation;**
- (c) Set up an independent mechanism or strengthen the national human rights institution to investigate, evaluate and monitor disability discrimination complaints and collect and update data in this regard.**

Nepal (2018)

9. While noting that the Constitution prohibits discrimination of persons with disabilities, the Committee is concerned that persons with disabilities still face multiple and intersectional forms of discrimination on other grounds such as caste, and ethnicity, in particular women and girls with intellectual and/or psychosocial disabilities, autistic persons, persons from ethnic, Dalit, Madhesi and Muslim communities.

10. The Committee recommends that the State party implement existing anti-discrimination legislation, policies and programmes in order to prevent multiple and intersectional discrimination targeting disadvantaged groups including, autistic persons, ethnic, Dalit, Madhesi and Muslim communities. The Committee also recommends that the State party establish accessible and effective mechanisms for victims of discrimination to seek redress and commensurate compensation.

Oman (2018)

11. The Committee is concerned that:

(a) Discrimination based on disability and denial of reasonable accommodation are not explicitly prohibited in the Basic Law of the State nor in the Law for the Care and Rehabilitation of Disabled Persons Act of 2008;

(b) The concept of reasonable accommodation is not comprehensively defined in national legislation nor is it well understood by employers and service providers, resulting in failure to ensure the enjoyment of rights by persons with disabilities on an equal basis with others;

(c) There is a lack of specific legislation concerning protection against multiple and intersectional forms of discrimination.

12. The Committee recommends that the State party:

(a) Amend its legislation to explicitly refer to discrimination in Article 17 of the Basic Law of the State, the Law for the Care and Rehabilitation of Disabled Persons of 2008, and in all relevant national legislation to prohibit and sanction discrimination based on disability;

(b) Recognize the denial of reasonable accommodation as prohibited ground of discrimination against persons with disabilities in all areas and, adopt measures, including compensation and redress, for persons with disabilities who have faced discrimination on the basis of disability, including migrant workers;

(c) Raise awareness and provide training, in consultation with representative organizations of persons with disabilities, on the concept of reasonable accommodation and non-discrimination to public and private actors, in particular lawyers, the judiciary, law enforcement officers, civil servants, employers, educational and health professionals and persons with disabilities;

(d) Adopt measures in national legislation to protect persons with disabilities, against multiple and intersectional forms of discrimination, particularly women and girls with disabilities and persons with psychosocial and/or intellectual disabilities, and provide effective sanctions against perpetrators.

Russian Federation (2018)

13. The Committee notes with concern that under the current legislation denial of reasonable accommodation is not explicitly recognized as an act of prohibited discrimination in all areas. It is further concerned about the low amount of fines prescribed for in Code of Administrative Offences in articles 5.62, 5.42, 9.13, 9.14 and 11.24 which may not secure efficiently adequate protection of rights of persons with disabilities on an equal basis.

14. The Committee recommends that the State Party amend its legislation and explicitly prohibit denial of reasonable accommodation as prohibited ground of discrimination in all spheres of life in line with article 5 of the Convention. It further recommends that the State Party amend its Code of Administrative Offences with the view to increase the amount of fines prescribed for in articles 5.62, 5.42, 9.13, 9.14 and 11.24 of the Code. It also

recommends the State party to be guided by the Convention in the implementation of target 10.2 of the Sustainable Development Goals.

Seychelles (2018)

6. The Committee is concerned about:

(a) The lack of public policies and measures focusing on and prioritizing equality, and the protection of persons with disabilities against all forms of discrimination, and the lack of recognition of the denial of reasonable accommodation as a form of disability-based discrimination;

(b) The lack of capacity, coordination and measurable impact of focal points designed for combating discrimination, and the absence of effective affirmative actions in this regard;

(c) Multiple and intersectional forms of discrimination against persons with disabilities, including Roma, Sinti and persons with disabilities of other ethnic groups, and the lack of information about discrimination against LGBTI persons with disabilities.

7. The Committee recommends that the State party:

(a) Enact legislation that explicitly recognises and sanctions the denial of reasonable accommodation, across all areas of life, as a form of disability-based discrimination;

(b) Strengthen the capacity and role of the focal points designed for combating discrimination, including discrimination against persons with disabilities, and provide them with adequate resources and capacity to effectively respond to cases of disability-based discrimination, including the denial of reasonable accommodation and multiple and intersectional discrimination;

(c) Explicitly incorporate in its anti-discrimination legislation, policies and strategies, the recognition of multiple and intersectional discrimination on the basis of sex, gender, age, disability, migrant, asylum seeking, refugee, ethnic background, sexual orientation and any other status. The Committee also recommends that the State party provides for judicial and quasi-judicial remedies in cases of discrimination from public and/or private actors, disseminate information among persons with disabilities about such remedies, provide redress and adequate compensation, and establish sanctions for perpetrators;

(d) Take into account article 5 of the Convention in implementing targets 10.2 and 10.3 of the Sustainable Development Goals.

Slovenia (2018)

6. The Committee is concerned about:

(a) The lack of public policies and measures focusing on and prioritizing equality, and the protection of persons with disabilities against all forms of discrimination, and the lack of recognition of the denial of reasonable accommodation as a form of disability-based discrimination;

(b) The lack of capacity, coordination and measurable impact of focal points designed for combating discrimination, and the absence of effective affirmative actions in this regard;

(c) Multiple and intersectional forms of discrimination against persons with disabilities, including Roma, Sinti and persons with disabilities of other ethnic groups, and the lack of information about discrimination against LGBTI persons with disabilities.

7. The Committee recommends that the State party:

(a) Enact legislation that explicitly recognises and sanctions the denial of reasonable accommodation, across all areas of life, as a form of disability-based discrimination;

(b) Strengthen the capacity and role of the focal points designed for combating discrimination, including discrimination against persons with disabilities, and provide them with adequate resources and capacity to effectively respond to cases of disability-based discrimination, including the denial of reasonable accommodation and multiple and intersectional discrimination;

(c) Explicitly incorporate in its anti-discrimination legislation, policies and strategies, the recognition of multiple and intersectional discrimination on the basis of sex, gender, age,

disability, migrant, asylum seeking, refugee, ethnic background, sexual orientation and any other status. The Committee also recommends that the State party provides for judicial and quasi-judicial remedies in cases of discrimination from public and/or private actors, disseminate information among persons with disabilities about such remedies, provide redress and adequate compensation, and establish sanctions for perpetrators;

(d) Take into account article 5 of the Convention in implementing targets 10.2 and 10.3 of the Sustainable Development Goals.

Sudan (2018)

7. The Committee is concerned that the Interim Constitution of 2005 and the National Persons with Disabilities Act of 2017 do not explicitly prohibit discrimination on the basis of disability and that denial of reasonable accommodation is not recognized as a prohibited ground of discrimination.

8. The Committee recommends that the State party review article 3 of the National Persons with Disabilities Act of 2017 to explicitly prohibit discrimination on the basis of disability and to ensure that deniable reasonable accommodation is recognized as a form of disability-based discrimination. It further recommends that the State party include these provisions in the forthcoming draft Constitution, as to provide the highest legal protection against disability-based discrimination and multiple and intersectional forms of discrimination faced by persons with disabilities.

9. The Committee is concerned about the absence of penalties in national laws, both for public and private institutions or individuals who discriminate against persons based on their disability and the lack of effective legal remedies against discrimination.

10. The Committee recommends that the State party take measures to strengthen the effectiveness of the National Commission on Human Rights and the Prosecutor's office to provide redress, including compensation, for persons who have faced discrimination on the basis of disability, and sanction perpetrators.

11. The Committee is concerned that training on non-discrimination and reasonable accommodation are not regularly imparted to public and private actors.

12. The Committee recommends that the State party regularly train public and private actors on non-discrimination and reasonable accommodation of persons with disabilities, focusing on the human rights-based approach to disability instead of the traditional medical and charity approach.

Latvia (2017)

8. The Committee is concerned that the Law on Disability is narrow in its scope and purpose, lacks an explicit prohibition of discrimination on the basis of all types of disability, and does not recognize the denial of reasonable accommodation as disability-based discrimination. The Committee regrets the absence of effective complaint mechanisms for disability-based discrimination and the lack of disaggregated data collected on cases of disability-based discrimination and their resolution.

9. The Committee recommends that the State party:

(a) Review its legislation to incorporate a definition of discrimination that explicitly addresses all forms of discrimination on the basis of disability, including intellectual and psychosocial disability, across all sectors and areas of life and that recognizes the denial of reasonable accommodation, and multiple and intersectional forms of discrimination;

(b) Establish an effective mechanism to monitor all aspects of compliance with anti-discrimination legislation, including by providing accessible methods for persons with disabilities to seek legal remedies and by ensuring sanctions for the perpetrators of discrimination;

(c) Reinforce the provision of training developed in consultation with, and that involve the participation of, disabled persons' organizations on the non-discrimination of persons with disabilities and the duties concerning the provision of reasonable accommodation to public

and private actors, in particular members of the legal profession and the judiciary, law enforcement officers, civil servants, employers, the State Labour Inspectorate, educational and health professionals, and persons with disabilities themselves;

(d) Collect and analyse disaggregated data on cases of disability-based discrimination and publish information on their resolution, including details on the sanctions for perpetrators and remedies for victims;

(e) Take into account article 5 of the Convention, while implementing targets 10.2 and 10.3 of the Sustainable Development Goals.

