

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

Europe and Eurasia

Albania

Constitution and Laws

The law prohibits discrimination on the basis of race, gender, age, disability, language, religion, gender identity and/or sexual orientation, health, family, economic, or social status; however, the government did not effectively enforce these prohibitions.

Persons with Disabilities

The constitution and laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, access to health care, and the provision of other state services. Despite these legal prohibitions, employers, schools, health-care providers, and providers of other state services sometimes discriminated against persons with disabilities. The law mandates that new public buildings be accessible to persons with disabilities, but the government only sporadically enforced the law. According to the 2011 census, 24 percent of persons with disabilities had never attended school, and 65 percent of such persons were female. Widespread poverty, unregulated working conditions, and poor medical care posed significant problems for many persons with disabilities.

Persons with disabilities were not restricted from participating in civic affairs, although resource constraints and lack of infrastructure made it difficult for them to participate fully in many activities. The government set up social services agencies to protect the rights of persons with disabilities, but the agencies often lacked funding to implement their programs. The law does not limit the right of persons with disabilities to vote; however, voting centers were often located in facilities lacking accommodations for such persons, effectively undermining their right to vote. During the June 23 elections, many voting centers were located in upper levels of schools and public buildings without any access for voters with disabilities.

The ombudsman regularly inspected mental health institutions. The admission and release of patients at mental health institutions was a problem due to lack of sufficient financial resources to provide adequate psychiatric evaluations.

The Convention on the Rights of Persons with Disabilities

Albania signed the Convention on 22/12/2009 and ratified the Convention on 11/2/2013.

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Andorra

Constitution and Laws

The constitution and law declare all persons equal before the law and prohibit discrimination on grounds of birth, race, gender, origin, religion, opinions, or any other personal or social condition. For the most part, the government effectively enforced these provisions. In its latest report in May 2012, the ECRI noted that the country's criminal laws relating to racism and intolerance are not exhaustive and do not include, inter alia, a provision prohibiting public incitement to violence, hatred, and discrimination.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. Discrimination, nevertheless, against persons with disabilities existed in the form of social and cultural barriers. In January the European Committee of Social Rights expressed concern that persons with disabilities also faced disadvantages in the labor market. The Council of Europe's human rights commissioner observed there was a gap between the law and the actual conditions facing persons with disabilities. The commissioner emphasized a need to increase awareness about the rights of persons with disabilities and the need to remove physical and cultural barriers impeding persons with disabilities from living in dignity.

The law mandates access to public buildings, information, and communications for persons with disabilities, and the government generally enforced this provision.

According to the National Commission of Assessment, schools continued to implement the law requiring them to adapt their infrastructure to the needs of children with disabilities. The majority of children with disabilities attended regular schools. Additionally, one specialized school existed in the country.

The Andorran Federation of Associations for Persons with Disabilities represented the organizations in the country that worked with persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Andorra signed the Convention and Optional Protocol on 27/4/2007 and ratified the Convention on 11/3/14.

Armenia

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. The government did not effectively enforce these prohibitions.

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Persons with Disabilities

While the law prohibits discrimination against persons with any disability, in employment, education, access to health care, and the provision of other state services, discrimination remained a problem. The law and a special government decree mandate accessibility to buildings, including schools, for persons with disabilities, but very few buildings or other facilities were accessible. The Ministry of Labor and Social Affairs is responsible for protecting the rights of persons with disabilities but failed to do so effectively.

Persons with disabilities seldom went outside their homes due to the social stigma associated with disabilities. At times children with disabilities missed school, due both to discrimination and the absence of facilities to accommodate their needs. According to a survey conducted during 2012 by UNICEF, one in five children with disabilities did not attend school, and one in eight resided in a residential care institution (orphanage or special boarding school). Only one in 20 of those children had access to mainstream education, while five in 20 went to special schools and 14 in 20 did not go to school at all. According to official data for 2012, 64.8 percent of children with disabilities were poor, and an additional 8.4 percent were extremely poor.

Persons with all types of disabilities experienced problems in virtually all spheres of life, including health care, social and psychological rehabilitation, education, transportation, communication, access to employment, and social protection. Social acceptance was even more difficult for women with disabilities. Access to information and communications was a particularly significant problem for persons with sensory disabilities. Penitentiaries lacked adequate accommodations for persons with disabilities.

Hospitals, residential care, and other facilities for persons with serious disabilities remained substandard. According to official data, more than 90 percent of persons with disabilities who were able to work were unemployed.

Other References

There were widespread reports about corruption in the Medical-Social Expertise Commission (MSEC) under the Ministry of Labor and Social Affairs, the body that determines a person's disability status (see section 6).

The Convention on the Rights of Persons with Disabilities

Armenia signed the Convention and Optional Protocol on 30/3/2007 and ratified the Convention on 22/9/2010.

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Austria

Constitution and Laws

The law provides for protection against discrimination based on race, gender, disability, language, sexual orientation and/or gender identity, or social status, and the government generally enforced these protections.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in housing, education, air travel and other transportation, employment, and access to health care and other government services. The government did not effectively enforce these provisions.

While federal law mandates access to public buildings for persons with physical disabilities, NGOs complained that many public buildings lacked such access due to insufficient enforcement of the law and low penalties for noncompliance. Persons with disabilities generally had access to information and communications. They generally were able to vote and participate in civil affairs.

The law prohibits the sterilization of minors; however, the law provides for involuntary sterilization of adults with mental disabilities in cases where a pregnancy would be considered life-threatening. Authorities maintained that there were no such cases during the year.

The Ministry of Labor, Social Affairs, and Consumer Protection handled disability-related problems. The government funded a wide range of programs for persons with disabilities, including providing transportation and other assistance to help integrate schoolchildren with disabilities into regular classes and employees with disabilities into the workplace. Children with disabilities attend primary, secondary, and higher education schools.

In May the ombudsman for persons with disabilities criticized the requirement that voters sign their ballot, asserting that this requirement excludes blind and other persons with disabilities from participating in elections.

