



**IDA's Compilation of Disability
Related Extracts of Concluding
Observations of the Human Rights
Committee**

**Human Rights Committee
141st Session
(01 Jul 2024 - 23 Jul 2024)**

Human Rights Committee - 141st Session (01 Jul 2024 - 23 Jul 2024)	
Total number of Concluding Observations	7
Number of countries receiving recommendations on persons with disabilities	4
Percentage of countries receiving recommendations on persons with disabilities	57%
Number of recommendations including explicit references to disability	5

CROATIA - CCPR/C/HRV/CO/4	3
HONDURAS - CCPR/C/HND/CO/3	3
INDIA - CCPR/C/IND/CO/4	3
MALDIVES - CCPR/C/MDV/CO/2	4
MALTA - CCPR/C/MLT/CO/3	4
SURINAME - CCPR/C/SUR/CO/4	4
SYRIAN ARAB REPUBLIC - CCPR/C/SYR/CO/4	5

Official versions of Concluding Observation are available on the website devoted to the session [here](#).

CROATIA - CCPR/C/HRV/CO/4

No disability relevant extracts.

HONDURAS - CCPR/C/HND/CO/3

No disability relevant extracts.

INDIA - CCPR/C/IND/CO/4

Non-discrimination

13. The Committee takes note of the legislation and policies to address discrimination in the State party, however, it is concerned by the absence of a comprehensive anti-discrimination law that provides full and effective protection as required by the Covenant. The Committee is concerned as well about reports about discrimination against minority groups, and violence and derogatory rhetoric against religious minorities, including Muslims, Christians, and Sikhs. The Committee welcomes the Rights of Persons with Disabilities Act, 2016 but notes that discriminatory laws remain and access to public space and reasonable accommodation is still inadequate. The Committee is also concerned by the lack of effective judicial and administrative remedies against discrimination (arts. 2 and 26).

14. The State party should:

(a) Adopt comprehensive legislation prohibiting discrimination, including intersectional, direct and indirect discrimination in both the public and the private sectors and on all grounds prohibited under the Covenant, and ensure access to effective and appropriate remedies for victims.

(b) Strengthen the monitoring and reporting of complaints of discrimination and ensure that all acts of discrimination are promptly and effectively investigated, perpetrators are brought to justice and, if convicted, punished with appropriate sanctions, and that victims are provided with adequate remedies.

(c) Adopt robust measures to effectively prevent acts of discrimination, including by providing training and awareness raising programmes for civil servants, law enforcement bodies, the judiciary and public prosecutors, as well as religious and community leaders and promote respect for diversity among the general public.

Participation in public affairs

57. The Committee is concerned that persons designated by article 16(b) of the Representation of the People Act, 1951 as persons with an “unsound mind and stands so declared by a competent court”, are denied the right to vote. The Committee regrets that in some states, quotas for government jobs and subsidies are still maintained for adults with no more than two children (arts. 25 and 26).

58. In accordance with article 25 of the Covenant and General Comment no. 25 (1996), the State party should give full effect to the right of every person to participate in public affairs without discrimination, including persons with intellectual or psychosocial disabilities. It should ensure the full transparency of the electoral process, including the funding of political parties. It should also guarantee that every citizen has access to public services on general terms of equality.

MALDIVES - CCPR/C/MDV/CO/2

Death penalty

27. The Committee is gravely concerned about the recent announcement of the State party's intention to lift the moratorium on death penalty. While noting that the death sentences of children were commuted, the Committee is concerned that, despite the fact that individuals facing death penalty undergo evaluation to determine whether they are mentally fit or not, there are reported cases of imposition of the death penalty against persons with psycho-social disabilities; that the death penalty is imposed not only for the most serious crimes involving intentional killing but also in other circumstances, for instance to women due to their sexual conduct, such as adultery or sexual relations outside marriage; and that the decision to commute a death sentence lays with the heirs of the victim in cases of intentional murder. The Committee is concerned about the lack of information on the existence of a procedure enabling individuals sentenced to death to seek a review of their convictions and sentences based on newly discovered evidence of their innocence, including new DNA evidence, and, if wrongfully convicted, to provide them with compensation (art. 6).