Luxembourg (2017)

10. The Committee is concerned that national legislation lacks a definition of reasonable accommodation in fields other than employment and education. It is also concerned that, apart from the education field, the law does not include an explicit recognition that the denial of reasonable accommodation constitutes disability-based discrimination. The Committee is concerned that other fields, such as employment and accessibility to information and communications technology, lack the enforceable legal provisions to sanction the denial of reasonable accommodation or, alternatively, the enforcement of legal provisions depends on the goodwill of officials and available resources.

11. The Committee recommends that the State party expedite the adoption of a definition of reasonable accommodation aligned with the Convention and enact legislation that explicitly recognizes and sanctions the denial of reasonable accommodation as disability-based discrimination across all areas of life, including within the public and private sectors. It also recommends that the State party set up appropriate monitoring mechanisms to ensure compliance with legislative and other policy measures relating to the denial of reasonable accommodation, including an effective complaint mechanism and appropriate remedies in the event of non-compliance.

12. The Committee notes with concern that the institutions responsible for the monitoring of discrimination, including the Consultative Council of Human Rights and the Centre for Equal Treatment, lack the requisite legal jurisdiction to deal with complaints relating to discrimination, particularly multiple discrimination or discrimination in the private sector, or the power to remedy complaints. It is also concerned by the insufficient resources to carry out their mandates, including effective sanctions and remedies. It is further concerned by the absence of cases of discrimination on grounds of disability, which could be partly explained by the lack of awareness by persons with disabilities of existing mechanisms to defend their rights.

13. The Committee recommends that the State party take into account article 5 of the Convention while implementing targets 10.2 and 10.3 of the Sustainable Development Goals, and that it:

(a) Enact appropriate legislation and policies providing the relevant entities with the requisite legal powers to enable them to effectively monitor discrimination, including multiple and intersectional discrimination, and in the private sector;

(b) Ensure sufficient human and financial resources and the necessary powers so that they can remedy complaints of disability-based discrimination in a timely and cost-effective manner;

(c) Ensure persons with disabilities have information on lodging complaints and seeking remedies;

(d) Establish an accurate system of data collection with regard to the number of complaints received and dealt with by the institutions tasked with monitoring discrimination.

Montenegro (2017)

10. The Committee notes with concern that certain anti-discrimination provisions on disability are themselves discriminatory as they apply to discrimination based only on certain types of impairments. It is concerned about:

- (a) The very small number of complaints based on discrimination, which may point to insufficient knowledge among the population, particularly persons with disabilities, about the rights under the Convention and the available measures to complain about discrimination, as well as a lack of trust in the justice system;
- (b) The lack of effective equal protection of persons with disabilities who may be subjected to intersectional discrimination, such as persons with disabilities who are members of different ethnic groups, including Roma, Ashkali and Egyptians, and refugees, asylum seekers and internally displaced persons;
- (c) The continued use of assessments of disability to access certain human rights and of different definitions of disability, including with derogatory terminology;
- (d) The fact that the Prohibition of Discrimination against Persons with Disabilities Act does not define reasonable accommodation in accordance with the Convention.

11. The Committee recommends that the State party make the necessary legislative amendments to ensure that all persons with disabilities are equally and fully protected against all forms of discrimination, including intersectional discrimination, in accordance with the Convention. It also recommends that the State party:

- (a) Take awareness-raising measures to encourage persons with disabilities to report discrimination and ensure their access to accessible information on their rights under the Convention and on available measures to submit complaints;**
- (b) Train relevant professionals, particularly law enforcement personnel and members of the judiciary, on the Convention and on how to adequately handle complaints of discrimination based on disability;**
- (c) Strengthen its efforts to prevent and remedy intersectional discrimination experienced by persons with disabilities who belong to a minority group, particularly children, and ensure that they have equal access to all rights under the Convention;**
- (d) Ensure that any assessment procedures are in line with the Convention and do not lead to discriminatory treatment, abolish the use of different definitions for disability and derogatory terminology and apply a human-rights based approach to disability instead;**
- (e) Adopt and apply the concept of reasonable accommodation with effective sanctions in order to ensure that the denial of reasonable accommodation constitutes discrimination on the ground of disability.**

[Morocco \(2017\)](#)

12. The Committee is concerned about:

- (a) The absence of recognition in the national legislation of denial of reasonable accommodation as a form of disability-based discrimination;
- (b) The lack of specific legislation concerning protection against multiple and intersectional discrimination;
- (c) The absence of information on the legal remedies and measures of redress and compensation provided for persons with disabilities who have faced disability-based discrimination.

13. The Committee recommends that the State party:

- (a) Establish in national law the denial of reasonable accommodation as a form of disability-based discrimination;**
- (b) Provide for, in national law, explicit protection against multiple and intersectional forms of discrimination on the basis of sex, gender, age, disability, national origin, ethnicity and migratory status, and for effective sanctions against perpetrators;**
- (c) Establish measures, including to provide compensation and redress, for persons with disabilities who have faced discrimination on the basis of disability, and impose sanctions on perpetrators.**

[Panama \(2017\)](#)

14. The Committee is concerned that, although Act No. 42 of 1999 recognizes discrimination on the basis of disability, it does not include the denial of reasonable accommodation as a form of discrimination against persons with disabilities. It is also concerned at the lack of policies to combat multiple and intersectional discrimination against persons with disabilities, especially women, indigenous persons and persons of African descent.

15. The Committee recommends that the State party ensure that its legislation recognizes the denial of reasonable accommodation as a form of discrimination on the basis of disability in all spheres of activity and provides for appropriate penalties for such discrimination. It further recommends that the State party ensure that its legislation covers multiple and intersectional discrimination.

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

12. The Committee is concerned about perceptions in society that stigmatize persons with disabilities as living a life of less value than that of others and about the termination of pregnancy at any stage on the basis of fetal impairment.

13. The Committee recommends that the State party amend its abortion law accordingly. Women's rights to reproductive and sexual autonomy should be respected without legalizing selective abortion on the ground of fetal deficiency.

14. The Committee is concerned that the State party's anti-discrimination legislation does not provide comprehensive and appropriate protection, particularly against multiple and intersectional discrimination, including in access to housing. It is also concerned about the low level of redress in rulings adopted by the judiciary when adjudicating cases of discrimination against persons with disabilities.

15. The Committee recommends that the State party, in line with Goal 10 and targets 10.2 and 10.3 of the Sustainable Development Goals, explicitly incorporate in its national legislation protection from multiple and intersectional discrimination on the basis of gender, age, race, disability, migrant, refugee and/or other status, and provide appropriate compensation and redress for victims, and sanctions proportional with the severity of the violation.

16. The Committee is concerned that the duty to make reasonable adjustments to the common parts of residential properties in the Equality Act 2010 is not yet in force, and that persons with disabilities living in Northern Ireland are not adequately protected against direct and indirect disability-based discrimination and against discrimination by association.

17. The Committee recommends that the State party:

(a) Bring its anti-discrimination legislation into accordance with the Convention and speed up the process to bring into force all legislative provisions in the Equality Act 2010, including those concerning reasonable accommodation in the housing sector;

(b) Take the necessary measures through the appropriate authorities, once the Northern Ireland government is in place, to ensure that the Northern Ireland Executive reform on disability rights law reflects the recommendations made by the Equality Commission for Northern Ireland in its 2012 Strengthening Protection for Disabled People report to protect persons with disabilities in Northern Ireland from direct and indirect disability-based discrimination and discrimination through association.

[Armenia \(2016\)](#)

7. The Committee is concerned about discrimination against persons with disabilities. It also notes with concern that:

(a) Multiple and intersecting forms of discrimination are not prohibited;

(b) The concept of reasonable accommodation and the denial of such accommodation as a form of discrimination are not included in anti-discrimination laws;

(c) There is a lack of publicly available information on cases of disability discrimination and their outcomes.

8. The Committee recommends that the State party:

- (a) Expedite the adoption of the draft law on anti-discrimination and ensure that it encompasses a definition of disability-based discrimination in the public and private sectors, including multiple and intersecting forms of discrimination, particularly gender-based discrimination, and set up mechanisms to impose sanctions for contravening the rights of persons with disabilities;**
- (b) Include the concept of reasonable accommodation in anti-discrimination legislation and recognize the denial of such accommodation as a form of discrimination;**
- (c) Make available information about cases of disability-based discrimination and legal remedies, including on the sanctions imposed on perpetrators and redress for victims, in accessible formats.**

Bosnia and Herzegovina (2016)

10. The Committee is concerned at:

- (a) The anti-discrimination legislation not being systematically applied and implemented, and the lack of a clear definition of disability-based discrimination with effective and applicable sanctions in relation to article 2 of the Law on Prohibition of Discrimination in particular;
- (b) Different legal entitlements for persons with disabilities whose impairment is not a consequence of the war, in comparison with those for civilian victims of war and for war veterans with disabilities;
- (c) The ongoing practice of different assessments of the same disability based on the cause and/or origin of the disability;
- (d) The lack of provisions on reasonable accommodation, with sanctions;
- (e) The insufficient information on combating multiple and intersecting forms of discrimination and on the usage of notions such as “temporary specific measures” or “special needs” which are not clearly regulated, especially in education and in cases regarding ethnic minorities.

