



**Disability Rights Promotion International**

# **National Law and Policy Monitoring Template**

## **Simplified Version**

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## 1. Introduction

According to the United Nations<sup>1</sup>, 600 million people in the world, 10% of the global population, experience some form of disability. Every day, around the world, persons with disabilities face multiple barriers that hinder their full participation in society and place them at increased risk of discrimination, abuse and poverty. Laws, policies and government actions have a direct impact on the lives of persons with disabilities. By defining the extent to which the human rights of persons with disabilities are recognized and protected, a country's legislative and policy framework sets up the context in which discrimination against persons with disabilities is ignored, tolerated or actively prohibited.

This template was created for Disability Rights Promotion International (D.R.P.I.), a project aiming to establish a human rights monitoring system to address disability discrimination all over the world. The tool was specifically designed to monitor the human rights of persons with disabilities at the systemic level, that is, at the level of existing laws, policies and programs, using the principles and rights established in the UN Convention on the Rights of Persons with Disabilities (C.R.P.D.), as benchmarks. A major goal of this template is to identify and draw attention to the most critical gaps and deficiencies in legislative and policy frameworks at the national level in protecting and promoting the human rights of persons with disabilities. By devising an assessment tool that measures the status of persons with disabilities – as reflected in the country's laws, policies and programs and the degree to which persons with disabilities enjoy their rights in practice – recommendations can be made to change and improve the existing legislative and policy framework and to advance the human rights of persons with disabilities in countries around the world..

This template will be useful for many entities. It will serve as a guide in the research activities undertaken in the context of D.R.P.I.. It will also be of interest to organizations working to promote the rights of persons with disabilities (D.P.O.s) in a particular country. Similarly, donor organizations committed to improving the situation of persons with disabilities around the world, will find monitoring results useful in deciding which countries are in greatest need of support. Finally, the governments of the countries in which monitoring takes place are an important target for the information collected since they are ultimately in the best position to introduce the changes called for by the assessment tool.

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<sup>1</sup> Quinn, G. and Degener, T. (2002). *Human rights and disability: The current use and future potential of United Nations human rights instruments in the context of disability*. Geneva, Office of the High Commission for the Human Rights, cited by Disability Rights Promotion International, *Phase I Report: Opportunities, Methodologies and Training Resources for Disability Rights Monitoring*.

## 2. The Components of the Template

In the Legal Context section of the template, monitors provide background information about the country's legal framework: First, the monitors briefly describe the type of legal system used by the country and any geographic exceptions. Examples of possible legal systems include: common law, civil law, religious law, tribal law, etc. For example, the legal system in Canada has its basis in the British common law system. However, the Canadian province of Quebec maintains a civil system for issues of private law. Second, the monitors identify the source(s) of law that are recognized as authoritative within that legal system. For example, in a civil law system, the central sources of law are often codifications found in a constitution or a statute passed by a legislature to amend a code.

The Assessment section of the template has several components:

**Column 1** identifies the articles and sections of the primary international human rights instruments (including the C.R.P.D.) relating to the rights covered by the corresponding questions in Column 2. Disability rights are not a separate category of rights but rather “refer to the full range of human rights available to all, applied effectively to respond to the specific situation of people with disabilities”.<sup>2</sup> The references in Column 1 will contribute to a more complete understanding of the content of each question, as well as support the advocacy work carried out on the basis of a country's assessment.

**Column 2** provides specific questions most of which can be answered through a desk-based review of a country's legislative and policy framework. Question 0 is the most general question of the template, summarizing all the answers provided to Questions 1-38.

Monitors do not need to insert any information into Columns 1 and 2.

Where appropriate, **Column 3** provides further definitions and requirements drawn from the text of the C.R.P.D. that will be useful to interpret the meaning of a given question. It is not expected that monitors will address all of the requirements in their analysis.

**However, monitors should indicate which of the requirements were considered. In addition, in their comments and final analyses (Column 6) the team should clearly state how they interpreted each question.**

In **Column 4**, monitors conduct a *de jure* analysis, by looking at what is written in existing laws, policies and programs. Here, monitors insert references to the laws, policies and programs they are relying on to analyze the country's compliance with each individual principle or right, as well as direct quotations from the relevant documents used.

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<sup>2</sup> Disability Rights Promotion International, *Phase I Report: Opportunities, Methodologies and Training Resources for Disability Rights Monitoring*, p.3..

In **Column 5**, monitors conduct a *de facto* analysis, that is, they look at what is happening in reality. The task here is to determine the extent to which persons with disabilities are able to realize their rights in practice, as well as to identify the obstacles that impede equality for persons with disabilities. This will be a more complicated process. Given the breadth and depth of analysis required, it is recommended that teams of researchers be assembled, each devoted to a specific area of rights. Whether this assessment tool will provide valuable results will be determined largely by the monitor's ability to identify, compile and analyse a comprehensive set of data from diverse sources including national and local statistics, national budgets, policy or research reports, interviews with key informants, etc. Since barriers and obstacles are often understood and explained only by persons who have a lived experience of them this is where cross-analyses with the data collected through interviews with persons with disabilities is also conducted. (see: D.R.P.I.'s Individual Experiences Monitoring)

In **Column 6**, based on the information collected through both the *de jure* and the *de facto* analyses, the monitors provide an integrated summary report of how well the systemic measures (laws, policies and programs) of the country have met the question posed in Column 2. Where applicable, they also clearly explain the Column 3 requirements they considered in their analysis.