On September 23, the Committee on the Rights of Persons with Disabilities released a report which acknowledged government progress implementing the National Action Plan on Persons with Disabilities but cited several areas for improvement. The committee criticized in particular the fragmentation of disability policy between federal and state governments, the lack of opportunities for the employment of persons with disabilities, and authorities' failure to integrate children with disabilities into the educational system.

The UN Periodic Review of Austria on the Rights of Persons with Disabilities published in September generally praised the country's personal assistance programs and efforts to curtail any abuses in institutional settings. The report criticized aspects of laws and institutional settings that continue use of

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net beds and other forms of nonconsensual practices in psychiatric hospitals and institutions, and that allow a person to be confined involuntarily in a psychiatric institution when they have a psychosocial disability and it is forecast that they might endanger themselves or others. The Periodic Review also expressed concern that the population of persons with disabilities who are institutional dwellers has increased over the last 20 years.

The Convention on the Rights of Persons with Disabilities

Austria signed the Convention and Optional Protocol on 30/3/2007. Austria ratified the Convention and the Optional Protocol on 26/9/2008.

Azerbaijan

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, but the government did not always respect these prohibitions or effectively enforce them.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services, but the government did not enforce these provisions effectively. Employment discrimination remained a problem. Employers generally hesitated to hire persons with disabilities. A common belief persisted that children with disabilities were ill and needed to be separated from other children and institutionalized, but special education facilities were available to children with certain disabilities. Several international and local NGOs facilitated educational campaigns to change social perceptions and reintegrate children with disabilities. There were no laws mandating access to public or other buildings, information, or communications for persons with disabilities, and most buildings were not accessible.

Conditions in facilities for persons with mental and other disabilities varied; some provided adequate care, while in others qualified staff, equipment, and supplies were inadequate to maintain sanitary conditions and provide a proper diet.

The Ministry of Health and the Ministry of Labor and Social Welfare are responsible for protecting the rights of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Azerbaijan signed the Convention and Optional Protocol on 9/1/2008. Azerbaijan ratified the Convention and the Optional Protocol on 28/1/2009.

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Belarus

Constitution and Laws

The law prohibits discrimination based on race, gender, language, or social status, but the government did not always enforce these prohibitions.

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, and other government services, and discrimination was common.

The Ministry of Labor and Social Security is the main government agency responsible for protecting the rights of persons with disabilities, who accounted for more than half a million persons. The law mandates that transport, residences, and businesses be accessible to persons with disabilities, but few public areas were wheelchair accessible. The National Association of Disabled Wheelchair Users estimated that more than 90 percent of persons with physical disabilities were unable to leave their places of residence without assistance, and their places of residence were not built to accommodate wheelchair users. While authorities claimed that 30 percent of the country's total infrastructure was accessible, disability rights organizations disputed this figure.

A government prohibition against workdays longer than seven hours for persons with disabilities reportedly made companies reluctant to hire them. Local NGOs reported that 80 percent of persons with disabilities were unemployed. Authorities provided minimal welfare benefits for persons with disabilities, and calculations of pensions did not take disability status into account. Members of the country's paralympic teams received half the salaries and prize money of athletes without disabilities.

The country's lack of independent living opportunities left many persons with disabilities no choice but to live in state-run institutions. Approximately 70 such institutions existed across the country. Disability rights organizations reported that the quality of care in these facilities was low, and instances of mistreatment and abuse were reported. Persons with physical disabilities and persons with mental disabilities frequently were mixed within facilities and not provided specialized care. Public transportation was free to persons with disabilities, but neither the subway in Minsk nor the bus system was wheelchair accessible. According to government statistics, 2 percent of the country's public transportation network was accessible.

Disability rights organizations reported difficulty organizing advocacy activities due to impediments to freedom of assembly, censorship of materials, and the government's unwillingness to register assistance projects.

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Advocates also noted that persons with disabilities, especially those who were visually and hearing impaired, lacked the ability to address violations of their rights easily and completely since courts often failed to provide special equipment and sign language translation.

Other Relevant References

There was discrimination against persons with disabilities, Roma, ethnic and sexual minorities, persons with HIV/AIDS, and those who sought to use the Belarusian language.

Women's groups voiced concerns about the feminization of poverty, particularly among women with more than two children, female-headed households, women taking care of family members with disabilities or older family members, and rural and older women.

The Convention on the Rights of Persons with Disabilities

Belarus has not signed the Convention.

Belgium

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions. The law identifies 18 grounds of possible discrimination subject to legal penalty: age, sexual orientation, civil status, place of birth, financial situation, religious belief, philosophical orientation, physical condition, disability, physical characteristics, genetic characteristics, social status, nationality, race, color, descent, national origin, and ethnic origin. A separate law governs gender discrimination in the workplace. Under a directive issued by the Board of Prosecutors General, police and prosecutors must cite racial motivation or sexual orientation if present when reporting or recording offenses. In such instances the prosecutor must escalate the case (for example, in a racially motivated crime, the charge would additionally include a hate crime offense).

Persons with Disabilities

The law provides for the protection of persons with physical, sensory, intellectual, and mental disabilities from discrimination in employment, education, transportation, access to health care, and the provision of other state services. The government generally enforced the provisions. The CEOOR received 309 complaints in 2012, compared with 320 in 2011. Most related to employment and concerned access to private and public buildings and services, including public transport and access to banks, bars, restaurants and amusement parks.

Children with disabilities were able to attend school, and there were no significant patterns of abuse in educational or mental health facilities. While the government mandated that public buildings erected after 1970 must be accessible to such persons, many older buildings were still inaccessible. Although the law requires that inmates with disabilities receive adequate treatment in separate, appropriate facilities, there were approximately 1,000 inmates with disabilities in prisons in spite of the law.

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On January 10, the ECHR ruled that a structural problem exists in the country's prisons in terms of appropriate care for persons with mental disorders, due to a lack of space in psychiatric facilities for prisoners in need of specialized treatment. In three separate cases, the ECHR ruled that the country did not comply with the article forbidding arbitrary detention, underlining that the detention of a person with disabilities is allowed only in adequate institutions. It also reminded the country of its obligation to provide detainees with disabilities access to these specific institutions. The ECHR sentenced the country to pay damages ranging from 5,000 euros (\$6,800) to 16,000 euros (\$22,000) to the three plaintiffs.