11. The Committee recommends that the State party:

- (a) Review its legislation to incorporate a definition of disability-based discrimination that clearly includes all forms of discrimination on grounds of disability, including multiple and intersecting discrimination, and allocate financial resources for its effective implementation;**
- (b) Develop and apply harmonized criteria, assessment procedures and entitlements for assessing the degree of impairment for all persons with disabilities regardless of the cause of the impairment;**
- (c) Adopt and apply the concept of reasonable accommodation, with effective sanctions, in order to ensure that denial of reasonable accommodation constitutes discrimination on the ground of disability;**
- (d) Introduce effective and appropriate remedies, as well as progressive sanctions for the public and private sectors.**

Canada (2016)

13. The Committee is concerned about:

- (a) The persisting gaps in the exercise and enjoyment of rights by persons with disabilities, such as the rights to education, work and employment and an adequate standard of living, due to, among other things, a lack of affordable housing and access to water and sanitation;
- (b) The intersecting nature of discrimination against women and girls with disabilities, indigenous persons with disabilities and migrant persons with disabilities, who face heightened risks of gender-based violence, poverty, marginalization and barriers in access to mental health-care services;
- (c) The absence of measures to ensure that reasonable accommodation is provided in all areas of the Convention beyond work and employment.

14. The Committee recommends that the State party:

- (a) Adopt cross-sectoral strategies with a view to combating inequality and discrimination faced by persons with disabilities through, inter alia, affirmative action measures that include**

clear targets and the collection of data on progress achieved disaggregated by age, sex and indigenous background;

(b) Take into account article 5 of the Convention while implementing targets 10.2 and 10.3 of the Sustainable Development Goals;

(c) Set up criteria aimed at addressing multiple and intersecting forms of discrimination through legislation and public policies, including through affirmative action programmes for women and girls with disabilities, indigenous persons with disabilities and migrant persons with disabilities, and provide effective remedies in cases of such discrimination;

(d) Develop regulations and further guidelines for proactive implementation of the duty to accommodate, including provisions to increase awareness among public and private actors about the duties of and available tools for reasonable accommodation;

(e) Ensure that services for indigenous persons with disabilities in First Nation communities are equitable and appropriate, including health services aimed at preventing suicide among indigenous young persons with disabilities.

Cyprus (2016)

11. The Committee is concerned that national legislation lacks a definition of discrimination that recognizes that denial of reasonable accommodation is a form of disability-based discrimination in all areas of life.

12. The Committee recommends that the State party adopt and implement immediately a definition of discrimination fully aligned with the Convention, explicitly recognizing the denial of reasonable accommodation across all areas of life, including within the public and private sectors as disability-based discrimination.

13. The Committee is concerned about the absence of effective legislation and mechanisms addressing multiple and intersectional discrimination, including against persons with disabilities of ethnic minorities. It is furthermore concerned at the lack of disaggregated data on cases of multiple and intersectional discrimination.

14. The Committee recommends that the State party enact appropriate and enforceable legislation, policies and programmes preventing multiple and intersectional disability-related discrimination, including effective sanctions and remedies, and that it collect and disseminate disaggregated data on such cases. It also recommends that the State party take into account the Sustainable Development Goals, especially target 10.2 and 10.3, while implementing article 5 of the Convention.

15. The Committee is deeply concerned about the precarious situation of refugees and asylum-seeking persons with disabilities in the State party and also notes with concern that the refugee status determination procedures are not accessible. While noting the indication of the State party delegation that refugees with disabilities are entitled to the same disability support schemes and benefits – including wheelchairs, care and information – as Cypriot citizens with disabilities, the Committee notes with concern that equal access to these support schemes and benefits is not available for all refugees and asylum seekers. The Committee furthermore notes with concern that, in the Refugees Law, refugees with disabilities are referred to as “persons with special needs”, a subcategory of “vulnerable persons”, which constitutes an approach that may hamper the application of a human rights-based approach.

16. The Committee recommends that the State party:

(a) Ensure the accessibility of all refugee status determination procedures;

(b) Ensure an adequate standard of living, including access to disability support schemes and allowances in law and in practice for all non-nationals with disabilities residing in the State party on an equal basis with Cypriot citizens;

(c) Incorporate disability, and a human-rights-based approach to disability, in the Refugees Law and all other relevant refugee and asylum legislation, policies and programmes;

(d) Ratify the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and endorse the 2016 Charter on Inclusion of Persons with Disabilities in Humanitarian Action.

Honduras (2016)

13. Al Comité le preocupa que la legislación del Estado parte no reconozca la discriminación múltiple e interseccional y no incluya la denegación de ajustes razonables como forma de discriminación contra las personas con discapacidad (especialmente con discapacidad intelectual y psicosocial, niños y niñas, afrohondureños, mujeres e indígenas), en otros ámbitos además del empleo. Preocupa al Comité que si bien el artículo 321 del Código Penal sanciona la discriminación por razón de discapacidad, no existen mecanismos accesibles para denunciar los casos de discriminación de personas con discapacidad, ni mecanismos de reparación, ni estadísticas de discriminación.

14. El Comité recomienda al Estado parte que reconozca en su legislación la discriminación múltiple e interseccional y la denegación de ajustes razonables como forma de discriminación basada en la discapacidad en todos los ámbitos de participación y que la sancione. Asimismo, le recomienda que incluya mecanismos expeditos para denunciar la discriminación en su legislación antidiscriminación. También le recomienda que adopte medidas que garanticen mecanismos accesibles para denunciar actos de discriminación por parte de las personas con discapacidad y sus mecanismos de reparación.

Iran (Islamic Republic of) (2016)

12. The Committee is concerned about:

- (a) The absence of a definition of disability-based discrimination, including denial of reasonable accommodation as a form of it;
- (b) Multiple and intersectional discrimination against persons with disabilities in particular persons with psychosocial and/or intellectual disabilities, and discrimination against persons perceived to have a disability, including on the grounds of gender identity and sexual orientation, being forced to undergo medical treatment;
- (c) The lack of information about measures to protect the rights of persons with disabilities belonging to ethnic, linguistic and religious minorities on equal basis with others; and
- (d) The difference in measures taken by the State Welfare Organization and the Foundation of Martyr and Veterans Affairs (FMVA) concerning persons with disabilities and veterans of war.

13. The Committee recommends that the State party:

- (a) Introduce in its legislation disability as a ground of discrimination and prohibit direct and indirect discrimination on the basis of disability, intersectional and multiple discrimination, including discrimination by association;**
- (b) Define in its legislation the concept of reasonable accommodation, in line with article 2 of the Convention, and the denial of reasonable accommodation as a form of discrimination;**
- (c) Withdraw legislation that restricts rights of persons with psychosocial and/or intellectual disabilities, and tackle discrimination against persons perceived to have a disability due to their gender identity and sexual orientation, by prohibiting forced medical treatment and providing appropriate remedies and redress;**
- (d) Adopt public policies to ensure access by persons with disabilities to all rights enshrined in the Convention, in particular members of the religious, linguistic and ethnic minorities;**
- (e) Ensure that all persons with disabilities and veterans of war, irrespective of impairment, receive equal protection concerning their rights under the Convention; and**
- (f) Take into account article 5 of the Convention while implementing targets 10.2 and 10.3 of the SDGs.**

Jordan (2016)

11. The Committee notes with concern that:

- (a) Under the current legislation, denial of reasonable accommodation is not explicitly recognized as an act of prohibited discrimination in all areas;

(b) The concept of reasonable accommodation is not well understood by employers and service providers, resulting in failure to ensure the enjoyment of rights by persons with disabilities on an equal basis with others.

12. The Committee recommends that the State party:

(a) Amend its legislation to explicitly prohibit denial of reasonable accommodation as discrimination against persons with disabilities in all areas and ensure sanctions for non-compliance;

(b) Raise awareness about the duty to provide reasonable accommodation, among, inter alia, employers and service providers.

13. The Committee is concerned about the lack of coordination and efficient monitoring in cases of disability-based discrimination, including the absence of a mechanism tasked with documenting and verifying cases where reasonable accommodation was denied.

11. The Committee notes with concern that:

(a) Under the current legislation, denial of reasonable accommodation is not explicitly recognized as an act of prohibited discrimination in all areas;

(b) The concept of reasonable accommodation is not well understood by employers and service providers, resulting in failure to ensure the enjoyment of rights by persons with disabilities on an equal basis with others.

12. The Committee recommends that the State party:

(a) Amend its legislation to explicitly prohibit denial of reasonable accommodation as discrimination against persons with disabilities in all areas and ensure sanctions for non-compliance;

(b) Raise awareness about the duty to provide reasonable accommodation, among, inter alia, employers and service providers.

13. The Committee is concerned about the lack of coordination and efficient monitoring in cases of disability-based discrimination, including the absence of a mechanism tasked with documenting and verifying cases where reasonable accommodation was denied.

