

IDA CRPD FORUM

STEERING COMMITTEE

Disabled Peoples' International, Inclusion International,
International Federation of Hard of Hearing People,
Rehabilitation International, World Blind Union,
World Federation of the Deaf, World Federation of the DeafBlind,
World Network of Users and Survivors of Psychiatry,
Arab Organization of Disabled People, European Disability Forum,
Asia Pacific Disability Forum, Red Latinoamericana de Organizaciones no
Gubernamentales de Personas con Discapacidad y sus familias (RIADIS), Secretariat
of the Africa Decade of Persons with Disabilities,
Handicap International, Survivor Corps

Suggestions for disability-relevant recommendations to be included in the Concluding Observations CEDAW 45th Session (18 January-5 February-2010)

The International Disability Alliance (IDA) has prepared the following suggestions for the concluding observations, based on references to women with disabilities to be found in CEDAW 45th Session reports.

Bostwana

(Has not signed the CRPD)

List of Issues

(Paragraph 27).

27. Please provide information on minority ethnic women, elderly women and **women with disabilities** on all areas covered by the Convention.

Written Replies

Comment 27

Persons with disabilities are rapidly increasing. The most common type of **disabilities** is that of sight where defects in seeing account for one quarter of the total and **blindness** covers one fifth of the total **disabilities**. The differentials in **disability** between males and females show that the two sexes have similar types of **disabilities**. The major problem for both is **blindness** and the other common forms of **disabilities** for both sexes are **deafness** in one ear and inability to use both legs.

Recommendations

- To consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol.

- To provide more information about women with disabilities, who often suffer from multiple forms of discrimination, especially with regard to access to education, employment, access to health care and violence.

Egypt

(Ratified the CRPD in April 2008)

State Report

11.1.e.2. Efforts Made

In addition to complying with social security laws, the ministries and government authorities are striving to establish social solidarity funds for their employees. These funds provide benefits in the event of retirement, death, and total or partial **disability** without distinguishing between males and females. In addition, several such funds provide additional assistance to women in the event of pregnancy and birth.

Recommendations

- To provide detailed information on the situation of women with disabilities as well as information on specific programmes and achievements.

Malawi

(Ratified the CRPD in August 2009).

State Report

233. There is no explicit legal provision which establishes the right to health and health facilities. The Constitution provides for an obligation on the State to provide *adequate* health care commensurate with the needs of Malawian society and international standards of health care. It further provides for an obligation to achieve adequate nutrition for all in order to promote good health and self-sufficiency. These are stated as principles of national policy and not rights for Malawians. Malawians are entitled to development, the application of which right has singled out women alongside children and the **disabled** as requiring special consideration with respect to access to, among other things, health services.

299. The domestic legal framework still needs further harnessing through domestication of international treaties that have been ratified by Malawi for the promotion and protection of women's rights. Existing legislation must be applied more effectively and women's access to justice must be facilitated, with particular emphasis on women from the most marginalized groups, such as poor, rural, **disabled** and indigenous women and adolescent girls.

Recommendations

- To pay special attention to the situation of women with disabilities and to provide detailed information about the situation of this group of women especially with regard to education, employment, access to health care, violence and access to justice.

- To adopt targeted measures to ensure the access to women with disabilities to health care and basic social services.

Netherlands

(Signed the CRPD in March 2007)

State Report

(Pages 44, 51 and 86).

Stimulation of female entrepreneurship

Female entrepreneurship is stimulated through the support of networks of female entrepreneurs. In addition, the transition from being an employee to being an entrepreneur is made easier. This makes entrepreneurship attractive for women in particular, because they often prefer to work part-time. The registration period for the voluntary sickness and **disability insurance** with the UWV (*employee insurance schemes implementing body*) is being extended from 4 weeks to 13 weeks. The Government is studying the problems of occupational **disability** in independent entrepreneurs. A facility for micro credit is being introduced. This facility is expected to make it easier for women, people from ethnic minorities, benefits recipients and lower-educated people to take the step into entrepreneurship. Finally, the target value for the participation of women in trade missions is being increased from 10% to 20%. (page 44).

The objective of the Netherlands is to promote equal opportunities in the employment market and access to the employment market by offering protection against unequal treatment in employment and profession.

The following activities are undertaken:

- Integration of the Equal Treatment on the basis of age in labour Act, the Equal Treatment of men and women Act and the Equal Treatment on the basis of **disability or chronic illness** Act into the general Equal Treatment Act; (page 51).

NGOs Participation

Dutch CEDAW Network

- What is the position of persons who provide care or support to elderly, ill or **disabled** family members or other relatives; what are the obstacles they meet regarding their (economic) participation in society? Is this position gender-related? Can you provide data, disaggregated by gender, age and ethnicity?

Dutch network

List of Recommendations

- A related question could be why the government does not report about specific groups like **women with disabilities**, the girl child and elderly women.

Recommendations

- To consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol, which Netherlands signed in 2007.
- To provide detailed information on situation of women with disabilities as well as women who care for the disabled family members and to take appropriate measures to protect their rights.
- Please indicate the measures taken by the State Party to ensure that women with disabilities participate in making decision that affect them.