28. Bearing in mind the Committee's previous recommendations, the State party should refrain from lifting the moratorium on death penalty and consider abolishing the death penalty and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights. The State party should also take all necessary measures to ensure that:

- (a) All individuals facing a death sentence undergo a thorough and independent psychological evaluation both before the trial and the execution of the sentence;**
- (b) The death penalty is imposed only for the most serious crimes involving intentional killing and is never imposed in violation of the Covenant, and adopt further measures to effectively ensure that the death penalty is not imposed as a result of gender bias;**
- (c) The commutation of a death sentence does not depend on the decision of the victim's heirs;**
- (d) Awareness-raising measures are implemented to increase public support for the abolition of the death penalty;**
- (e) A death sentence can be reviewed based on newly discovered evidence of their innocence, including new DNA evidence, adequate legal and financial assistance is provided to enable this review and, if wrongfully convicted, individuals have access to effective remedies, including compensation.**

MALTA - CCPR/C/MLT/CO/3

No disability relevant extracts.

SURINAME - CCPR/C/SUR/CO/4

Non-discrimination

13. The Committee regrets the lack of information regarding any plans for the adoption of a comprehensive anti-discrimination law, and is concerned by the absence of complaints relating to discrimination or hate crimes in general, which may reveal a lack of public awareness of the legal remedies available, a lack of trust in the judicial system and/or fear of reprisals. While welcoming the adoption of the Equal Treatment Labour Act in 2022 which explicitly prohibits discrimination on the grounds of disability, sex,

sexual orientation and gender identity, among others, the Committee is concerned about the lack of information on its implementation, including with regard to ensuring access to effective remedies for victims of discrimination and that it does not apply to public servants (arts. 2, 19, 20 and 26).

14. Echoing the recommendations of the Committee for the Elimination of Racial Discrimination (CERD/C/SUR/CO/16-18, para 10), the State party should:

(a) Prioritize the drafting and adoption of a comprehensive anti-discrimination law, within a clear timeframe and with the effective and meaningful participation of CSOs and Indigenous and tribal peoples, and ensure that the law explicitly prohibits both direct and indirect discrimination in the public and private spheres;

(b) Ensure effective implementation of the Equal Treatment Labour Act of 2022 and extend the scope of its application to include public servants;

(c) Take appropriate measures to ensure access to effective remedies for victims of discrimination, including by conducting targeted public information campaigns to raise awareness of the available avenues for redress.

SYRIAN ARAB REPUBLIC - CCPR/C/SYR/CO/4

Non-discrimination

14. The Committee welcomes the information provided by the State party in its replies to the list of issues regarding the legislative framework prohibiting discrimination, including the Labour Code (Act No. 17 of 2010). It is concerned, however, by the lack of information on efforts toward adopting a comprehensive law to prevent and combat discrimination. The Committee is also concerned about reports that persons belonging to minorities, especially Kurds and Yazidis, continue to face discrimination, detentions, and violence, including sexual violence, and that Kurdish and Yazidi women are targeted and detained, some for the purposes of forced marriage. Furthermore, it is concerned that consensual same-sex sexual relations between adults continue to be criminalized and that lesbian, gay, bisexual and transgender persons continue to face harassment, discrimination and violence, particularly sexual violence (arts. 2, 26 and 27).

15. The State party should take appropriate measures to eliminate all forms of discrimination. It should:

(a) Adopt comprehensive anti-discrimination legislation that explicitly addresses all spheres of life and prohibits direct, indirect and intersectional discrimination on all grounds, including race, ethnicity, age, nationality, religion, migration status, disability, sexual orientation and gender identity;

(b) Ensure that all persons can, regardless of their real or perceived sexual orientation or gender identity, fully enjoy, in law and in practice, all the human rights enshrined in the Covenant, including by decriminalizing consensual same-sex relations between adults;

(c) Ensure all persons under its jurisdiction, in particular those who are most vulnerable owing to their ethnicity or religion, or to their real or perceived sexual orientation or gender identity are afforded the necessary protection from violent attacks and gross human rights violations, and that all against of violence against them are promptly and effectively investigated, that perpetrators are brought to justice and, if they are convicted, punished with appropriate sanctions, and that victims are provided with

adequate remedies and effective access to legal, medical, financial and psychological assistance.