14. The Committee recommends that the State party:

(a) Establish the Equal Opportunities Committee, as provided for under the new draft law on the rights of persons with disabilities, to receive complaints on disability-based discrimination, including denial of reasonable accommodation in both the public and private sectors, to enforce sanctions on perpetrators of discrimination and to provide persons exposed to discrimination with remedies;

(b) Strengthen the National Human Rights Commission and the Higher Council for Disabilities and ensure clear rules regarding complaints filed with these bodies and the Equal Opportunities Committee;

(c) Build the capacity of persons with disabilities and their representative organizations to encourage their engagement in available legal redress mechanisms.

Republic of Moldova (2016)

10. The Committee is concerned about discrimination against persons with disabilities and by:

(a) The ineffective implementation of legislation and procedures that address discrimination against persons with disabilities, including the lack of a mechanism to monitor remedies and sanctions for the denial of reasonable accommodation;

(b) The lack of recognition of multiple and intersecting discrimination in anti-discrimination laws;

(c) The lack of publicly available information on cases of disability discrimination and their respective outcomes.

11. The Committee recommends that the State party strengthen anti-discriminatory legislation and procedures to effectively address disability-based discrimination in the public and private sectors, including legislation and procedures with respect to the recognition of multiple and intersecting discrimination and the right to appeal the denial of reasonable accommodation and other forms of disability-based discrimination, and mechanisms to impose sanctions for contravening the rights of persons with disabilities. The Committee

also recommends that the State party publish information about cases of disability discrimination and their outcomes in accessible formats.

[Bolivia \(Plurinational State of\) \(2016\)](#)

11. The Committee is concerned about the ineffectiveness of legal remedies, as reflected in the low number of complaints of discrimination on the basis of disability.

12. The Committee recommends the creation and consolidation of a system for the submission of complaints of discrimination on the basis of disability that is effective, simple and accessible, and that provides redress for persons with disabilities who claim to have suffered discrimination, in all departments and in all languages, including Bolivian sign language.

13. The Committee is concerned that denial of reasonable adjustments is not recognized as a form of discrimination on the basis of disability; it is also concerned at the scant efforts made to recognize and eliminate multiple and intersectional discrimination.

14. The Committee recommends that the State party recognize denial of reasonable adjustments as a form of disability-based discrimination and take measures to prevent and eliminate multiple and intersectional discrimination. It also recommends that the State party be guided by article 5 of the Convention in its efforts to achieve targets 10.2 and 10.3 of the Sustainable Development Goals.

[Colombia \(2016\)](#)

14. The committee is concerned about discrimination against persons with disabilities, mainly against women and girls. It is also concerned that the denial of reasonable accommodation is not acknowledged as a form of discrimination, and that reasonable accommodation is rarely provided. It is concerned that multiple and intersectional discrimination is not recognized and that the State party has not taken steps to combat it; that few complaints have been filed for denial of reasonable accommodation; and that the complaints filed are not clearly disaggregated by type of disability.

15. The Committee recommends that the State party:

(a) Establish, within anti-discrimination legislation, the denial of reasonable accommodation as a form of discrimination in all areas of participation;

(b) Establish penalties under the law and remedies for those affected and recognize the multiple and intersectional dimensions of discrimination;

(c) Register the complaints filed for discrimination, disaggregated by sex, ethnicity, age and type of disability, among others;

(d) The Committee recommends that the State party be guided by article 5 of the Convention in pursuing targets 10.2 and 10.3 of the Sustainable Development Goals.

[Ethiopia \(2016\)](#)

9. The Committee is concerned that the concept of reasonable accommodation enforced in domestic law is only related to employment and not to other areas covered by the Convention. It also notes with concern that the denial of reasonable accommodation is not recognized as a form of discrimination in all areas, including the denial of reasonable accommodation in detention and in education.

10. The Committee recommends that the State party adopt a comprehensive definition of reasonable accommodation in the law that applies to all rights. It also recommends that the State party recognize the denial of reasonable accommodation in all areas as amounting to discrimination, as prescribed by article 5, and provide training to the public and private sectors on this obligation.

11. The Committee is concerned that there are no effective complaint mechanisms or remedies for disability-based discrimination and that multiple and intersectional forms of discrimination are neither recognized nor sanctioned in law and in practice.

12. The Committee recommends that the State party provide legal protection against disability-based discrimination, multiple and intersectional forms of discrimination faced by persons with disabilities and establish effective legal remedies. It also recommends the provision of training and awareness-raising for public officers, the judiciary and organizations of persons with disabilities on how to bring complaints and access justice. It further recommends that the State party take into account article 5 of the Convention while implementing targets 10.2 and 10.3 of the Sustainable Development Goals.

Guatemala (2016)

15. The Committee is concerned that persons with disabilities, especially persons with intellectual and psychosocial disabilities, women, children and indigenous peoples, are regularly subjected to multiple forms of discrimination and that their human rights are limited or restricted by the law. It is also concerned that the legislation of the State party does not recognize multiple, intersectional discrimination or the denial of reasonable accommodation as aggravated forms of discrimination against persons with disabilities.

16. The Committee recommends that the State party review all of its legislation and policies on equality and non-discrimination with a view to ensuring the full enjoyment by persons with disabilities of all human rights on an equal basis with others and that it recognize multiple, intersectional discrimination and the denial of reasonable accommodation as aggravated forms of discrimination against persons with disabilities in its legislation and policies.

17. The Committee is concerned by the limited number of complaints, records and decisions concerning cases of discrimination on the basis of disability and by the failure to inform persons with disabilities of the legal remedies available to combat discrimination.

18. The Committee recommends that the State party allocate resources to the Office of the Human Rights Advocate to ensure that cases of discrimination against persons with disabilities are recorded and ruled upon, as well as to distribute information widely in an accessible form to all persons with disabilities regarding the legal remedies available to combat discrimination, particularly in institutions that provide care for persons with disabilities, in rural areas and remote communities. The Committee also encourages the State party to conduct campaigns to fight discrimination against persons with disabilities, targeting the legal profession, including officials of the judiciary and lawyers. Lastly, the Committee recommends that the State party be guided by article 5 of the Convention in its implementation of targets 10.2 and 10.3 of the Sustainable Development Goals.

Italy (2016)

9. The Committee is concerned that national legislation lacks a definition of reasonable accommodation and does not include an explicit recognition that the denial of reasonable accommodation constitutes disability-based discrimination.

10. The Committee recommends that the State party immediately adopt a definition of reasonable accommodation aligned with the Convention and enact legislation that explicitly recognizes the denial of reasonable accommodation as disability-based discrimination across all areas of life, including within public and private sectors.

11. The Committee is concerned about the absence of legislation and mechanisms with a mandate that addresses multiple discrimination, including effective sanctions and remedies.

12. The Committee recommends that the State party enact appropriate legislation and policies designating enforcement mechanisms to address multiple and intersectional discrimination, including effective sanctions and remedies, and that it provide training to all departments and ensure persons with disabilities have information on lodging complaints and seeking remedies. It also recommends that the State party take into account article 5 of the Convention while implementing targets 10.2 and 10.3 of the Sustainable Development Goals.

United Arab Emirates (2016)

11. The Committee is concerned:

(a) That the national legislation makes no reference to the denial of reasonable accommodation and discrimination by association as forms of disability-based discrimination;

(b) That training opportunities developed in consultation with organizations of persons with disabilities on the concept of reasonable accommodation and non-discrimination of persons with disabilities are not available to public and private actors and, in particular that such opportunities are not available to members of the legal profession and the judiciary, law enforcement officers, civil servants, employers, educational and health professionals, and persons with disabilities themselves;

(c) About the lack of specific legislation concerning protection against multiple and intersectional forms of discrimination.

12. The Committee recommends that the State party:

(a) Explicitly define in national law that denial of reasonable accommodation and discrimination by association are forms of disability-based discrimination;

(b) Provide training opportunities developed in consultation with and with the involvement of organizations of persons with disabilities on the concept of reasonable accommodation and non-discrimination of persons with disabilities to public and private actors, in particular members of the legal profession and the judiciary, law enforcement officers, civil servants, employers, educational and health professionals, and persons with disabilities themselves;

(c) Incorporate into national law a provision explicitly guaranteeing protection against multiple and intersectional forms of discrimination, including discrimination on the basis of gender, age, disability and migrant status, and ensure that such a provision is accompanied by greater sanctions for perpetrators and higher levels of compensation and redress for victims;

(d) Be guided by article 5 of the Convention in the implementation of targets 10.2 and 10.3 of the Sustainable Development Goals.

Uruguay (2016)

13. Al Comité le preocupa que la legislación del Estado parte no incluya la denegación de ajustes razonables como forma de discriminación contra las personas con discapacidad en otros ámbitos además del empleo. También le preocupa la ausencia de políticas que combatan la discriminación múltiple e interseccional. Preocupa al Comité que no existan mecanismos accesibles para denunciar los casos de discriminación por motivo de discapacidad, ni mecanismos de reparación.