Panama

(Ratified the CRPD in August 2007)

Written Replies (Report only available at Spanish)

4. *En sus observaciones finales anteriores*, el Comité recomendó al Estado parte que revisase toda la legislación a fin de que en ella se *dispusiese expresamente la eliminación de la discriminación contra la mujer*. En el informe se mencionan diversas leyes y medidas adoptadas para reducir y eliminar la discriminación contra la mujer. Sírvese facilitar información detallada sobre la labor que ha realizado el Gobierno para lograr la aplicación efectiva de esas leyes y medidas en todo el país durante el período examinado.

Respuesta:

Ley No. 42 de 27 de agosto de 1999, "Por el cual se establece la Equiparación de Oportunidades para las Personas con Discapacidad"

Mediante el Decreto Ejecutivo No. 103 del 1 de septiembre de 2004, se crea la Secretaría Nacional para la Integración Social de las Personas con Discapacidad (SENADIS), cuyo objetivo es promover el desarrollo eficiente de políticas públicas para la inclusión social plena de las personas con discapacidad y sus familias.

Recommendations

- To provide detailed information on women with disabilities, with regard to access to education and employment.
- Please describe the effectiveness of the measures taken by Panama to prevent and eliminate the discrimination against girls and women with disabilities as well as to ensure their full social inclusion.

Ukraine

(Signed the CRPD in September 2008)

State Report

The question of the safety at work of pregnant women and mothers of young children is addressed expressly in the Labour Code. For example, article 33 prohibits the temporary transfer to other work, without their consent, of pregnant women, **women with disabled children**, and women with children aged under six years. (page 62).

NGOs Participation

Women's Consortium of Ukraine

There are stereotypes based on the physiological/biological functions and the relevant indexes (age, marital status, even planned pregnancy, children, and **disability**) of women. 36.4% of respondents confirmed the existence of such stereotypes as "constantly observed", and 45.4 % of respondents – as "periodically observed". Only one respondent denied the existence of any stereotypes in the Ukrainian society. Perhaps, it is due to the weak identification of the stereotypes as a problem, misunderstanding of differences between stereotypes and cultural traditions. (page 18).

9. *Problem of employment for pregnant women and mothers.* The State Reports provide the detailed information about the benefits and social aid to pregnant women, nursing mothers, women with minor- age children. Nevertheless, the independent research observed that, in practice, the legal obligation of employers to provide aid to pregnant women, nursing mothers, women with children, **disabled women**, married, divorced or single, in the age of before 30 and after 45, has lead to the unwillingness of the employers to hire women. (page 35).

Recommendations

- To consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol, which Ukraine signed in 2008.
- To undertake specific measures to assist women with disabilities to enter into the labour market.
- To adopt targeted measures for the media and education system to promote positive images of women with disabilities.

United Arab Emirates

(Signed the CRPD in February 2008)

State Report

Federal Act No. 29 of 2006, on **persons with special needs**, was passed by the State to guarantee all rights and forms of care for the **disabled** in accordance with the relevant international conventions. The Government of the United Arab Emirates signed the **Convention on the Rights of Persons with Disabilities and the related Optional Protocol** in 2008 and accordingly will complete the constitutional steps for accession to the Convention and develop its domestic regulations in keeping with its international commitments regarding the rights of **disabled persons**.

Recommendations

- To consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol, which United Arab Emirates signed in 2008.

- Please provide information on Federal Act No. 29 of 2006, on persons with special needs, the resources allocated for its implementation and how the State Party ensures its implementation.
- To provide information on what measures are being taken to protect the rights of girls and women with disabilities who often suffer multiple forms of discrimination.

Uzbekistan

(Signed the CRPD in February 2009)

State Report

132. Constituting a component part of the legal system are the socially oriented programmes that are adopted by the Government every year when the specific social problems to be resolved are targeted. Those programmes usually contain a legislative section, as well as specific measures to improve the well-being of socially vulnerable groups of the populace, the family, mothers, children, the elderly, the **disabled** and youth. Those programs are supported by State funding, and non-governmental organizations also take part in implementing them.

554. The law on the social protection of the disabled provides for a 3 per cent quota in terms of job placement for **the disabled**. To date, a total of 25,653 **disabled women** have been placed in jobs. Article 220 of the Labour Code provides the **disabled**, including **disabled women**, the following benefits:

- the recommendations of the occupational-medicine expert commission on part-time work, reduced workload, and other working conditions for **disabled persons** are binding on employers;
- established for **disabled persons** of groups 1 and 2 is a reduced workweek of no more than 36 hours, with no reduction in salary;
- **disabled persons** of groups 1 and 2 are afforded an annual basic extended leave of at least 30 calendar days;
- **disabled persons** may not be enlisted for night work or for overtime or work on days off without their consent and under the condition that such work is not medically prohibited.

558. On an equal basis with all other citizens of the country, regardless of **disability group**, they take an active part in the life of the country, in round tables and seminars and in volunteer work and are instrumental in solving the social welfare problems of the **disabled**, which helps to integrate the **disabled** into society.

Recommendations

- To consider ratifying the Convention on the Rights of Persons with Disabilities and its Optional Protocol, which Uzbekistan signed in 2009.
- To adopt social-policy programmes which enable women with disabilities to live an integrated, self-determined and independent life.
- Please provide further information on the law on the social protection of the disabled, the resources allocated for its implementation and how the State Party ensures its implementation.