Other Relevant References

The government-sponsored Center for Equal Opportunity and the Combat Against Racism (CEOCR) is tasked with promoting equal opportunity and with combating all forms of discrimination, exclusion, or preferential treatment based on [...] disability, or physical characteristics. CEORC reported in 2011 that 19.7 complaints were from physical disabilities.

Landlords were convicted for discriminating against foreigners and persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Belgium signed the Convention and Optional Protocol on 30/3/2007. Belgium ratified the Convention and the Optional Protocol on 2/7/2009.

Bosnia and Herzegovina

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, sexual orientation, or social status; however, the government did not enforce these prohibitions effectively.

Persons with Disabilities

The law in both entities and at the state level prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment; education; access to health care, air travel, and other transportation; and the provision of other state services. There was, however, discrimination against persons with disabilities in these areas.

In the Federation the law provides that public buildings must be retrofitted to provide access to persons with disabilities and that new buildings also must be accessible. Buildings were rarely accessible to persons with disabilities, however. The RS has comparable laws for public access, but few older public buildings were accessible. Human rights NGOs complained that many new public buildings continued to be built without access for persons with disabilities.

Human rights NGOs complained that the government ineffectively implemented laws and programs to provide access to information.

The law requires children with disabilities to attend regular classes, but schools were often unable to accommodate them. Children with disabilities either attended classes using regular curricula in regular

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schools or attended schools for children with disabilities. Parents of children with disabilities, especially of those with extensive disabilities, faced many obstacles and authorities left them almost completely on their own to provide education for their children, although a growing number of programs for children with disabilities were available in schools.

Other Relevant References

The following human rights problems were reported: [...] discrimination against persons with disabilities; trafficking in persons; and limits on employment rights.

The Convention on the Rights of Persons with Disabilities

Bosnia and Herzegovina signed the Convention and Optional Protocol on 29/7/2009. Bosnia and Herzegovina ratified the Convention and the Optional Protocol on 12/3/2010.

Bulgaria

Constitution and Laws

The law prohibits discrimination on the grounds of race, gender, disability, social status, and sexual orientation but not language. Societal discrimination continued, particularly against ethnic minorities, LGBT persons, and persons with disabilities. Trafficking in persons continued to be a problem.

The government investigated complaints of discrimination, issued rulings, and imposed sanctions against violators. The law allows individuals to pursue a discrimination case through the court system or through the CPD. In the first nine months of the year, the CPD received 653 complaints, most of them containing multiple allegations of discrimination, mostly based on personal status and disability, particularly with regard to employment. The commission found discriminatory practices in 239 cases and imposed fines totaling 13,850 levs (\$9,600) on violators.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The government did not effectively enforce these provisions. The government focused most of its efforts on providing various social services but lacked sufficient funds to adjust the infrastructure and implement active policies to improve public awareness. NGOs criticized the government for a lack of access for persons with disabilities to information and communications, noting that only one newscast was available with sign language, and that authorities made no information available in Braille. Societal discrimination against persons with disabilities persisted.

While the law requires improved access to buildings for persons with disabilities and some new public works projects took this requirement into account, enforcement of the law lagged in existing, unrenovated buildings. NGOs filed complaints with the CPD over the inadequate accessibility of the Sofia

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metro line that opened in 2012, asserting that platforms were lower than the trains, elevators were nonoperational, and ramps were too steep.

The law promotes the employment of persons with disabilities, providing employers with subsidies covering 30 to 50 percent of insurance benefits and the cost of adjusting and equipping workplaces to accommodate persons with disabilities. Enforcement was poor and employers did not feel motivated to hire persons with disabilities. According to the Agency for Persons with Disabilities, 95 percent of persons with disabilities were unemployed. Other factors, such as lack of access to adequate education, lack of skills, and lack of accessible transportation contributed to the high rate of unemployment.

The country's infrastructure did not provide persons with disabilities adequate access to education, health care, and social services. Individuals with mental and physical disabilities often were separate from the rest of society in institutions located in remote areas, which prevented the hiring of qualified staff and hampered access to timely medical assistance. Despite some incremental improvements, conditions in the country's 81 institutions for persons with mental, physical, and sensory disabilities remained poor. NGOs criticized the government for not moving toward an inclusive, community-oriented model of education, socialization, and health care for persons with disabilities. In September the Ministry of Education and Science conducted a two-week training course for students, parents and teachers of students with sensory disabilities attending mainstream schools. The training focused on developing useful skills, orientation, and mobility.

The law provides specific measures for persons with disabilities to have access to the polls, including mobile ballot boxes. According to the OSCE/ODIHR election observation mission report on the May early parliamentary elections, "some 340 polling stations observed (53 percent of observed polling stations) were not readily accessible for persons with disabilities, while the interior layout of some 195 stations was also found not suitable for such voters."

The Interagency Council for Integration of Persons with Disabilities is responsible for developing the policy supporting persons with disabilities. The Ministry of Labor and Social Policy, through its executive agency for persons with disabilities, was responsible for protecting the rights of such persons and worked with government-supported national representative organizations to that end. Some NGOs criticized the existing model, stating that it does not tie subsidies to these organizations to the achievement of policy objectives but rather to formalistic criteria, such as territorial representation and number of member organizations. They remained concerned that the lack of transparency and accountability regarding financial and other support to the national representative organizations, affected those organizations' independence. NGOs also complained that the incentive structure prioritizes obtaining national representation over effective advocacy.

In 2012 the government approved a two-year action plan for providing equal opportunities to persons with disabilities that fleshed out the existing government strategy.

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Other Relevant References

Societal discrimination continued, particularly against ethnic minorities, sexual minorities, and persons with disabilities.

Human rights problems included[...] and discrimination against persons with disabilities, Roma, other members of minority groups, and lesbian, gay, bisexual, and transgender (LGBT) persons.

A defense attorney is mandatory if the alleged crime carries a punishment of 10 or more years in prison for juveniles, foreigners, persons with mental or physical disabilities, or for trials conducted in the absence of the accused.

The government lacked a policy on children with disabilities, resulting in their receiving inadequate access to education, healthcare, and social services (see section 6.).