14. El Comité recomienda al Estado parte que reconozca en su legislación la denegación de ajustes razonables como forma de discriminación por motivo de discapacidad en todos los ámbitos de participación y que la sancione. Asimismo le recomienda que incluya las formas múltiples e interseccionales de discriminación en su legislación antidiscriminación. También le recomienda que adopte medidas que garanticen métodos accesibles para la denuncia de actos de discriminación por motivo de discapacidad, así como mecanismos de reparación.

Chile (2016)

11. Al Comité le preocupa que la definición de ajuste razonable no se adapte al artículo 2 de la Convención y que la legislación del Estado parte no incluya la denegación de ajustes razonables como forma de discriminación contra las personas con discapacidad en otros ámbitos además del empleo. También le preocupa la ausencia de políticas que combatan la discriminación múltiple e interseccional.

12. El Comité recomienda al Estado parte que revise la definición de ajuste razonable y reconozca en su legislación la denegación de ajustes razonables como forma de discriminación basada en la discapacidad en todas las esferas de la vida. Asimismo le recomienda que incluya las formas múltiples e interseccionales en su legislación contra la discriminación, proporcione remedios adecuados e imponga sanciones en caso de violación.

Lithuania (2016)

13. The Committee is deeply concerned that the State party does not consistently apply the concept of reasonable accommodation in relation to the principle of non-discrimination.

14. With reference to target 10.2 of the Sustainable Development Goals, the Committee recommends that the State party take all the legislative, juridical and administrative measures necessary to:

(a) Promote, ensure and monitor the provision of reasonable accommodation for persons with disabilities across all public and private sectors;

(b) Recognize the denial of reasonable accommodation as a form of discrimination on the basis of disability.

Portugal (2016)

13. The Committee is concerned that State party's legislation does not include an obligation to provide reasonable accommodations to persons with disabilities in the exercise of all their rights.

14. The Committee recommends that the State party explicitly sets out in its legislation the obligation to provide reasonable accommodations to persons with disabilities in all areas covered by the Convention.

15. The Committee is concerned about the lack of efficiency of legal remedies provided to persons with disabilities in the framework of responsibilities granted to the National Institute for Rehabilitation to assess non-compliance with disability policies, since claims and complaints lodged by persons with disabilities often remain unresolved and/or without sanction.

16. The Committee recommends that the State party review its legislation and policies in order to provide efficient legal remedies to persons with disabilities in cases of discrimination.

Serbia (2016)

9. The Committee is concerned that anti-discrimination legislation is not systematically applied, that legislation lacks clear definition of disability-based discrimination and does not address all forms of discrimination. It is further concerned that neither the concept of reasonable accommodation nor recognition that the denial of such accommodation is a form of discrimination are explicitly included in anti-discrimination laws. The Committee also expresses its concern that little information has been provided on sanctions available for contravening the rights of persons with disabilities.

10. The Committee recommends that the State party review its legislative framework to incorporate a definition of disability-based discrimination that explicitly deals with all forms of discrimination, incorporate the concept of reasonable accommodation and ensure that the relevant laws and regulations define the denial of reasonable accommodation as a form of discrimination on grounds of disability. The Committee also recommends that the State party introduce effective and proportional remedies, including dissuasive penalties.

Slovakia (2016)

13. The Committee is concerned that legislation that prohibits disability-based discrimination has not been extended beyond the employment sector.

14. The Committee recommends that the State party enact disability-based anti-discrimination legislation in all sectors, and provide training and guidance for the public and private sectors.

15. The Committee is concerned that reasonable accommodation has been misinterpreted as a temporary special measure and that there is a lack of an explicit definition of reasonable accommodation in legislation. The Committee is concerned that the denial of reasonable accommodation as disability-based discrimination is not recognized in law.

16. The Committee recommends that the State party amend section 2a (1) of the Anti-Discrimination Act to include denial of reasonable accommodation as disability- based discrimination; and to introduce specific provisions in relation to sanctions for non-compliance.

17. The Committee is concerned that the law does not recognize multiple and intersectional discrimination, especially against women and girls with disabilities and members of ethnic minorities with disabilities, especially Roma people.

18. The Committee recommends that the State party amend section 2a (1) of the Anti-Discrimination Act to include intersectional and multiple discrimination as a form of discrimination, and definitions of the term, and adopt legal remedies and sanctions to reflect the aggravated nature of violations arising from multiple and intersectional discrimination.

19. The Committee is concerned about the lack of awareness of the public and private sectors about multiple discrimination and the obligation to provide reasonable accommodation.

20. The Committee recommends that the State party provide the public and private sectors with mandatory training on multiple discrimination and legal obligations to provide reasonable accommodation in all sectors.

Thailand (2016)

13. The Committee is concerned that national laws, including the Persons with Disabilities Empowerment Act and the Gender Equality Act permit discrimination in specific cases; that denial of reasonable accommodation is not considered discrimination; and that the Sub-Committee on Elimination of Discrimination against Persons with Disabilities does not have the authority and resources necessary to appropriately address complaints of discrimination on grounds of disability by persons seeking remedies.

14. The Committee recommends that the State party amend legislation to prohibit discrimination against persons with disabilities without exceptions, and to include a definition of reasonable accommodation, in conformity with the Convention; and take all the measures necessary, including upgrading the Sub-Committee on Elimination of Discrimination against Persons with Disabilities to a Committee, to ensure that it can effectively and independently address cases of discrimination on the grounds of disability, including intersectional and multiple discrimination.

Uganda (2016)

8. The Committee is concerned about persisting discrimination against persons with disabilities, including in particular persons with albinism, persons with intellectual and/or psychosocial disabilities, and on other grounds, such as gender identity and sexual orientation. It is also concerned about insufficient legal remedies to protect them against such discrimination. It is further concerned about the non-recognition of reasonable accommodation in the legislation of the State party and that the work of the Equal Opportunities Commission has not been made known widely among persons with disabilities.

9. The Committee recommends that the State party:

- (a) Provide for legal protection against disability-based discrimination and multiple and intersectional forms of discrimination faced by persons with disabilities;**
- (b) Incorporate the concept of reasonable accommodation in its legislation as defined in article 2 of the Convention and recognize the denial of reasonable accommodation as a form of discrimination based on disability;**
- (c) Make the work of the Equal Opportunities Commission widely known among persons with disabilities.**

Brazil (2015)

12. The Committee is concerned at the lack of measures to address discrimination against indigenous and Afro-descendant persons with disabilities. In particular, it is concerned about

the isolation of indigenous communities that place persons with disabilities in extreme exclusion conditions.

13. The Committee recommends the State party to implement legislation, inter-sectorial policies and programmes to address the multiple forms of discrimination against indigenous and Afro-descendant persons with disabilities, in particular, to prevent persons with disabilities living in isolated indigenous communities or remote areas from being excluded.

European Union (2015)

18. The Committee is concerned that Directives 2000/43, 2004/113 and 2006/54 failed to explicitly prohibit discrimination based on disability and prescribe for duty to provide reasonable accommodation to persons with disabilities in the areas of social protection, health care, (re)habilitation, education and provision of goods and services, such as housing, transport and insurance.

19. The Committee recommends that the European Union adopt its proposed horizontal Equal Treatment Directive extending protection from discrimination to persons with disabilities, including by the provision of reasonable accommodation, to all areas of competence. Furthermore, the Committee recommends that the European Union ensure discrimination in all aspects based on disability is prohibited, including multiple and intersectional discrimination.

EU Institutions compliance with the Convention (as public administrations)

78. The Committee is concerned that not all employees or delegates of the EU who are persons with disabilities, or have family members with disabilities, receive the reasonable accommodation they need to enjoy their rights from the labour and related relationships equally.

79. The Committee recommends that the European Union take necessary measures to ensure that all employees of the European Union who are persons with disabilities, or have family members with disabilities, receive the reasonable accommodation they need to enjoy their rights from the labour and related relationships on an equal basis with others.

Gabon (2015)

12. The Committee is concerned about the absence of:

- (a) An explicit prohibition of disability-based discrimination and the lack of legal remedies and sanctions to uphold the right to non-discrimination by persons with disabilities;
- (b) A dedicated mechanism to deal with cases of discrimination;
- (c) Appropriate labour laws and measures to end discrimination in the workplace;

13. The Committee recommends that the State party:

- (a) Enact disability anti-discrimination law and establish legal remedies and sanctions to uphold the prohibition of disability-based discrimination in a cross-cutting way to all rights and areas of life;**
- (b) Include in legislation the recognition that the denial of reasonable accommodation is a form of discrimination on the basis of disability;**
- (c) Establish a dedicated mechanism to deal with cases of discrimination and foster the use of available legal remedies by persons with disabilities facing discrimination and inequality;**
- (d) Reform labour laws and adopt measures to end discrimination in the workplace.**

Kenya (2015)

9. The Committee is concerned that mediation and conciliation prevail on claims by persons with disabilities. It is also concerned about the absence of information on the definition of reasonable accommodation and that the denial of such accommodation is not considered a form of discrimination.

10. The Committee recommends that the State party:

- (a) Enforce measures to ensure that cases of discrimination against persons with disabilities are invocable before courts and victims receive appropriate redress; and**

(b) Define in its legislation the principle of reasonable accommodation in all areas in line with article 2 of the Convention and ensure legal recognition of the denial of reasonable accommodation as a form of discrimination.