In **Column 7**, monitors provide an analysis of how well the country's systemic measures respect, protect and fulfill the five general human rights principles: dignity; autonomy; participation, inclusion and accessibility; non-discrimination and equality; and respect for difference. Definitions of these general human rights principles are found below.

## **General Human Rights Principles**

### **(a) Dignity:**

Dignity refers to the inherent worth of every person. Human rights are fundamentally intended to protect and promote human dignity. When the dignity of persons with disabilities is respected, their experiences and opinions are valued and are formed without fear of physical, psychological or emotional harm.

### **(b) Autonomy**

Autonomy is the right of an individual to make his or her own choices. Autonomy, or self-determination, means that the person is placed at the centre of all decisions affecting him or her and may choose forms of supported decision-making.

### **(c) Participation, Inclusion & Accessibility**

Inclusion involves organizing systems of society, both public and private, to enable all people to participate fully and effectively. To achieve full inclusion, an accessible, barrier-free physical and social environment is necessary involving access to transportation; election access; access to water supply and sanitation; technology access; appropriate sources of communication and media to ensure information.

**(d) Non-discrimination and Equality:**

The principle of non-discrimination means that all rights are guaranteed to everyone without distinction, exclusion or restriction based on disability or based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, age, or any other status. Discrimination means any distinction, exclusion or restriction which has the purpose or effect of denying the recognition, enjoyment or exercise by persons with disabilities, on an equal footing, of all human rights and basic freedoms.

Equality does not mean that women, persons of colour or persons with disabilities will become the *same* as men, white persons or persons without a disability respectively, but that rights, responsibilities and opportunities will not depend on whether they are born male or female, white or black, without or with a disability. Equality, in the context of disability requires creating societal conditions that allow for difference while remedying disadvantage, in order to guarantee the equal participation and inclusion of persons with disabilities in all aspects of society.

**(e) Respect for difference:**

Respect for difference involves acceptance of persons with disabilities as part of human diversity and humanity. Despite some visible or apparent differences, all people have the same rights and dignity. The responsibility to change falls not on the individual but on the State and civil society who must accept diversity and respond to the difference that disability represents.

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## Template Headings

**I. Principles and Concepts**

Q 1 ----- Q 13

**II. Access to Justice**

Q 14 ----- Q 20

**III. Information and Communication**

Q 21 ----- Q22

**IV. Privacy and Family Life**

Q 25 ----- Q 26

**V. Independent Living and Participation**

Q 27 ----- Q 30

**VI. Education**

Q 31

**VII. Income Security and Support Services**

Q 32----- Q33

**VIII. Health, Habilitation and Rehabilitation**

Q34----- Q35

**IX. Work**

Q36

## **List of Acronyms and Symbols Used**

- A.C.H.R.** - *American Convention on Human Right*, signed at the Inter-American Specialized Conference on Human Rights, San Josi, Costa Rica, 22 November 1969.
- A.C.H.R.-P.S.S.** - *American Convention on Human Rights: Protocol of San Salvador* (A-52 (adopted at San Salvador, El Salvador, on 17 November 1988 at the eighteenth regular session of the General Assembly of the Organization of American States).
- C.A.T.** - *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (U.N. Doc. A/39/51 (1984), entry into force 26 June 1987).
- C.E.D.A.W.** - *Convention on the Elimination of All Forms of Discrimination Against Women* (U.N. Doc. A/34/46, entry into force 3 September 1981).
- C.E.R.D.** - *International Convention on the Elimination of All Forms of Racial Discrimination* (U.N. Doc. A/6014 (1966), 660 U.N.T.S. 195, entry into force 4 January 1969).
- C.R.C.** - *Convention on the Rights of the Child* (U.N. Doc. A/44/49 (1989), entry into force 2 September, 1990).
- C.R.P.D.** – *Convention on the Rights of Persons with Disabilities* (UN.Doc. A/RES/61/611 (2006), entry into force 3 May 2008).
- E.C.H.R.** - *European Convention for the Protection of Human Rights and Fundamental Freedoms (E.C.H.R.-P: Protocols)* (Rome: 4.XI.1950) (adopted by the Council of Europe 1950, entry into force on 1953; revised in conformity with Protocolo n° 11, entry into force 1 November 1998).
- E.S.C.** - *European Social Charter* (of the Council of Europe; adopted in Turin 18 October 1961).
- I.A.C.E.D.P.D.** - *Inter-American Convention on the Elimination of All Forms of Discrimination Against Persons with Disabilities* (Organization of American States, AG/RES. 1608, 7 June 1999).
- I.C.C.P.R.** - *International Covenant on Civil and Political Rights* (U.N. Doc. A/6316 (1966), entry into force 23 March 1976).
- I.C.E.S.C.R.** - *International Covenant on Economic, Social and Cultural Rights* (U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entry into force 3 January 1976).

**M.W.C.** - *International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families* (U.N. Doc. A/45/49 (1990), entry into force 1 July 2003).

**S.R.** - *Standard Rules on the Equalization of Opportunities for Persons with Disabilities* (**S.R.-Int** -Introduction; **S.R.-Pr** – Preamble) (U.N. Doc. A/RES/48/96).

() – Whenever an article in an international convention is considered relevant in the context of disability, although it does not specifically mention disabled persons.