Problems in state-run institutions for children, including incidents involving the exploitation of children, continued to receive media attention during the year. In September the BHC and the prosecution service conducted a joint inspection of institutions for disabled children that uncovered 238 deaths in the preceding decade as a result of poor treatment, lack of supervision, and unsanitary conditions as well as violence.

In 2009 there were 6,920 children, including children with disabilities, in 137 specialized institutions. This was a decrease from 7,466 children in 140 institutions in 2008 and a 45 percent decrease from 12,609 children in 165 institutions in 2001. The majority of children in institutions were Roma. Most children in state institutions were not orphans; courts institutionalized children when they determined that their families were unable to provide adequate care.

The Convention on the Rights of Persons with Disabilities

Bulgaria signed the Convention on 27/9/2007 and the Optional Protocol on 18/12/2008 and ratified the Convention and Optional Protocol on 22/3/2012.

Croatia

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status, and the government generally enforced these prohibitions.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and in the provision of other state services, but the government did not always enforce these provisions effectively.

As of June 1,026 persons with disabilities had employment, while 6,298 others remained unemployed. The ombudsman for persons with disabilities reported that the highest number of complaints received by her office in 2012 related to implementation of social rights based on disability, followed by physical accessibility to employment, education, health, and pensions. The ombudsman reported that the law

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regulating employment for persons with disabilities was vague and difficult to implement. According to the Croatian Register of Persons with Disabilities, as of January there were 520,437 persons with disabilities in the country. The December 2012 Register of Voters Act added more than 16,000 adults under supervision to the voters list.

During the year the Open Society Institute embarked upon a three-year project with the Ministry of Social Policy and Youth to provide alternative, community-based accommodation for some 400 persons with mental disabilities in lieu of institutional settings. In July Human Rights Watch warned in an open letter to Prime Minister Zoran Milanovic that the government lacked a comprehensive effort to resolve the alternative accommodation problem. Human Rights Watch previously urged the government in 2011 to deinstitutionalize approximately 9,000 persons with intellectual or mental disabilities. According to the Ministry of Social Policy and Youth, 85 persons with mental disabilities were deinstitutionalized during the year.

In December 2012 the government changed the Election Law to allow persons with intellectual and mental disabilities to vote. While the law mandates access to buildings for persons with disabilities, building owners and managers did not always comply, and there were no sanctions. Children with disabilities attended all levels of school, although NGOs stated the lack of legislation mandating equal access for persons with disabilities meant that many students with disabilities had unequal access to secondary and university education. According to the Office of Ombudsman for Disabilities, the lack of access resulted in fewer persons with disabilities attending school and having significantly reduced choices in schools. Most buildings were wheelchair inaccessible, and there was also a lack of sign language interpreters for the deaf, a paucity of screen reader equipment for the blind, and few academic and logistical assistants to navigate school.

Other Relevant References

The law provides longer sentences for sexual violence against persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Croatia signed the Convention and Optional Protocol on 30/3/2007. Croatia ratified the Convention and the Optional Protocol on 15/8/2007.

Cyprus

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government effectively enforced these prohibitions.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other state services. The law protects the right of persons with disabilities to participate

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effectively and fully in political and public life, including by exercising their right to vote and stand for election. The government generally enforced these provisions. While the law mandates universal accessibility for public buildings and tourist facilities built after 1999, government enforcement was ineffective. Older buildings frequently lacked access for persons with disabilities. There were no appropriate institutions for adults with mental disabilities requiring long-term care.

The government had not fully implemented the amended People with Disabilities Law, which extends the ombudsman's authority to cover discrimination based on disabilities in both the private and public sectors, by year's end. Problems facing persons with disabilities included narrow or nonexistent sidewalks and lack of transport, parking spaces, accessible toilets, and elevators.

The state provided facilities to enable children with disabilities to attend all levels of education. Authorities provided a personal assistant if necessary. Since there were no long-term care facilities specifically for persons with mental disabilities, many resided at the Athalassa Psychiatric Hospital. The House of Representatives Committee on Human Rights noted that there was no infrastructure to support mental health patients when they left the psychiatric hospital and no programs for their social integration or aftercare in general. In February 2012 the ombudsman released a report with recommendations for improving patients' living conditions at Athalassa Psychiatric Hospital. The report expressed concern that hospital authorities held two minor patients in the same ward with adult patients and stressed the need for a separate psychiatric clinic for children. The ombudsman reported the hospital adopted many of her recommendations, including the creation of a separate department for children and juveniles. During the year the ombudsman issued a report regarding access to beaches and schools for persons with disabilities.

The Paraplegics Association reported that the government did not take measures to ensure that all public buses were accessible to wheelchair users. The association reported in 2012 that some of the older buses were not at all accessible while the newer ones had only one space for wheelchair users. After a meeting with the minister of communications and works in 2010, the Paraplegics Association stated that the government had agreed that all future orders for buses would provide for two wheelchair spaces. The government also agreed to modify buses then in use if demand showed a need for two wheelchair spaces. According to the Paraplegics Association, the government neither ordered new buses nor modified the existing ones.

The Ministry of Labor and Social Insurance's Service for the Care and Rehabilitation of the Disabled is responsible for protecting the rights of persons with disabilities. The minister of labor and social insurance chaired the Pancyprian Council for Persons with Disabilities, which included representatives of government services, organizations representing persons with disabilities, and employer and employee organizations. Observers did not consider fines for violating the law against employment discrimination sufficient to deter employers from discriminating against persons with disabilities.

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The Convention on the Rights of Persons with Disabilities

Cyprus signed the Convention and Optional Protocol on 30/3/2007. Cyprus ratified the Convention and the Optional Protocol on 27/6/2011.

Cyprus – the Area Administered by Turkish Cypriots

Constitution and Laws

The “law” prohibits discrimination based on race, gender, disability, language, or social status. Authorities generally enforced these prohibitions.

Persons with Disabilities

The “law” prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other “state” services, and authorities effectively enforced these provisions. The “government” employed 569 persons with disabilities and provided financial aid to the remaining 3,925 persons with disabilities in the area administered by Turkish Cypriots. The “law” does not mandate access to public buildings and other facilities for persons with disabilities.