Mauritius (2015)

9. The Committee is concerned that the legislation of the State party, in particular the Equal Opportunities Act still reflect the medical approach of disability. The Committee is also concerned that the concept of reasonable accommodation has yet to be defined and included in the legislation of the State party.

10. The Committee recommends that the State party ensure that all its legislation is aligned with the Convention and define the concept of reasonable accommodation in line with article 2 of the Convention and recognizes the denial of reasonable accommodation as a form of disability-based discrimination, as well as intersectional discrimination and discrimination by association.

Qatar (2015)

11. The Committee is concerned about the absence of a definition of reasonable accommodation in law and that the denial of such accommodation is not considered a form of discrimination. It is also concerned about the lack of specific legislation on equality and non-discrimination including protection against multiple and intersectional discrimination.

12. The Committee recommends that the State party incorporate an explicit prohibition of disability-based discrimination in its national legislation. It also recommends that the State party incorporate the definition of reasonable accommodation in national law, and apply it in accordance with the Convention in particular through explicit recognition that denial of reasonable accommodation is disability-based discrimination. The Committee also recommends that the State party provide training on the concept of reasonable accommodation and non-discrimination of persons with disabilities to public and private actors, in particular members of the legal profession, the judiciary, law enforcement officers, and persons with disabilities themselves. Further, the Committee recommends the explicit incorporation in national law of protection against multiple and intersectional discrimination on the basis of gender, age, disability, migrant status, among other grounds, accompanied by higher sanctions for perpetrators and higher compensation and redress for victims.

Ukraine (2015)

9. The Committee is concerned that only few cases related to discrimination on the basis of disability have been considered by courts and no criminal proceedings have been initiated under article 161 of the Criminal Code. The Committee is also concerned that the principle of reasonable accommodation is not consistently implemented and the failure to provide it does not carry any sanctions. The Committee is further concerned that multiple and inter-sectoral discriminations are not properly addressed in the State party's laws and policies.

10. The Committee calls upon the State party to strengthen legislation to extend the application of the principle of reasonable accommodation to all areas of life and make the failure to provide it punishable by law. The State party is urged to take all necessary measures, including training of the judiciary and capacity- building of persons with disabilities and their organizations, to foster the use of available legal remedies by persons with disabilities facing the discrimination and inequality. It further recommends that the State party establish mechanisms in its legislation and include measures in its policies to prevent and protect from multiple and inter-sectoral forms of discrimination.

Cook Islands (2015)

9. The Committee is concerned that the Disability Act does not provide for reasonable accommodation nor prohibits its denial as disability-based discrimination. Furthermore the Committee is concerned that State party does not legally provide for provision of reasonable

accommodation to persons with disabilities in enjoyment of their different fundamental rights. Neither does it provide a definition nor guidance on what constitutes disproportionate and undue burden. The Committee is further concerned that there is a lack of provision with regard to other forms of discrimination, including intersectional discrimination, for example, the Employment Relations Act 2012 does not recognize discrimination across more than one protected group. The Committee also notes that several laws continue to permit disability based discrimination.

10. The Committee recommends that the State party:

(a) Amend the Disability Act to ensure the denial of reasonable accommodation is recognised in law as a form of disability-based discrimination and that it applies explicitly to all rights including fundamental rights;

(b) Amend laws on discrimination, including the Employment Regulations Act 2012, to introduce additional legal and policy measures using a human rights framework to address multiple or intersectional grounds for discrimination, discrimination by association, and discrimination against persons perceived to have a disability;

(c) Repeal discriminatory laws and provisions that deny rights and exclude participation and inclusion on the ground of disability, including the Entry, Residence and Departure Act, the Electoral Act, and laws permitting substituted decision-making, involuntary detention and forced treatment.

[Croatia \(2015\)](#)

7. The Committee is concerned that for the entitlement to social services and benefits, distinction is made between different causes of impairments, such as war or accidents. It is further concerned that exclusion and segregation in education, work or residential living is not regarded as a form of discrimination.

8. The Committee recommends that disability based services and benefits are made available to all persons with disabilities irrespective of the cause of their impairment. It further recommends that the State party takes legislative and policy measures to clarify that disability based exclusion and segregation in education, employment and other fields of social life, is a form of discrimination.

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

9. The Committee notes with concern that under the Anti-discrimination Act duty to provide reasonable accommodation is limited to employment and related labor relations.

10. The Committee calls upon the State party to amend its legislation and extend the prohibition of denial of reasonable accommodation to other areas besides employment and labor relations, in line with provisions of article 5 of the Convention.

11. The Committee is concerned at admitted absence of case law relating to judicial protection from disability-based discrimination.

12. The Committee calls upon the State party to take all necessary measures, including training of the judiciary, strengthening of independent human rights bodies and capacity-building of persons with disabilities and their organizations, to foster the use of available legal remedies by persons with disabilities facing the discrimination and inequality.

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

8. Although the Criminal Code establishes the offence of discrimination based on disability, the Committee notes with concern that the definition does not cover multiple or intersectional discrimination, to which persons with disabilities are often subject, and that there is no record of sentences handed down for discrimination against persons with disabilities. It is also concerned that denial of reasonable accommodation is not included as a form of discrimination on grounds of disability.

9. The Committee recommends that the State party include multiple and intersectional discrimination in the definition of the offence of discrimination on grounds of disability. It

also recommends that it adopt measures, including training, to enable persons with disabilities effectively to pursue the available legal remedies. In addition, it recommends that the State party recognize in law the denial of reasonable accommodation as a form of discrimination in the exercise of all rights recognized in the Convention.

Germany (2015)

13. The Committee is concerned that:

- (a) Current legislation does not contain a definition of reasonable accommodation and that the denial of such accommodation is not considered a form of discrimination;
- (b) The understanding of how reasonable accommodation can be implemented is still largely underdeveloped relating to administration, jurisdiction and social services provision;
- (c) There is no fixed schedule for implementing legal requirements at either the federal or Länder level.

14. The Committee recommends that the State party:

- (a) Develop protection against discrimination for persons with disabilities, including intersectional discrimination, as a comprehensive, cross-cutting right in domestic legislation, including at Länder level, and collect relevant data on case law;**
- (b) Take steps to ensure that reasonable accommodation provisions are enshrined in law as an immediately enforceable right in all areas of law and policy, with an explicit definition in the law in line with Article 2 of the Convention, and that the denial of reasonable accommodation is recognised and punishable as a form of discrimination.**
- (c) Undertake systematic training on reasonable accommodation at federal, Länder and local levels across all sectors and with the private sector.**

Mongolia (2015)

9. The Committee is concerned about the fragmentation within the State party's disability-relevant anti-discrimination legislation and the lack of coordination, including with organisations of persons with disabilities and ministries, to ensure the effective implementation of coherent domestic laws as part of a strategy to implement the Convention. Furthermore, the Committee is concerned about the lack of legal recognition of denial of reasonable accommodation as a prohibited ground of discrimination in the State party.

10. The Committee recommends that the State party address discrimination on the grounds of disability as a cross-cutting issue in its legislation followed by the concrete incorporation of the concept of non-discrimination into all legislation concerning persons with disabilities. The State party is further recommended to adopt legislation securing denial of reasonable accommodation as an act of discrimination on the grounds of disability across all legislation. The State party is also recommended to establish an effective monitoring mechanism to deal with all aspects of compliance with this legislation. This should include the possibility for persons with disabilities to seek redress and commensurate compensation on discrimination based on disability. The Committee also recommends the State party to initiate the necessary training for and of public and private actors, including, among others, juridical persons, civil servants and representatives organisations of persons with disabilities on discrimination based on disability and the duty and possibilities to provide reasonable accommodation to persons with disabilities.

Turkmenistan (2015)

13. The Committee is concerned that the legislation of the State party lacks a definition of disability-based discrimination, which explicitly addresses all forms of discrimination, including the denial of reasonable accommodation as a form of discrimination. It is also concerned about the lack of information and data regarding the implementation of measures taken to eliminate discrimination against persons with disabilities, including legal remedies and measures.

14. The Committee recommends that the State party review its legislation to incorporate a definition of disability-based discrimination, which explicitly addresses all forms of discrimination, including the denial of reasonable accommodation. The Committee also recommends that the State party ensure the effective implementation of existing measures to eliminate discrimination against persons with disabilities, with clear targets based on comparable disaggregated data, and consider adopting further affirmative action measures and remedies to ensure equal and effective inclusion and protection of persons with disabilities.

Belgium (2014)

11. The Committee takes note of the anti-discrimination law which recognizes the concept of reasonable accommodation. It remains concerned about the situation of foreign persons with disabilities living in Belgium who experience situations of discrimination, and about cases of discrimination by association with a person or child with disabilities.

12. The Committee recommends that the State party review the remedies provided for by this law to ensure that complainants are able to seek injunctions and can receive damages once their claims for discrimination have been proven in court. It urges the State party to strengthen protection against discrimination, including discrimination by association, through the introduction of positive discrimination measures and awareness-raising and training of public officials at all levels.