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## National Law and Policy Monitoring Template Simplified Version

<b>LEGAL CONTEXT:</b>						
A. Briefly describe the State's legal system, including geographic variations (if any):						
B. Explain the source(s) of law that are considered authoritative in that system:						
<b>ASSESSMENT:</b>						
Convention/ Art.	Question	Definitions and Requirements of the Question	Citation to Relevant Laws/Policies & Excerpts from Instruments Relied Upon in Analysis	Other Sources Relied Upon in Analysis (e.g., statistics, national budget and accounts, key informants interviewed, etc)	Analysis of how well the country's systemic measures (data collected in Columns 4 and 5) meet the question posed in Column 2	Analysis of how well the country's systemic measures respect, protect and fulfill the general human rights principles.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>C.R.P.D., art 1</b> <b>I.A.C.E.D.P.D., art 2</b> <b>S.R. – Pr.</b>  <b>(I.C.C.P.R., art 2, 3 &amp; 26)</b> <b>(C.E.R.D., art 5)</b> <b>(C.E.D.A.W., art 2)</b> <b>(E.C.H.R., art1 &amp; 14)</b> <b>(A.C.H.R., art 24)</b> <b>(A.C.H.R.-P.S.S. art 3)</b>	<b>0. Do the laws and /or policies of the State respect and ensure the full, effective and equal enjoyment of all human rights and fundamental freedoms by persons with disabilities?</b>  <b>Yes    No</b>					

I. Principles & Concepts						
<p>C.R.P.D., 5.2, 3b</p> <p>I.A.C.E.D.P.D., art2 &amp; 3a</p> <p>S.R. – Pr., 14 &amp;15</p> <p>(I.C.C.P.R., art 2, 3 &amp; 26)</p> <p>(I.C.E.S.C.R., art 2)</p> <p>(C.E.R.D., art 5)</p> <p>(C.E.D.A.W., art 2)</p> <p>(E.C.H.R., art 14 &amp; P12 – art 1)</p> <p>(A.C.H.R., art 24)</p> <p>(A.C.H.R.-P.S.S. art3)</p>	<p>1. Does the State constitution or other appropriate legislation <b>prohibit discrimination</b> on the grounds of disability, including denial of reasonable accommodation?</p> <p>Yes No</p>	<p>“Discrimination” is defined in the C.R.P.D. as:  “any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”.</p>				
<p>C.R.P.D., art 4.1b</p>	<p>2. Is there a law or policy requiring the State to take all appropriate measures including legislation to modify or abolish existing laws, regulations customs and practices that constitute discrimination against persons with disabilities?</p> <p>Yes No</p>					
<p>C.R.P.D., art 3a, 19</p> <p>S.R. – Pr.</p> <p>(I.C.E.S.C.R., art 1)</p> <p>(I.C.C.P.R., art 1.1)</p>	<p>3. Is there a law or policy of the State that asserts the principle of <b>respect for the inherent dignity</b></p>					

	<p>and/or individual autonomy of the person with a disability, including freedom to make one's own choices, and independence of persons?</p> <p>Yes No</p>					
<p><b>C.R.P.D., art 3c</b>  <b>I.A.C.E.D.P.D., art 2</b>  <b>S.R. – Pr.</b></p>	<p>4. Is there a law or policy of the State that asserts the principle of <b>full and effective participation and inclusion</b> on society on an equal basis with others for persons with disabilities?</p> <p>Yes No</p>					
<p><b>C.R.P.D., art 3(d)</b></p>	<p>5. Is there a law or policy of the State that asserts the principle of <b>respect for difference</b> and acceptance of disability as part of human diversity and humanity?</p> <p>Yes No</p>					
<p><b>C.R.P.D., PR-e art 3e,</b>  <b>S.R. – Int.</b></p>	<p>6. Is there a law or policy of the State that asserts the principle of <b>equality of opportunity</b> for persons with disabilities?</p>					

	Yes No					
<p><b>C.R.P.D., art 1</b>  <b>I.A.C.E.D.P.D., art 1</b>  <b>S.R. – Int.</b></p>	<p>7. Is there a law or policy of the State that incorporates a <b>definition of disability</b> whereby “persons with disabilities” include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others?</p> <p>Yes No</p>					
<p><b>C.R.P.D., art 2, 5, 13.1, 14.2, 24.2c, 24.5, &amp; 27.1i</b></p>	<p>8. Is there a law or policy of the State that ensures the right of persons with disabilities to <b>“reasonable accommodation”</b></p> <p>Yes No</p>	<p>“Reasonable accommodation” is defined in the C.R.P.D. as: “necessary and appropriate modification and adjustment not imposing a disproportionate burden, to guarantee to persons with disabilities the enjoyment on a basis of equality with others of all human rights and fundamental freedoms”</p>				
<p><b>C.R.P.D., art 2, 5.3</b></p>	<p>9. In order to promote equality and eliminate discrimination, is there a law or policy requiring the State to <b>take all appropriate steps to ensure that</b></p>					