Czech Republic

Constitution and Laws

The law prohibits discrimination based on gender, age, disability, race, ethnic origin, nationality, sexual orientation, religion, or personal belief. The government did not effectively enforce these provisions. The labor code does not protect against employment discrimination based on political conviction and membership or activity in political parties, trade unions, or employers’ organizations. Significant societal discrimination against some minorities, including Roma, persisted.

One of the major issues noted by both the Office of the High Commissioner for Human Rights and the Ombudsman’s Office was the prohibitively high fee for filing a discrimination complaint. The Ombudsman’s Office received 253 complaints of discrimination, investigated 178, and found discrimination in 18 cases.

Leaders of the small Muslim communities in Hradec Kralove and Brno reported the situation in their respective cities improved during the year. Previously the communities had faced opposition to their plans to establish or expand their mosques. The Islamic Center in Hradec Kralove was completed, and the community in Brno cancelled the construction of a second mosque for financial reasons.

Persons with Disabilities

The law prohibits discrimination against persons with physical, mental, and other disabilities in employment, education, public transportation services, access to health care, and the provision of other government services. The government generally enforced these provisions. Nevertheless, persons with disabilities faced a shortage of public accommodations and were unemployed at disproportionately high

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rates. Most children with disabilities were able to attend mainstream primary and secondary schools and universities. Education officials placed a number of children with disabilities in special schools, or practical schools, intended for children with “mild retardation.” These schools did not prepare children for university-level education. Elementary school directors had the authority to accept or reject any student, based upon the school’s ability to meet the student’s individual needs. Mainstream schools commonly refused admittance to students with disabilities.

Of Prague’s 54 subway stations, 32 were accessible to persons with disabilities, including five of the 15 major stations in the city center. A majority of buses and new tramcars had low entry doors to accommodate passengers with disabilities, although only 20 percent of all trams and 10 percent of all tram stations were fully accessible. The subway, bus, and tram systems provided stop announcements and equipment for riders with vision disabilities.

The ombudsman is required to visit regularly all governmental and private workplaces employing incarcerated or institutionalized persons, including persons with disabilities, to examine conditions, ensure respect for fundamental rights, and advocate for improved protection against mistreatment. The office made these visits throughout the year.

The Ministry of Labor and Social Affairs continued a program initiated in 2012 that helps persons with disabilities transition from institutional care to mainstream society. By the end of November, 450 people had successfully passed through the program.

The Convention on the Rights of Persons with Disabilities

The Czech Republic signed the Convention and Optional Protocol on 30/3/2007. Czech Republic ratified the Convention on 28/9/2009.

Denmark

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, and the government generally enforced the law effectively.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in a number of areas including employment, education, air transportation and other modes of travel, access to health care, and other state services. It also mandates access by persons with disabilities to buildings, education, information, and communications. The government generally enforced these provisions. The Danish Institute of Human Rights reported that discrimination enforcement legislation was well established for the work place, but less so in other areas such as public transportation and educational facilities. Discrimination legislation provides excellent compensation for persons with disabilities, but does not provide for total inclusion of such persons outside the work place.

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Children with disabilities attended school. The right of persons with disabilities to vote or participate in civic affairs was not restricted.

The parliamentary ombudsman monitored the treatment of persons with disabilities and issued opinions regarding complaints of disability discrimination.

The Convention on the Rights of Persons with Disabilities

Denmark signed the Convention on 30/3/2007. Denmark ratified the Convention on 24/7/2009.

Estonia

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced the prohibitions.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and transportation, including air transport. The government generally enforced these provisions.

The state provides access to information services and makes individual assistants available to persons with disabilities when necessary. The law mandates access to public buildings for persons with disabilities built or renovated after 2002. Few older buildings were accessible, but new or renovated ones generally were. According to the legal chancellor, measures to extend fundamental rights to individuals in mental health facilities remained inadequate. Problems included abusive use of physical restraints and inadequate medical care. NGOs complained that while services typically were accessible in the capital, persons in some rural areas had difficulty receiving appropriate care.

The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities, and local governments are responsible for the provision of social welfare services to persons with disabilities. Children with disabilities attended school (primary, secondary, and higher education). The government focused on developing rehabilitation services to improve the ability of persons with disabilities to cope independently and increase their social inclusion. The government also compensated for some additional expenses incurred by persons with disabilities.

Other Relevant References

The legal chancellor, an independent official with a staff of 30 persons, performs the role of human rights ombudsman. The legal chancellor reviews legislation for compliance with the constitution and oversees observance by authorities of fundamental rights and freedoms and the principles of good governance. The legal chancellor also helps resolve accusations of discrimination based on gender, race, nationality (ethnic origin), color, language, religion, social status, age, disability, and sexual orientation. The legal chancellor makes recommendations to ministries and local governments, requests responses,

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and has the authority to appeal to the Supreme Court. The legal chancellor compiles an annual report for parliament. Public trust in the office was high, and the government was responsive to the reports and decisions issued by this office.

Authorities have adopted policies, such as funding citizenship and language courses and simplifying the process for persons with disabilities, to facilitate acquisition of citizenship by those stateless persons who wish it.

The Convention on the Rights of Persons with Disabilities

Estonia signed the Convention on 25/9/2007 and ratified the Convention and Optional Protocol on 30/5/2012.

Finland

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, sexual orientation, and social status, and the government effectively enforced these prohibitions. There were reports of violence against women and children, trafficking in persons, and societal discrimination against foreign-born residents and Roma.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in all fields, including employment, education, access to health care, or the provision of other state services. The government effectively enforced these provisions.

Authorities generally enforced laws mandating access to buildings for persons with disabilities, although many older buildings remained inaccessible. Most forms of public transportation were accessible, but problems continued in some geographically isolated areas. The Ministry for Social Affairs and Health and the Ministry of Employment and the Economy are responsible for protecting the rights of persons with disabilities, and did so effectively.

Approximately 200,000 persons with disabilities lived in the country. According to the Finnish Broadcasting Company, persons with physical disabilities were likely to experience difficulties entering the labor market.