Denmark (2014)

14. The Committee notes the establishment of the Government's anti-discrimination unit which has a mandate to monitor and prevent discrimination against persons with disabilities; however, it is concerned that the State party lacks comprehensive anti-discrimination legislation that would provide protection from discrimination on the basis of disability beyond the labour market. The Committee is also concerned at the lack of legal remedies for persons with disabilities whose rights under the Convention have been violated, and the absence of available information thereon.

15. The Committee urges the Governments of Denmark, the Faroe Islands and Greenland to adopt new comprehensive cross-sectoral anti-discrimination legislation that extends protection to beyond the labour market and affirms the denial of reasonable accommodation as a form of discrimination on the basis of disability. The Committee recommends that the State party take steps to ensure that reasonable accommodation is provided in all spheres of society, without any exemption; that it ensure effective legal remedies to persons with disabilities, including the possibility of submitting complaints related to discrimination on the basis of disability to the Board of Equal Treatment; and that it promote better awareness of the Convention among rights-holders.

16. The Committee is concerned at the lack of disaggregated data on cases of multiple and intersectional discrimination, and at the inadequate measures for dealing with cases of intersectional discrimination – for example, disability combined with gender or ethnicity – which require more development.

17. The Committee recommends that the State party collect and disseminate disaggregated data on cases of multiple and intersectional discrimination, and that it adopt effective and specific measures to prevent multiple and intersectional forms of discrimination, including permitting complaints of discrimination on more than one ground, establishing higher levels of compensation for victims, and imposing higher penalties for perpetrators.

Ecuador (2014)

14. The Committee is concerned that Ecuadorian legislation does not contain a definition of reasonable accommodation and that the denial of such accommodation is not considered a form of discrimination. The Committee is also concerned at the absence of institutional mechanisms to sanction discriminatory acts against persons with disabilities and identify and

sanction intersecting forms of discrimination and the lack of measures to ensure the non-repetition of such acts.

15. The Committee recommends that the State party include in its domestic legislation the express requirement to make reasonable accommodation where necessary in a particular case and establish that the denial of such accommodation constitutes a form of discrimination on grounds of disability. The Committee recommends the establishment of independent bodies that are competent to deal with complaints and cases filed by persons with disabilities to combat discriminatory acts. Such bodies should have sufficient powers to carry out investigations and impose sanctions on public or private bodies that commit acts of discrimination, including forms of intersectional discrimination.

Mexico (2014)

9. The Committee is concerned at discrimination against persons with disabilities, which is compounded by other factors of social exclusion, such as age, gender, ethnicity and rural isolation. It is also concerned that, in some states, action is still pending on the adoption of laws prohibiting discrimination on grounds of disability and recognizing the denial of reasonable accommodation as a form of discrimination based on disability.

10. The Committee recommends that the State party establish specific budget lines to meet its targets in respect of equality, as well as specific actions to combat cases of intersectional discrimination based on disability, age, gender, indigenous background and rural isolation, among other factors of exclusion. The Committee also encourages the State party to step up its efforts, by developing strategies for dissemination, awareness-raising and dialogue with local authorities, to ensure that all the states issue laws prohibiting discrimination based on disability and recognize the denial of reasonable accommodation as a form of discrimination.

11. The Committee is concerned at the low number of complaints and rulings regarding cases of discrimination on grounds of disability, the lack of regulations under the Federal Act on the Prevention and Elimination of Discrimination and the dearth of information on its dissemination in accessible formats, including in different indigenous languages.

12. The Committee recommends that the State party allocate resources to have the Federal Act on the Prevention and Elimination of Discrimination translated into all indigenous languages in accessible formats (including Braille, sign language, easy-read and electronic formats). The Committee encourages the State party to conduct campaigns to fight discrimination against persons with disabilities, targeting the legal profession, including officials of the judiciary and lawyers.

New Zealand (2014)

9. The Committee notes that, in 2012, the New Zealand Court of Appeal affirmed that the policy of not paying some family carers to provide disability support services to adult disabled family members constituted unjustifiable discrimination on the basis of family status. The Committee is concerned that the Public Health and Disability Amendment Act 2013 reversed this court decision by denying carers' pay to some family members. The Committee is also concerned that these provisions also prevent some family members who are carers from making complaints of unlawful discrimination with respect to the Government's family care policy. The Committee notes that the independent monitoring mechanism has recommended reconsideration of this matter.

10. The Committee recommends that the State party reconsider this matter to ensure that all family members who are carers are paid on the same basis as other carers are, and recommends that family members who are carers be entitled to make complaints of unlawful discrimination in respect of the State party's family care policy.

11. The Committee is concerned that the Human Rights Act 1993 does not contain a separate definition of reasonable accommodation. The Committee appreciates that one can infer the concept from provisions of the Act. However, the Committee is concerned about its opaqueness and lack of clarity.

12. The Committee recommends that, in order to clarify the meaning of reasonable accommodation, the State Party give consideration to amending the Human Rights Act 1993 to include a definition of reasonable accommodation, in conformity with the definition of reasonable accommodation in article 2 of the Convention.

13. The Committee notes that a failure to understand the principle of reasonable accommodation is at the centre of many complaints that come to the New Zealand Human Rights Commission. The Committee notes that work has commenced on establishing guidelines on the application of the principle of reasonable accommodation, especially in the area of employment.

14. The Committee recommends that these guidelines be promptly completed in line with provisions of the Convention, and distributed.

Republic of Korea (2014)

11. The Committee is concerned about the lack of effective implementation of the 2008 Anti-discrimination against and Remedies for Persons with Disabilities Act. It is particularly concerned that the majority of complaints seeking remedies have not been resolved. The Committee notes that the courts need to exercise the injunctive powers conferred upon them.

12. The Committee recommends that the State party increase the human resources and independence of the National Human Rights Commission of Korea. It also recommends that the cost of lawsuits be waived or reduced for victims of disability discrimination in order to ensure access to remedies through the courts, and that the requirements be lowered for the issuance by the Minister of Justice of a remedial order (set out in article 43 of the Anti-Discrimination against and Remedies for Persons with Disabilities Act). The Committee also encourages the State party to raise awareness among judges on the need to implement effectively the Anti-Discrimination against and Remedies of Persons with Disabilities Act and to exercise the injunctive powers conferred upon them.

Azerbaijan (2014)

12. The Committee is concerned that legislation on equality and non-discrimination in the State party lacks an express prohibition of disability-based discrimination, which presents challenges with regard to compliance with the law by the general public.

13. The Committee recommends that the State party should include in the new draft law on the Rights of Persons with Disabilities an express prohibition of disability based discrimination and multiple forms of discrimination experienced by persons with disabilities. The Committee also urges the State party to incorporate the concept of reasonable accommodation into its new draft Law on the Rights of Persons with Disabilities and to ensure that this piece of legislation and all other relevant laws clearly affirm the denial of reasonable accommodation as a form of discrimination on the grounds of disability.

14. The Committee is concerned at the lack of statistical information on the number of persons with disabilities belonging to national minorities, especially the Lezghin and the Talysh populations, which, according to the Committee on Economic, Social and Cultural Rights (E/C.12/AZE/CO/3), continue to be the victims of widespread discrimination, particularly in employment, housing, health and education.

15. The Committee recommends the introduction of policies targeted at eliminating discrimination among persons with disabilities pertaining to national minorities, especially the Lezghin and the Talysh populations that recognize that persons with disabilities often suffer from multiple forms of discrimination.

Costa Rica (2014)

11. The Committee regrets that anti-discrimination legislation does not recognize discrimination on the basis of disability and denial of reasonable accommodation as a form of discrimination. It is also concerned about the limited progress made in combating multiple

discrimination on the basis of, among other grounds, age, gender, ethnicity and residence in a rural area.

12. The Committee urges the State party to take the legislative and administrative measures necessary to prohibit discrimination on the basis of disability, and to explicitly include denial of reasonable accommodation as a form of discrimination on the basis of disability. The State party should strengthen institutions and mechanisms to protect the rights of persons with disabilities by means of inter-agency coordination and specific measures to combat multiple discrimination.

Sweden (2014)

9. The Committee is concerned that the new bill on discrimination, which classifies the denial of reasonable accommodation as discrimination, exempts organizations employing fewer than 10 employees. It is also concerned that the concept of denial of reasonable accommodation is not considered to be of general application throughout the legal framework of the State party and that authorities from the different levels of government are not bound by this legal obligation.

10. The Committee urges the State party to review the proposed draft bill with a view to ensuring its full harmonization with the provisions of article 5 of the Convention, and to take all appropriate steps to ensure that reasonable accommodation is provided in all spheres of society, in both public and professional contexts, without any exemption, based on the principle of equal opportunities for all. It also urges the State party to adopt a legal definition of reasonable accommodation and incorporate it into all relevant statute laws so that it can be applicable in all areas of government, including judicial and administrative areas.

11. The Committee is concerned that the systems for dealing with cases of intersectional discrimination, for example disability combined with gender or ethnicity, require more development.

12. The Committee recommends that the State party examine the appropriateness of the current structure used to deal with situations of intersectional discrimination.

Australia (2013)

14. The Committee is concerned that the scope of protected rights and grounds of discrimination in the *Disability Discrimination Act 1992* is narrower than under the Convention and does not provide the same level of legal protection to all persons with disabilities.