	<p><b>reasonable accommodation</b> is provided?</p> <p>Yes No</p>					
<p><b>C.R.P.D., 4.1c</b> <b>I.A.C.E.D.P.D., art4</b> <b>S.R. 14</b></p>	<p>10. Is there a law or policy that requires the State to take into account the protection and promotion of the human rights of persons with disabilities in all policies and programs?</p> <p>Yes No</p>					
<p><b>C.R.P.D., art 32, 4.2</b> <b>I.A.C.E.D.P.D., art4</b> <b>S.R. 22</b></p>	<p>11. Does the State promote <b>international cooperation</b> in support of its efforts for the realization of economic, social and cultural rights for persons with disabilities?</p> <p>Yes No</p>	<p>According to the C.R.P.D., initiatives that fall under “international cooperation” may include international development programs; the exchange and sharing of information, experiences, training programs and best practices; cooperation in research and access to scientific and technical knowledge.</p>				
<p><b>C.R.P.D., art 33</b> <b>S.R. 20</b></p>	<p>12. Has the State designated or established a framework at the national level, to promote, protect and <b>monitor</b> the implementation of the <b>C.R.P.D.</b>?</p> <p>Yes No</p>					

<p><b>C.R.P.D., art 9.1, 9.2 abcde</b></p> <p><b>I.A.C.E.D.P.D., art 3.1abc</b></p> <p><b>A.C.H.R.-P.S.S., art 18c</b></p> <p><b>S.R. 5</b></p> <p><b>(I.C.C.P.R., art 12.1)</b></p> <p><b>(E.C.H.R.-P4, art 2)</b></p> <p><b>(A.C.H.R., art 22)</b></p> <p><b>(C.E.R.D., art 5e)</b></p>	<p>13. Do the laws of the State ensure the <b>right of persons with disabilities to access</b> the physical environment, transportation, information and communications, including information and communication technologies and other services and facilities open or provided to the public, both in rural and urban areas?</p> <p>Yes    No</p>	<p>According to the C.R.P.D., measures to promote the right of access shall include: <b>[check requirements considered in analysis]</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> developing minimum national standards and guidelines for accessibility and monitoring their implementation;</li> <li><input type="checkbox"/> providing signage in Braille, easy-to-read-and-understand forms and other forms of live assistance (e.g. guides, readers and sign language interpreters) in services and facilities open to the public;</li> <li><input type="checkbox"/> providing training for stakeholders on accessibility issues facing persons with disabilities.</li> </ul>				
<p><b>II. Access to Justice</b></p>						
<p><b>C.R.P.D., art 4.1e</b></p> <p><b>S.R. 15</b></p> <p><b>(C.A.T., art 14)</b></p>	<p>14. Do the laws of the State ensure an <b>effective remedy</b> to a person or group of persons with disabilities whose human rights are violated and <b>impose sanctions</b> in the event that anti-discrimination laws are violated, whether the violation</p>					

	<p>has been committed by persons or entities acting in official capacity or by private persons or entities?</p> <p>Yes No</p>					
<p><b>C.R.P.D., art 5.4</b> <b>I.A.C.E.D.P.D., art 1.2b</b></p>	<p>15. Has the State, through legislation or policy, ensured that <b>specific measures</b> which are necessary to accelerate or achieve de facto equality of persons with disabilities are not considered discrimination?</p> <p>Yes No</p>					
<p><b>C.R.P.D., art 6(1), (C.E.D.A.W., art 4.1)</b></p>	<p>16. Does a law or policy of the State recognize that <b>women and girls</b> with disabilities are subject to multiple discrimination and in this regard take measures to ensure the full and equal enjoyment by them of all human rights and fundamental freedoms?</p> <p>Yes No</p>					
<p><b>C.R.P.D., art 7</b></p>	<p>17. Do the laws or policy of the State take</p>					

	<p>necessary measures to ensure the full enjoyment by <b>children with disabilities</b> of all human rights and fundamental freedoms on an equal basis with other children?</p> <p>Yes No</p>					
<p><b>C.R.P.D., art 12 &amp; 13</b></p> <p><b>I.A.C.E.D.P.D., art 1 S.R. 15</b></p> <p><b>(I.C.C.P.R.; art 16)</b>  <b>(C.E.D.A.W., art 15)</b>  <b>(C.E.R.D., art 5)</b>  <b>(A.C.H.R., art 3)</b></p>	<p>18. Does the State constitution or other appropriate legislation reaffirm that persons with disabilities are <b>recognized as persons before the law</b> and affirmatively guarantee that persons with disabilities enjoy <b>legal capacity and effective access to justice</b> on an equal basis and with as other persons?</p> <p>Yes No</p>	<p>In order to ensure effective access to justice the C.R.P.D. requires that States take appropriate measures including: <b>[check requirements considered in analysis]</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> providing access by persons with disabilities to the support they may require in exercising their legal capacity;</li> <li><input type="checkbox"/> providing appropriate safeguards to prevent abuse, while respecting the rights, will and preferences of the person, and requiring that safeguards are regularly reviewed by an independent and impartial authority or judicial body;</li> <li><input type="checkbox"/> ensuring the equal right of persons with disabilities to own or inherit property, to control their own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit;</li> <li><input type="checkbox"/> providing procedural and age-appropriate accommodations to facilitate</li> </ul>				