On August 16, the Finnish Broadcasting Company reported concerns of national disability associations that the needs of persons with disabilities were not sufficiently addressed during new construction projects.

Children and young persons with disabilities attended primary, secondary, and higher education school and studied together with their peers. According to the most recent government statistics available

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from 2011, 44,081 pupils--8.1 percent of all pupils in the nine years of mandatory schooling--had disabilities.

The Convention on the Rights of Persons with Disabilities

Finland signed the Convention and Optional Protocol on 30/3/2007.

France

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The government generally enforced these provisions effectively.

The Fund Management Organization for the Professional Integration of People with Disabilities (AGEFIPH) reported that the unemployment rate for persons with disabilities grew 17 percent in 2012, faster than the growth rate for the general population (9 percent). On October 17, the Ministry of Labor published the results of a 2011 inquiry that showed that 21 percent of those registered with the government as persons with disabilities were unemployed, more than double the level of the total population. The law requires that at least 6 percent of the workforce of companies with more than 20 employees be persons with disabilities. The law required noncompliant companies to contribute to a fund managed by AGEFIPH. Forty-one percent of companies met the requirement in 2012; 50 percent contributed into the fund; and 9 percent (usually large corporations) received an exemption from the government based on a negotiated action plan, according to AGEFIPH.

On February 5, a Paris appeals court upheld a discrimination conviction against easyJet airline, including a 70,000 euros (\$94,570) fine, for refusing to allow three unaccompanied persons with disabilities to board a plane at the Charles de Gaulle airport near Paris.

On October 7, the Pontoise administrative court ordered the state to provide appropriate housing to a 19-year-old woman with disabilities in order to comply with two fundamental rights: the right to life and the right to lead a normal family life.

The law provides for welfare payments to individuals with disabilities and requires that buildings, education, and employment be accessible to them. During the year one million persons with disabilities received financial compensation from the government. As of September the government paid adults with disabilities 790 euros (\$1,068) per month. The law requires that any new building with public or community space and any existing public building be accessible for persons with disabilities. According

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to the Association of Paralytics France, only 15 percent of establishments in the country were accessible to persons with disabilities. The law also requires the establishment of centers in each administrative department to assist individuals with disabilities in receiving compensation and employment assistance.

In a report released March 1, the Office of the Junior Minister for Disabled Persons and for the Fight against Exclusion stated the January 2015 deadline for making all buildings accessible “must stand even if it is certain that it will not be respected” because of budgetary reasons. On March 5, the Association of Paralytics in France released a statement calling the report’s main proposal to allow extensions of up to seven years for compliance “a disguised postponement” of the legal deadline for accessibility.

The Convention on the Rights of Persons with Disabilities

France signed the Convention on 30/3/2007 and Optional Protocol on 23/9/2008. France ratified the Convention and the Optional Protocol on 18/2/2010.

Georgia

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. The government did not always enforce these prohibitions effectively.

Persons with Disabilities

While the constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government or private sector services, the government was not effective in enforcing these provisions. Discrimination, including social, educational, and employment discrimination, against persons with disabilities was a problem. Most schools did not provide appropriate educational services because of a lack of qualified instructors. Many families with children with disabilities considered themselves stigmatized and kept their children out of the public mainstream.

The law mandates access to buildings for persons with disabilities and stipulates fines for noncompliance. Very few public facilities or buildings were accessible, although the Ministry of Internal Affairs, Ministry of Justice, Ministry of Education, and Office of the Public Defender’s buildings complied with the law. Public and private transportation offered no accommodation for persons with disabilities. Sidewalk and street crossing accessibility was poor.

In December 2012 the Public Defender’s Office reported that persons with disabilities benefitted from an expansion of social welfare programs. It also noted, however, that social welfare programs did not address the individual needs of persons with disabilities. Additionally, many persons with disabilities, especially those living outside of Tbilisi, lacked information regarding access to available social, medical, and other programs.

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In its February Report on the State of Human Rights in Institutions for Persons with Disabilities,” the Public Defender’s Office noted reports of abuse in institutions including violent and degrading treatment, abuse of physical restraints, unhygienic conditions, and inadequate medical care. The report found that inadequate medical care at the Tbilisi Infant Home resulted in the deaths of five of 15 children diagnosed with hydrocephaly housed there between January and June 2013 and refusal to provide palliative care, including pain alleviation. In a December 16 report, *Left Behind: The Exclusion of Children and Adults with Disabilities from Reform and Rights Protection in the Republic of Georgia*, Disability Rights International (DRI) stated that, despite some recent improvements in medical care, institutionalized children with disabilities died due to the denial of life-saving surgery and that those experiencing severe pain were denied pain medication. While some disabled children in state care were deinstitutionalized, DRI also stated that deinstitutionalization over the past few years had not sufficiently benefited institutionalized children with disabilities in unregulated orphanages run by the Georgian Orthodox Church or in some state orphanages.

The October report, *Monitoring of State Programs from the Perspective of Disability Rights*, published by the Center for Disability Rights at the Public Defender’s Office, noted that infrastructural and institutional barriers created insurmountable difficulties for persons with disabilities. The report stated that access to medical care was especially problematic because many individuals with disabilities were unable to travel to medical clinics or receive home visits due to lack of infrastructure. The OHCHR/UNDP-supported NGO Coalition noted the government severely underfunded social support for persons with disabilities. Direct financial support for persons with disabilities, for example, had not increased since 2004, despite an overall state budget increase of more than 11 times.

In its October report, *Monitoring of State Programs from the Perspective of Disability Rights*, the Public Defender’s Office also evaluated a selection of public schools and multifunctional medical centers. The office found a number of violations and determined the six schools designed to be inclusive could not guarantee the inclusion of students with disabilities. Of the 31 schools surveyed, only eight partly met accessibility standards, with the remaining schools found to be “dangerous, uncomfortable, and difficult to access for persons with disabilities.” The majority of the multifunctional medical centers were fully accessible for those with mobility disabilities, including wheelchairs users, but there were no specific accessibility options for blind or deaf persons.

The Convention on the Rights of Persons with Disabilities

Georgia signed the Convention and Optional Protocol on 10/7/2009 and ratified the Convention on 13/3/14.