15. The Committee recommends the State party to strengthen anti-discrimination laws to address intersectional discrimination and to guarantee the protection from discrimination on the grounds of disability to explicitly cover all persons with disabilities including children, indigenous people, women and girls, hearing impaired, deaf, and people with psychosocial disabilities.

Austria (2013)

12. The Committee recognises the progress made in Austria in developing anti-discrimination laws at the federal and regional levels, however it notes that with one exception, the only remedy available is financial compensation. The exception is in employment matters, where further training programs and improvements of conditions in employment may be mandated. It appears that systems for dealing with matters of multiple discrimination, where disability is combined with gender or ethnicity, require more development.

13. The Committee recommends that the discrimination laws be strengthened by broadening the available remedies to include other remedies that require a change of behaviour in people who discriminate against persons with disabilities, such as injunctive powers. The Committee recommends that the State party examine the appropriateness of the current structures used to deal with situations of multiple discrimination.

14. While the Committee recognises women's right to reproductive autonomy, the Committee notes that under Austrian law it is legal for a foetus to be aborted up to the onset of birth if serious damage to the health of the foetus can be expected. The Committee is concerned that

there appears to be a link between this provision and the fact that according to OECD statistics, births of children with Down's syndrome in Austria fell by 60% between 1995 and 2006. The Committee notes that discussions on this matter are underway.

15. The Committee recommends that the State party abolish any distinction in the period allowed under law within which a pregnancy can be terminated based solely on disability.

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

13. The Committee is concerned about the absence of measures prohibiting and punishing all forms of discrimination against persons with disabilities and the fact that the law does not recognize the denial of reasonable accommodation as a form of discrimination.

14. The Committee recommends that the State party adopt legislation prohibiting all forms of discrimination on the grounds of disability, setting out penalties in cases of discrimination and defining the denial of reasonable accommodation as a form of discrimination.

15. The Committee notes that there are no affirmative action measures to speed up the de facto equality of persons with disabilities nor any mechanisms for reparation if they suffer discrimination.

16. The Committee recommends that the State party adopt measures to achieve real equality for persons with disabilities and that it establish fast-track legal and administrative remedies to obtain reparation in cases of discrimination.

[Paraguay \(2013\)](#)

13. The Committee acknowledges the measures taken by the State party to promote the human rights of persons with disabilities and prohibit discrimination against them; it is nevertheless concerned at the lack of any specific provision to prevent, eliminate and penalize discrimination against persons with disabilities, and that there is no provision that explicitly defines the denial of reasonable accommodation as a form of discrimination.

14. The Committee urges the State party to take the necessary legislative and administrative measures to eliminate discrimination on grounds of disability and adopt legislation prohibiting discrimination; such measures should explicitly refer to the denial of reasonable accommodation as a form of discrimination on grounds of disability.

15. The Committee takes note of the adoption of the Plan on Equality and Non-Discrimination in the Civil Service; it is nevertheless concerned that the Plan does not explicitly cover persons with disabilities and that efforts to ensure its implementation in respect of persons with disabilities are inadequate.

16. The Committee recommends that the State party take steps to guarantee the material equality of persons with disabilities in the civil service and promote, alongside the Plan on Equality and Non-Discrimination, a broad policy of equality and non-discrimination in all areas, based on the tenets and principles of the Convention.

[Argentina \(2012\)](#)

11. The Committee notes with concern that neither the concept of reasonable accommodation nor recognition that the denial of such accommodation is a form of discrimination are explicitly included in anti-discrimination laws or in the laws on, among other things, employment, health and education. It also wishes to express its concern at the lack of simplified judicial and administrative remedies that would allow persons with disabilities to report cases of discrimination on grounds of disability. The Committee is concerned at the lack of information on measures and actions designed to address the specific situations of persons with disabilities who belong to indigenous peoples and of deaf-blind persons.

12. The Committee urges the State party to incorporate the concept of reasonable accommodation into its anti-discrimination legislation and to ensure that the relevant laws and regulations define the denial of reasonable accommodation as a form of discrimination on grounds of disability. The Committee recommends that the State party take steps to simplify existing judicial and administrative remedies in order to enable persons with

disabilities to report acts of discrimination to which they have been subjected. The Committee also recommends that the State party devote special attention to the development of policies and programmes for persons with disabilities who belong to indigenous peoples and for deaf-blind persons with a view to putting an end to the many forms of discrimination to which these persons may be subjected.

[China \(2012\)](#)

11. While commending the legal prohibition of disability-based discrimination in the state party, the Committee is concerned about the lack of a comprehensive definition of discrimination against persons with disabilities. The Committee also worries about the contradictions between many local law regulations and the national law with regard to the prohibition of discrimination. The Committee is concerned that the state party does not consistently apply the concept of reasonable accommodation in relation to the principle of non-discrimination

12. The Committee explicitly encourages the state party to provide a legal definition of discrimination against persons with disabilities and include in such a definition also the prohibition of indirect discrimination. The Committee suggests to include a definition of reasonable accommodation in Chinese law which reflects the CRPD definition covering necessary and appropriate modification and adjustment applicable in a particular case beyond general accessibility. Furthermore, the State party should ensure that the law explicitly recognises the refusal of reasonable accommodation constitutes disability based discrimination.

Hong-Kong

55. The Committee is concerned about the rather passive role adopted by the Equal Opportunities Commission which is responsible for monitoring and executing the Disability Discrimination Ordinance.

56. The Committee recommends that the Equal Opportunities Commission review its role and assume a more proactive part, especially when handling complaint cases.

Macao

88. The Committee is concerned about the existence of de facto inequality in Macao, China,

89. The Committee recommends that the state party continue its efforts to ensure equality for persons with disabilities, so as to ensure the implementation of the spirit of the CRPD.

[Hungary \(2012\)](#)

15. The Committee notes with concern that the State party's legislation, including Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities and Act CXXV of 2003 on Equal Treatment and Promotion of Equal Opportunities, fails to state that denial of reasonable accommodation constitutes discrimination.

16. The Committee calls upon the State party to take steps to ensure that its legislation explicitly prescribes that failure to provide reasonable accommodation constitutes a prohibited act of discrimination.

17. The Committee notes with concern that the Act on the protection of the life of the fetus makes "abortive treatment possible for a wider circle than in general for the fetuses deemed to have health damage or some disability" (CRPD/C/HUN/1), thus discriminating on the basis of disability.

18. The Committee recommends that the State party abolish the distinction made in the Act on the protection of the life of the fetus in the period allowed under law within which a pregnancy can be terminated, based solely on disability.

[Peru \(2012\)](#)

12. The Committee is concerned that, albeit the existence of a large number of different ethnic groups in Peru, indigenous and minority persons with disabilities are not considered as being at high risk of suffering multiple discrimination and that no data on their number and situation exists. In this connection, the Committee expresses its concern at the situation of indigenous and minority persons with disabilities, in particular women and children with disabilities that live in rural areas, as well as persons with disabilities of African descent.

13. The Committee urges the State party to improve its data gathering in order to have clear statistics on indigenous and minority persons with disabilities. The Committee recommends that the State party place emphasis on the development of policies and programmes on indigenous and minority persons with disabilities, in particular women and children with disabilities that live in rural areas, as well as persons of African descent, in order to address the multiple forms of discrimination that these persons may suffer.

Spain (2011)

19. The Committee welcomes the regulatory amendments introduced under Act 26/2011 that would abolish the need to have a disability certificate to bring a discrimination claim before a judicial body. However, it regrets the lack of information on cases of discrimination, and it is concerned that persons with disabilities will still be marginalized. The Committee is further concerned by the lack of information on reasonable accommodation. It is also concerned that, in practice, disability affects parents' guardianship or custody of their children and that legal protection against discrimination on the grounds of disability is not enforceable in cases of discrimination due to perceived disability or association with a person with a disability.

20. The Committee urges the State party to expand the protection of discrimination on the grounds of disability to explicitly cover multiple disability, perceived disability and association with a person with a disability, and to ensure the protection from denial of reasonable accommodation, as a form of discrimination, regardless of the level of disability. Moreover, guidance, awareness-raising and training should be given to ensure a better comprehension by all stakeholders, including persons with disabilities, of the concept of reasonable accommodation and prevention of discrimination.

Tunisia (2011)

12. The Committee takes note of Law No. 2005-83 on the advancement and protection of persons with disabilities. However it regrets the lack of clarity on the application of the concept of reasonable accommodation.

13. The Committee recommends that the State party incorporate the definition of reasonable accommodation in national law, and apply it in accordance with article 2 of the Convention, in particular by ensuring that the law explicitly recognizes the denial of reasonable accommodation as disability-based discrimination. The Committee invites the State party to make greater efforts to raise awareness on non-discrimination among members of the legal profession, particularly the judiciary, and persons with disabilities themselves, including through training programmes on the concept of reasonable accommodation. The Committee recommends that the State party act with urgency to include an explicit prohibition of disability-based discrimination in an anti-discrimination law, as well as ensure that disability-based discrimination is prohibited in all laws, particularly those governing elections, labour, education, and health, among others.