		<p>participation of persons with disabilities, in all legal proceedings, including as witnesses;</p> <p><input type="checkbox"/> promoting training for those working in the field of administration of justice, including police and prison staff.</p>				
<p><b>C.R.P.D., art 10, 14, 18.1</b></p> <p><b>(I.C.C.P.R., art 9)</b>  <b>(E.C.H.R., art5)</b>  <b>(A.C.H.R., art 7)</b>  <b>(C.E.R.D., art 5)</b></p>	<p>19. Does a law or policy of the State ensure that persons with disabilities enjoy the <b>right to life, liberty and security of the person</b>, and <b>liberty of movement and nationality</b> without discrimination based on disability?</p> <p style="text-align: center;">Yes    No</p>	<p>In relation to these rights, the C.R.P.D. requires that States: <b>[check requirements considered in analysis]</b></p> <p><input type="checkbox"/> must reaffirm the inherent right of life of all human beings and take necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others;</p> <p><input type="checkbox"/> take measures to ensure that persons with disabilities are not deprived, on the basis of disability, of their ability to obtain, possess and utilize documentation of their nationality or other documentation of identification, or to utilize relevant processes such as immigration proceedings, that may be needed to facilitate exercise of the right to liberty of movement;</p> <p><input type="checkbox"/> take measures to ensure that persons with disabilities are not deprived of their liberty unlawfully or arbitrarily;</p> <p><input type="checkbox"/> if persons with disabilities</p>				

		<p>are deprived of their liberty, take measures to ensure they are entitled to guarantees in accordance with international human rights law and shall be treated in compliance with the present C.R.P.D., including by provision of reasonable accommodation. [See definition of “reasonable accommodation” for Question 7, above.]</p>				
<p><b>C.R.P.D., art 15 &amp; 16</b> <b>S.R. 9</b> <b>(C.A.T., art 2 &amp; 16)</b> <b>(I.C.C.P.R., art 7)</b> <b>(E.C.H.R., art 3)</b> <b>(A.C.H.R., art 5)</b></p>	<p>20. Is there a law or policy that <b>protects persons with disabilities from being subjected to torture, violence and exploitation?</b></p> <p style="text-align: center;">Yes    No</p>	<p>In relation to these rights, the C.R.P.D. requires that States: <b>[check requirements considered in analysis]</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> prohibit and protect persons with disabilities from medical, scientific and other forms of experimentation without the free and informed consent of the person concerned;</li> <li><input type="checkbox"/> ensure, among other things, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities and their families and caregivers, including the provision of appropriate information and education about how to avoid, recognize and report such violations;</li> <li><input type="checkbox"/> ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities;</li> <li><input type="checkbox"/> ensure that instances of exploitation, violence and</li> </ul>				

		abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.				
<b>III. Information &amp; Communication</b>						
<p>C.R.P.D., art 8.1a, 8.1b, 8.1c, 8.2a, 8.2b</p> <p>I.A.C.E.D.P.D., art 3.2c</p> <p>S.R. 1</p>	<p>21. Is there a law or policy that requires the State to <b>promote awareness</b>, through public campaigns and other means, in order to foster respect for the rights and dignity of persons with disabilities and combat stereotypes, prejudice and harmful practices relating to persons with disabilities?</p> <p>Yes No</p>					
<p>C.R.P.D., art 8.2c</p> <p>I.A.C.E.D.P.D., art 3.2c</p> <p>S.R. 1</p>	<p>22. Is there a law or policy of the State that encourages all organs of <b>the media</b> to portray persons with disabilities as capable and contributing members of society, sharing the same rights and freedoms and responsibilities as all others?</p>					

	Yes No					
<p><b>C.R.P.D., art 31</b></p> <p><b>S.R. 13</b></p>	<p>23. Is there a law or policy that requires the collection of appropriate <b>information including statistical and research data</b>, to enable the State to formulate and implement policies to give effect to the Human Rights of persons with disabilities?</p> <p>Yes No</p>	<p>The C.R.P.D. requires that: <b>[check requirements considered in analysis]</b></p> <p><input type="checkbox"/> the process of data collection must be in compliance with legally established safeguards, including legislation on data protection to ensure confidentiality and respect for the privacy of persons with disabilities and in compliance with internationally accepted norms to protect human rights and fundamental freedoms;</p> <p><input type="checkbox"/> the information collected shall be disaggregated, as appropriate, and used to help assess the implementation of the State's obligations to identify and address the barriers faced by persons with disabilities in exercising their rights;</p> <p><input type="checkbox"/> the State must assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities.</p>				
<p><b>C.R.P.D., art 21, 24.3abc 24.4</b></p> <p><b>S.R. 5</b></p> <p><b>(I.C.C.P.R. art 18</b></p>	<p>24. Is there a law or policy of the State that recognizes and ensures the <b>right of persons with disabilities to</b></p>	<p>In relation to these rights, the C.R.P.D. requires that States to: <b>[check requirements considered in analysis]</b></p> <p><input type="checkbox"/> take appropriate measures to enable persons with</p>				

<p><b>&amp;19)</b> <b>(IC.E.R.D. art 5d)</b> <b>(A.C.H.R. art 13)</b></p>	<p><b>freedom of expression and opinion and access to information?</b></p> <p>Yes No</p>	<p>disabilities to be educated in a variety of accessible media and means of communication including Braille, alternative script, augmentative and alternative modes and sign languages;</p> <p><input type="checkbox"/> accept and facilitate the use of sign language, Braille, augmentative and alternative communication, and all other accessible means, modes and formats of communication by persons with disabilities in official interactions;</p> <p><input type="checkbox"/> provide official information to persons with disabilities in a timely manner and without additional cost, in accessible formats and technologies of their choice, taking into account different kinds of disabilities;</p> <p><input type="checkbox"/> urge private entities that provide services to the general public to provide information and services in accessible and usable formats for persons with disabilities;</p> <p><input type="checkbox"/> encourage the mass media (including providers of information through the internet) to make their services accessible to persons with disabilities.</p>				
<p><b>IV. Privacy and</b></p>						