Germany

Constitution and Laws

The constitution and laws prohibit discrimination based on sex, parentage, race, language, homeland and origin, faith, religious or political opinion, disability, sexual orientation, and gender identity, or social

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status. Authorities compiled a strong enforcement record in most of these areas but acknowledged that they needed to do more in some areas, for example, to enforce laws prohibiting discrimination against persons with disabilities.

Persons with Disabilities

The law prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, and the provision of other federal state services, including access to air travel and other transportation. The relevant law makes no specific mention of persons with sensory or intellectual disabilities, but these are believed to be subsumed under the other headings. The extent to which the government effectively enforced these provisions remained debatable among NGOs, and the government expressed interest in learning about methodologies to enhance enforcement of its antidiscrimination laws. The country's approximately 500,000 children with disabilities attended school. Some persons with disabilities attended special schools, and officials contended that special schools were often better equipped to take care of such students, but critics argued that these institutions prevented the full integration of children with disabilities into the professional world and society as a whole.

The government employed a number of measures to promote the employment of persons with disabilities. Employers with 20 or more employees must hire persons with disabilities to fill at least 5 percent of all positions, with special provisions for companies with 20-40 employees (one position for persons with disabilities) and 40-60 (two positions for persons with disabilities). Companies that fail to meet these quotas face a monthly fine of 100-290 euros (\$135-\$390) per required position not filled with a person with disabilities. According to the NGO Sozialverband VdK Deutschland, this regulation applied to approximately 137, 244 companies in 2012, 60 percent of which had to pay the monthly fine for failing to meet the 5 percent quota.

Pursuant to an agreement between the German Railway and the Federal Ministry for Labor and Social Affairs, persons with disabilities who meet certain requirements can ride all regional trains within the country free of charge.

The federal government continued to provide payments as part of a public housing funding of 518.2 million euros (\$674 million) per year to the states to support barrier-free buildings. Efforts continued to improve barrier-free access to public transportation.

By law the federal government must provide barrier-free access to communications, especially in the field of administrative internet sites and official forms and notifications. Efforts continued to improve barrier-free access to public transportation.

The Office of the Federal Commissioner for Matters relating to Persons with Disabilities is the principal government contact in all matters related to persons with disabilities and has specific responsibility for protecting their rights. The Ministry of Labor and Social Affairs; the Ministry of Family, Senior Citizens,

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Women, and Youth; and the Ministry of Transport, Building, and Urban Affairs also have responsibilities for addressing the needs of persons with disabilities. The German Institute for Human Rights has responsibility for monitoring the country's implementation of the UN Convention on the Rights of Persons with Disabilities.

Other Relevant References

The FCO defined "politically motivated crimes" as offenses related to the victims' ideology, nationality, ethnicity, race, skin color, religion, world view, ancestry, sexual orientation, disability status, appearance, or social status.

The Convention on the Rights of Persons with Disabilities

Germany signed the Convention and Optional Protocol on 30/3/2007. Germany ratified the Convention and the Optional Protocol on 24/2/2009.

Greece

Constitution and Laws

The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status. The government did not protect these rights consistently.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and provides for other government services such as transportation and education. NGOs and organizations for disability rights reported that government enforcement of these provisions was uneven.

During the sixth session of the conference of states party to the Convention on the Rights of Persons with Disabilities held in July, the government cited examples of its commitment to the rights of persons with disabilities. Examples included the publication of a comprehensive guide for citizens with disabilities, allocation of funds for the transportation of such children to special schools, and a municipal-level program of accessibility monitored by local mayors with national oversight by a general inspector.

Access to facilities such as buildings, transportation, and public areas for persons with disabilities, including children, remained poor. Relevant legislation was not effectively enforced. The law mandates access to buildings for people with disabilities, accessible transportation, and ramps for sidewalks and public transportation vehicles; however, disability advocates claimed that accessibility provisions for buildings applied to new buildings that exceeded a certain square meter area and height, whereas older buildings, often housing public services, remained inaccessible. Only 5 percent of public buildings were fully accessible, with the majority of these in Athens; for the most part, even buildings with special ramps did not have accessible elevators or lavatories. Disability activists reported that some of the ramps in buildings and in streets were not properly built, resulting in accidents and falls. They also noted

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that parked vehicles often occupied sidewalks and special ramps, thus hindering access for persons with disabilities. The general lack of accessibility forced such individuals to remain at home and led to serious social exclusion. A 2011 research project by the Polytechnic School of Athens revealed that 69 percent of the country's ports were not accessible to passengers with disabilities. The law allows service animals to accompany blind individuals in all mass transit, but blind activists claimed they faced serious problems when attempting to use city transportation with their dogs.

The deputy ombudsman for social welfare handled complaints related to persons with disabilities, especially those related to employment, social security, and transportation. There was a shortage of qualified personnel available to provide health and educational support to children with disabilities.

In its August 2012 recommendations, the UN Committee on the Rights of the Child expressed concerns that deep-rooted discrimination still existed, measures for children with disabilities were not carefully monitored, and statistical data on children with disabilities were still unavailable.

The Confederation of the Disabled reiterated during the year that education was not available for persons with serious disabilities, and many individuals were forced either to leave school due to lack of accessibility or to accept a low-quality education at the special education schools. The confederation stated that only two of the 10 universities in Athens were accessible to persons with disabilities and that 80 percent of children in special schools for children with disabilities were in buildings unsuitable to their needs. NGO representatives and unions of parents with children with disabilities claimed that the economic crisis had negatively affected persons with disabilities, citing a lack of local special education schools, funding for transportation to schools, qualified staff, and reductions in funding for programs and social benefits. NGOs also noted government healthcare funding cuts for persons with disabilities. In a special 2012 report, the ombudsman mentioned several cases of unequal treatment of children with disabilities in accessing education, including access to restroom facilities for a child with mobility problems. The ombudsman's intervention resulted in structural changes, which facilitated access for the child.

The government recently changed the disability certification procedure in order to more accurately register and categorize persons with disabilities. The new system required applicants to have their disability reassessed, and understaffing led to lengthy waits of up to 12 months, during which applicants were unable to collect disability benefits. In an April special report, the ombudsman reported receipt of over 350 complaints from September 2011 to February regarding delays in the system.

