

## **International Disability Alliance (IDA)**

Member Organizations:

Disabled Peoples' International, Down Syndrome International,  
Inclusion International, International Federation of Hard of Hearing People,  
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,  
Red Latinoamericana de Organizaciones no Gubernamentales de Personas con  
Discapacidad y sus familias (RIADIS), Pacific Disability Forum

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### **Suggestions for disability-relevant recommendations to be included in the Concluding Observations of the Committee for the Elimination of Discrimination against Women 48th Session (17 January - 4 February 2011)**

The International Disability Alliance (IDA) has prepared the following suggestions for the Concluding Observations, based on references to persons with disabilities to be found in the state report and list of issues.

#### **SRI LANKA**

Sri Lanka has signed but not ratified the Convention on the Rights of Persons with Disabilities.

#### **Select references to persons with disabilities in the State report and List of Issues:**

##### **[State Report](#)**

**Concluding Observation** [Paragraph 293] - *Ensure the full and effective enforcement of the measures taken to protect women migrant workers, including preventing the activities of illegal employment agencies and ensuring that insurance covers the **disabled** and jobless after they return to Sri Lanka.*

No references to persons with disabilities in the state report.

##### **[List of Issues](#)**

#### **Rural women, older women and women with disabilities**

22. Referring to paragraphs 140-147 of the report, please explain the components of the poverty reduction programs, such as the microenterprise program for rural women in the agricultural sector, and other services that are provided to rural women in terms of education, health, economy and employment. What percentage of the state welfare program, *Samurdhi*, is provided to women? Paragraph 33 of the report states that assistance is provided without gender bias, but that female households are suffering greatly. What efforts are being made to assist women specifically?

23. Further to paragraphs 33-38 of the report, please provide more information on the human rights situation of older women and **women with disabilities**, with respect to education, employment, access to health services, access to land rights and protection from violence.

##### **[Reply to the List of Issues](#)**

#### **Rural women, older women and women with disabilities**

## 22. Poverty reduction programmes, and other services provided for rural women in the agriculture sector in terms of education health, economy and employment

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In the case of **disabilities**, women, similar to men and children are included in a community based rehabilitation programme. Since Sri Lanka as a developing country has no financial resources for an individual therapy approach as in developed countries, the most cost effective which is a community based approach is adopted. Within the CBR, family members are trained in providing care by trained family members.

For **disabilities related to sight, hearing**, etc. there are initiatives by both the Government as well as civil society organizations. There are only a few institutions available for those who have **severe disabilities**, where community/family may not be available. This **includes those who have a total lack of sight and hearing as well as those who have chronic mental conditions and who cannot be managed in homes.**

Extract from Concluding Observations on Sri Lanka of the Committee on the Rights of the Child, 55th session, 1 October 2010

### Children with disabilities

50. The Committee welcomes the adoption of a National Policy on Disability in 2003 which promotes an inclusive approach to education for **children with disabilities**. It is however concerned that a high number of **children with disabilities, most of them girls**, remain deprived of **any type of education and that opportunities for children with some types of disabilities, such as autism, hearing, speech and vision impairments are almost non existent**. The Committee further expresses concern that:

- (a) Social stigma, fears and misconceptions surrounding **disabilities** remain strong in society, leading to the marginalization and alienation of **children with disabilities**;
- (b) No survey has been conducted in the State party on **children with disabilities** which hinder the formulation of proper strategies and programmes;
- (c) Proper detection system and early intervention services are lacking, notably due to the dearth of specialized health professionals;
- (d) Confusion and overlapping of powers and functions among the different ministries dealing with the **disability** issue negatively affect the coordination of actions for **children with disabilities**;
- (e) Few children are included in mainstream children's programmes; and
- (f) Special schools assisted by the Government are not adequately registered and monitored and **children with disabilities** are still institutionalized in State or voluntary institutions, which are not equipped to accommodate such children.

Extract from Concluding Observations on Sri Lanka of the Committee on Economic, Social and Cultural Rights of the Child, 45th session, 19 November 2010

14. The Committee is concerned that in spite of the recent establishment of quotas for the employment of **persons with disabilities**, they remain discriminated against in their access to employment and highly stigmatized in the society. The Committee is also concerned that the 2003 National Policy on Disability has not yet been implemented and **that families of disabled persons have so far only received limited support** from the State party and therefore continue to resort to **institutionalization of their children with disabilities**, often for long periods. The Committee also expresses concern that a large proportion of **children with disabilities, most of them girls**, remains deprived of any type of education opportunities. (art.2 para.2)

### **Recommendations from IDA**

- To collect adequate data on women and girls with disabilities and use disaggregated data and results of studies to develop policies and programmes to promote equal opportunities for them in society.
- To adopt measures to ensure that women with disabilities are consulted and participate in leadership roles in policy development.
- To raise awareness and provide more information about women and girls with disabilities, who are often subjected to multiple forms of discrimination, especially with regard to access to education, employment, access to health care and violence.
- To address the heightened risk for girls and women with disabilities of becoming victims of domestic violence and abuse, and adopt urgent measures to ensure that both services and information for victims are made accessible to women and girls with disabilities living in institutions and the community.
- To introduce measures to ensure that all children, including children with disabilities, can live and be raised in family environments in the community, and to eliminate the institutionalisation of children by building up community based services and support (including through increased social assistance and welfare benefits) to children with disabilities and to their families, including foster families.
- To adopt measures to ensure that all health care and services, provided to persons with disabilities, including all mental health care and services, is based on the free and informed consent of the person concerned, and that involuntary treatment and confinement are not permitted by law.

To adopt measures to ensure the elimination of discrimination of persons with disabilities in access to employment and to ensure that the law provides for reasonable accommodation for persons with disabilities in the workplace.

- To adopt measures in the law to ensure the implementation of inclusive education of children with disabilities, such as the obligatory training of all teachers (beyond special education teachers), to require individual education plans for all students, ensure the availability of assistive devices and support in classrooms, educational materials and curricula, ensure the accessibility of physical school environments, encourage the teaching of sign language and disability culture, allocate budget for all of the above.
- To adopt measures to ensure that all information, healthcare and services relating to sexual and reproductive health are made accessible to women and girls with disabilities, and that they are respectful of the dignity and integrity of persons with disabilities based on the free and informed consent of the individual concerned, and that consensual treatment such as the administration of contraception, or fertility treatments are not denied, while all non-consensual treatment, including that for which consent is given by a third party, is not permitted by law (including *inter alia* forced abortions, forced contraception, and forced sterilisation).
- To consider acceding to the Optional Protocol to the CRPD.