Family Life						
<p>C.R.P.D., art 22</p> <p>S.R. 9</p> <p>(I.C.C.P.R., art 17)</p> <p>(E.C.H.R., art 8)</p> <p>A.C.H.R., art 11)</p>	<p>25. Is there a law or policy of the State that ensures to all persons with disabilities, regardless of place of residence or living arrangement, the right to <b>respect for privacy</b>?</p> <p>Yes No</p>	<p>In relation to this right the C.R.P.D. requires that:</p> <p><b>[check requirements considered in analysis]</b></p> <p><input type="checkbox"/> all persons with disabilities, regardless of place of residence or living arrangement, shall have the right to protection against arbitrary or unlawful interference with their privacy, family home, correspondence or other types of communication or to unlawful attacks on their honour and reputation;</p> <p><input type="checkbox"/> States shall protect the privacy of personal, health and rehabilitation information of persons with disabilities on an equal basis with others.</p>				
<p>C.R.P.D., art 23</p> <p>S.R. 9</p> <p>(I.C.C.P.R., art 17&amp; 23)</p> <p>(E.C.H.R., art 8 &amp; 17)</p> <p>A.C.H.R., art 11)</p> <p>(C.E.R.D., art 5d)</p> <p>(C.E.D.A.W., art 16)</p> <p>(C.R.C. art 7 &amp; 8)</p>	<p>26. Is there a law or policy of the State that ensures the right to <b>respect for home and the family</b> to all persons with disabilities?</p> <p>Yes No</p>	<p>In order to ensure this right the Convention requires States to take appropriate measures to: <b>[check requirements considered in analysis]</b></p> <p><input type="checkbox"/> eliminate discrimination against persons with disabilities on all matters relating to marriage, family, parenthood and relationships on an equal basis with others;</p> <p><input type="checkbox"/> ensure the right of persons with disabilities to retain their</p>				

		<p>fertility and provide age-appropriate information, reproductive and family planning education;</p> <p><input type="checkbox"/> render appropriate assistance to persons with disabilities in the performance of their child-rearing responsibilities;</p> <p><input type="checkbox"/> ensure the right of children, regardless their disabilities or the disabilities of their parents to live with their own family, or when that is not possible, to live in another family situation.</p>				
<p><b>V. Independent Living &amp; Participation</b></p>						
<p><b>C.R.P.D., art 19</b></p> <p><b>S.R. 4, 5 &amp; 9</b></p> <p><b>I.A.C.E.D.P.D., art 13.1b &amp; 1c</b></p> <p><b>A.C.H.R.-P.S.S., art 18c</b></p> <p><b>(E.C.H.R.-P4, art2)</b></p> <p><b>(C.E.R.D., art 5f)</b></p> <p><b>(I.C.C.P.R., art 25c)</b></p>	<p>27. Does any law or policy of the State protect the right of persons with disabilities to <b>live independently</b> and be <b>included in the community</b>?</p>          <p style="text-align: center;">Yes    No</p>	<p>In relation to this right, the C.R.P.D. requires States to take appropriate measures to:</p> <p><b>[check requirements considered in analysis]</b></p> <p><input type="checkbox"/> protect the right of persons with disabilities to determine how, where, and with whom they live, on an equal basis with others, and ensure that they are not forced to live in a particular living arrangement;</p> <p><input type="checkbox"/> ensure access for persons with disabilities to a range of in-home and other community support services, including personal assistance, necessary to support living</p>				

		<p>and inclusion in the community;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ensure that community services and the facilities for the general population are made available on an equal basis to persons with disabilities and are responsive to their needs.</li> </ul>				
<p><b>C.R.P.D., art 29</b> <b>S.R. 18</b></p> <p><b>(I.C.C.P.R., art 25)</b> <b>(C.E.R.D., art 5c)</b> <b>(A.C.H.R., art 16, 23)</b> <b>(C.E.D.A.W., art 7)</b> <b>(E.C.H.R., art 11)</b> <b>(E.S.C., art 5)</b></p>	<p>28. Do the laws or policies ensure that persons with disabilities can effectively and fully <b>participate in political and public life</b> and in the conduct of public affairs without discrimination and on an equal basis with others?</p> <p style="text-align: center;">Yes    No</p>	<p>In relation to this right, the C.R.P.D. requires States to ensure that: [<b>check the requirements considered in analysis</b>]</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> voting procedures, facilities and materials are appropriate and accessible;</li> <li><input type="checkbox"/> the right of persons with disabilities to vote by secret ballot is protected and persons with disabilities are allowed assistance to vote by a person of their own choice;</li> <li><input type="checkbox"/> the rights of persons with disabilities to stand for elections, to effectively hold office and perform all public functions at all levels of government are protected, including facilitating the use of assistive and new technologies where appropriate;</li> <li><input type="checkbox"/> persons with disabilities participate on the basis of equality in the activities and administration of non-governmental organizations and associations, including political parties and</li> </ul>				

		organizations of persons with disabilities.				
<p><b>C.R.P.D., art 30</b> <b>S.R. 14</b> <b>C.R.C., art 23 (31b)</b></p> <p><b>UNCHRPWD-D, art 24ter</b></p> <p><b>(I.C.C.P.R., art25c)</b> <b>(I.C.E.S.C.R., art 15)</b> <b>(C.E.D.A.W., art 13c)</b> <b>(A.C.H.R., art 14)</b> <b>(M.W.C., art 31 &amp; 45.4)</b></p>	<p>29. Is there a law or State policy that ensures the right of all persons with disabilities to participate in <b>cultural life</b>?</p> <p>Yes    No</p>	<p>In relation to this right, the C.R.P.D. requires States to take appropriate measures to ensure: <b>[check requirements considered in analysis]</b></p> <p><input type="checkbox"/> the equal right of persons with disabilities to develop and utilize their creative, artistic and intellectual potential;</p> <p><input type="checkbox"/> the right of persons with disabilities to enjoy access to cultural materials in accessible formats, and to cultural places and activities including theatres, cinemas, libraries and tourism services, and as far as possible to sites of national cultural importance;</p> <p><input type="checkbox"/> persons with disabilities are entitled to recognition and support of their specific cultural and linguistic identity, including sign language and deaf culture.</p>				
<p><b>C.R.P.D., art 30.5</b> <b>S.R. 11</b></p> <p><b>C.R.C., art 23 ( 31)</b> <b>(C.E.D.A.W., art 13c)</b> <b>(I.C.C.P.R., art 25c)</b></p>	<p>30. Is there a law or State policy that enables persons with disabilities to participate in <b>sport, recreational and leisure activities</b>, on an equal basis with others?</p>	<p>In relation to this right, the C.R.P.D. requires States to: <b>[check requirements considered in analysis]</b></p> <p><input type="checkbox"/> encourage and promote participation of persons with disabilities in mainstream sporting activities at all levels;</p> <p><input type="checkbox"/> ensure that persons with disabilities have access to</p>				

	Yes No	<p>sporting and recreational venues;</p> <p><input type="checkbox"/> ensure that children with disabilities have equal access to participation in play, recreation and leisure and sporting activities (including at school);</p> <p><input type="checkbox"/> encourage the provision of appropriate instruction, training, and resources to disability-specific programming.</p>				
<b>VI. Education</b>						
<p><b>C.R.P.D., art 24</b></p> <p><b>C.R.C., art 23.2 (&amp; 28)</b></p> <p><b>S.R. 6</b></p> <p><b>(I.C.E.S.C.R., art 13)</b></p> <p><b>(C.E.R.D., art 5e)</b></p> <p><b>(E.C.H.R.-P1, art2)</b></p> <p><b>(A.C.H.R.-P.S.S., art 13)</b></p> <p><b>(C.E.D.A.W., art 10)</b></p>	<p>31. Is there a law or policy of the State that ensures the <b>right of all persons with disabilities to education</b> with the State including ensuring an inclusive education system at all levels and lifelong learning?</p> <p>Yes No</p>	<p>In order to realize this right, the C.R.P.D. requires States to ensure that: [<b>check requirements considered in analysis</b>]</p> <p><input type="checkbox"/> persons with disabilities (including children) are not excluded from the general education system on the basis of disability;</p> <p><input type="checkbox"/> reasonable accommodation of an individual's requirements and adequate support (including individualized support) are provided;</p> <p><input type="checkbox"/> education is delivered in the most appropriate language and modes and means of communication and that learning of these modes and formats of communication is facilitated;</p>				

		<input type="checkbox"/> teachers are employed, including teachers with disabilities, who are qualified in sign language and/or Braille is promoted; <input type="checkbox"/> training of professionals and staff who work at all levels of education incorporates disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.				
<b>VII. Income Security &amp; Support Services</b>						
<b>C.R.P.D., art 4.1 f, g, h</b> <b>S.R. 4</b>	32. Is there a law or policy that requires the State to undertake or promote research & development, and availability and use of <b>universally designed</b> goods, services, equipments and facilities, and new technologies, including <b>information and communications technologies,</b>					

	<p><b>mobility aids, devices and assistive technologies</b> suitable for persons with disabilities, and provides accessible information to persons with disabilities about these technologies?</p> <p>Yes No</p>					
<p><b>C.R.P.D., art 28, 25e, 32.1a</b></p> <p><b>S.R. 8 (I.C.E.S.C.R., art 9) (C.E.R.D., art 5e) (C.R.C., art 23 26 &amp;27) (M.W.C., art 27) (C.E.D.A.W., art 13 &amp; 14) (E.S.C., art 14) (A.C.H.R.-P.S.S., art9)</b></p>	<p>33. Does a law or State policy ensure the <b>right of all persons with disabilities to social protection and an adequate standard of living?</b></p> <p>Yes No</p>	<p>To realize this right, the C.R.P.D. requires State parties to take appropriate steps to ensure: <b>[check requirements considered in analysis]</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> the right of all persons with disabilities to basic services, adequate food, clothing, housing, access to clean water, and to the continuous improvement of living conditions;</li> <li><input type="checkbox"/> equal access by persons with disabilities to appropriate and affordable services, devices and other assistance for disability-related needs;</li> <li><input type="checkbox"/> access for persons with disabilities, particularly women and girls and older persons, to social protection programmes and poverty reduction programmes;</li> <li><input type="checkbox"/> access by persons with disabilities and their families living in situations of poverty</li> </ul>				

		<p>to assistance from the State with disability-related expenses;</p> <p><input type="checkbox"/> equal access by persons with disabilities to public housing programmes as well as retirement benefits and programmes;</p> <p><input type="checkbox"/> inclusion and equitable access by persons with disabilities to international cooperation and international development programs.</p>				
<b>VIII. Health, Habilitation &amp; Rehabilitation</b>						
<p><b>C.R.P.D., art 25</b></p> <p><b>C.R.C., art 23 (&amp;24)</b></p> <p><b>S.R. 2</b></p> <p><b>I.A.C.E.D.P.D., art3.2b</b></p> <p><b>(A.C.H.R.-P.S.S., art 10)</b></p> <p><b>(I.C.E.S.C.R., art12)</b></p> <p><b>(C.E.D.A.W., art12, 14)</b></p> <p><b>(C.E.R.D., art5e)</b></p> <p><b>(M.W.C., art 43e)</b></p> <p><b>(E.S.C., art 13)</b></p>	<p>34. Do the law or policy of the State ensure to all persons with disabilities the <b>right to the enjoyment of the highest attainable standard of health</b> without discrimination on the basis of disability?</p> <p style="text-align: center;"><b>Yes    No</b></p>	<p>To realize this right, the C.R.P.D. requires that State parties shall: [check requirements considered in analysis]</p> <p><input type="checkbox"/> provide persons with disabilities with the same range, quality and standard of health care services, including sexual and reproductive health services, and population-based public health programmes;</p> <p><input type="checkbox"/> provide health services needed specifically because of disabilities including early identification and intervention as appropriate, and services designed to minimize and</p>				

		<p>prevent further disabilities, including among children and older persons;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> provide disability-related health services as close as possible to people's own communities, including in rural areas;</li> <li><input type="checkbox"/> provide care of the same quality to persons with disabilities including on the basis of free and informed consent, by, among other things, raising awareness of the human rights, dignity and autonomy and needs of persons with disabilities through training and ethical standards of private and public health care;</li> <li><input type="checkbox"/> prohibit discrimination against persons with disabilities in the provision of health insurance and life insurance where such insurance is permitted by national law;</li> <li><input type="checkbox"/> prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.</li> </ul>				
<p><b>C.R.P.D., art 26</b> <b>I.A.C.E.D.P.D., art 3.2b</b> <b>S.R. 2, 3, 19</b></p>	<p>35. Is there a law or State policy organizing, strengthening and extending comprehensive <b>rehabilitation and habilitation services</b> and programs to persons with disabilities?</p>	<p>In relation to this right, the C.R.P.D. requires that: <b>[check requirements considered in analysis]</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> services and programmes begin at the earliest possible stage and be based on multidisciplinary assessment of individual needs and strengths;</li> </ul>				

	Yes No	<input type="checkbox"/> services and programmes support participation and inclusion in the community and society, be voluntary, and available to persons with disabilities as close as possible to their own communities including in rural areas; <input type="checkbox"/> State parties promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services; <input type="checkbox"/> State parties promote the availability and use of assistive devices and technologies.				
<b>IX. Work</b>						
<b>C.R.P.D., art 27</b> <b>S.R. 7</b> <b>I.A.C.E.D.P.D., art 3.1a</b> <b>E.S.C. art 15</b>  <b>(I.C.E.S.C.R., art 6, 7 &amp; 8) (I.C.C.P.R., art 8, 22)</b> <b>(E.S.C., art 1, 4, 5, 9 &amp; 10)</b> <b>(A.C.H.R.-P.S.S., art 6, 7 &amp; 8)</b> <b>(C.E.D.A.W., art 11)</b> <b>(C.E.R.D., art 5e)</b> <b>(M.W.C., art 25 &amp; 26)</b> <b>(E.C.H.R., art 4)</b> <b>(ICPMW, art 11)</b>	36. Do the laws of the State ensure <b>the right to work</b> of all persons with disabilities on an equal basis with others, including the right to gain a living by work freely chosen or accepted in a labour market or work environment that is open, inclusive and accessible to persons with disabilities?  Yes No	In relation to this right, the C.R.P.D. requires State parties to: [ <b>check requirements considered in analysis</b> ] <input type="checkbox"/> <b>prohibit discrimination</b> on the grounds of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions; <input type="checkbox"/> protect the rights of persons with disabilities to just and favourable conditions				

		<p>of work, including by the redress of grievances;</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;</li> <li><input type="checkbox"/> ensure effective access to general technical and vocational guidance programs, placement services and vocational and continuing training;</li> <li><input type="checkbox"/> safeguard and/or promote employment opportunities and career advancement for people with disabilities in the labour market;</li> <li><input type="checkbox"/> promote opportunities for self-employment, entrepreneurship, the development of cooperatives and the starting of one's own business for persons with disabilities;</li> <li><input type="checkbox"/> ensure that persons with disabilities are employed in the public sector;</li> <li><input type="checkbox"/> promote the employment of persons with disabilities in the private sector through appropriate policies and measures which may include affirmative action programmes incentives and other measures;</li> <li><input type="checkbox"/> ensure that reasonable accommodation is provided to persons with disabilities in the workplace and work environment;</li> <li><input type="checkbox"/> promote vocational and</li> </ul>				
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		<p>professional rehabilitation, job retention and return-to-work programs for persons with disabilities;</p> <ul style="list-style-type: none"><li><input type="checkbox"/> ensure that persons with disabilities are not held in slavery or in servitude, and are protected on an equal basis with others, from forced or compulsory work.</li></ul>				
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