The Manpower Employment Organization estimated the unemployment rate for persons with disabilities to be 80 percent, while disability advocates called unemployment the greatest social problem faced by persons with disabilities. Observers believed the situation worsened due to the economic crisis. The government exempted public sector employees with disabilities or with dependents with

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disabilities, under certain conditions, from public sector job cuts that were part of a wide-range mobility scheme.

Other Relevant References

Transgender persons were exempt from military service on disability grounds.

The Convention on the Rights of Persons with Disabilities

Greece signed the Convention on 30/3/2007 and Optional Protocol on 27/9/2010 and ratified the Convention and Optional Protocol on 31/5/2012.

Hungary

Constitution and Laws

While the constitution and law prohibit discrimination based on race, gender, disability, language, or social status, the government failed to enforce these rights fully.

Persons with Disabilities

The constitution provides for the fundamental rights for all without discrimination including for persons with disabilities and vows to protect them with special measures. The law prohibits discrimination against persons with physical, sensory, and intellectual disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government services. Nevertheless, persons with disabilities frequently faced discrimination and prejudice, and the government failed to enforce antidiscrimination laws effectively. The 2011 census identified 561,247 residents with disabilities, while disability organizations estimated the number to be significantly higher.

The international NGO Mental Disability Advocacy Center (MDAC) continued to criticize the government for failing to protect the rights of persons with disabilities who were under the legal guardianship of others, particularly their right to access employment, education, and health care. According to the MDAC, one of the key problems was the lack of alternatives to guardianship for persons with disabilities who needed support in making certain decisions. According to the MDAC, nearly 60,000 adults were under guardianship. In 2012 the UN Committee on the Rights of Persons with Disabilities released its "Concluding Observations on the Initial Periodic Report of Hungary," which recommended "immediate steps to derogate guardianship in order to move from substitute decision making to supported decision making, which respects the person's autonomy, will and preferences."

A government decree requires all companies with more than 25 employees to reserve 5 percent of their work positions for persons with physical or mental disabilities and levies fines for noncompliance. Employers typically paid the fines rather than employ persons with disabilities. In 2012 the ombudsman published a report that found that existing practices resulted in the routine violation of persons with disabilities' right to human dignity and to free choice of employment. The report noted that the tendering system aimed at improving the employment of persons with disabilities was "unpredictable and chaotic in its present form," and employment procedures were excessively complicated and served

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as disincentives for employers. In September the government issued a tender worth 620 million forint (\$2.8 million), available to employers willing to employ at least 30 persons with “reduced work capacity” or where one-fourth of employees are with reduced work capacity.

Both the central government and municipalities continued to renovate public buildings to make them accessible to persons with disabilities. The law originally set 2010 as the deadline by which the central government had to make buildings accessible, while municipalities have until the end of the year. There was no data available on the percentage of government buildings that complied with the law, but NGOs contended many public buildings remained inaccessible.

NGOs claimed that the right to public schooling was not honored for children with severe and multiple disabilities because public elementary schools are not obliged to enroll children with disabilities. In December 2012 the ombudsman released a report on the enforcement of the rights of students with disabilities in higher education. The ombudsman noted that due to the ambiguous legal context, the practice of individual higher education institutions (in certain cases individual faculties) may significantly differ in applying the immunities and benefits to which students with disabilities are entitled. The ombudsman urged the minister of human resources to harmonize relevant legal provisions and the presidents of institutions of higher education to ensure that the rights of persons with disabilities are enforced.

NGOs continued to complain about the lack of independent oversight of government-run long-term care institutions for persons with mental disabilities. According to the MDAC, in 2012 25,000 persons with disabilities were living in long-term care psychiatric and social care institutions. In October 2012 the ombudsman released a report on the accommodation and care of psychiatric patients in the Forensic Psychiatric Mental Institute (FPMI). The FPMI is the only institute which may carry out forced medical treatment ordered by a court and detainees with psychiatric or neurological problems are transferred there from penitentiary institutions. The ombudsman’s report concluded that existing practices constituted a violation of patients’ rights to human dignity and to health.

On March 13, the trial court in Kiskunhalas convicted two employees of the Psychiatric Institute of Kiskunhalas of violent crimes in a case reported to the prosecutors by two nurses in 2010. The court sentenced one offender to five years in prison for sexually abusing an autistic man under his care. A second offender received an eight month sentence for physically assaulting another patient, and a third man was acquitted due to a lack of evidence. Appeals were pending.

According to the constitution, a court can deprive persons with disabilities who are under guardianship of their right to vote due to limited mental capacity. The MDAC continued to criticize the “mental ability” provision calling it an “unsophisticated disguise for disability-based discrimination” because it could apply to persons with intellectual disabilities and persons with psychosocial disabilities. NGOs

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noted that polling places were generally not accessible to persons with disabilities and that election materials were not available in an easy-to-read format.

The lead agency for protecting the rights of persons with disabilities is the Ministry of Human Resources.

Other Relevant References

On May 20, the ECHR issued a decision favoring a plaintiff who challenged the decision of the authorities denying him the right to vote because he was under partial guardianship for manic depression, a condition the constitution envisages as a possible basis for deprivation of the franchise. However, the ECHR concluded that the indiscriminate removal of voting rights (without an individual judicial evaluation and based solely on a mental disability necessitating partial guardianship) violated the convention and awarded the plaintiff 3,000 euros (\$4,000).

Also on May 20, the ECHR ruled in favor of a plaintiff who claimed he was mistreated due to his physical disability while serving a prison sentence at Szeged Prison in 2005-06. The court awarded him 12,000 euros (\$16,000).

NGOs claimed that the right to public schooling is not honored for children with severe and multiple disabilities because public schools are not obliged to set up classes for those children. NGOs and government officials estimated that one-third of Romani children were educated in segregated classes and that 20 percent were placed without justification in remedial classes for children with mental disabilities, effectively segregating them from other students.

During the year the Chance for Children Foundation (CFCF) initiated a lawsuit against Heves County and the county-operated Expert Committee, which diagnoses and certifies children with disabilities and learning difficulties. The CFCF claimed that the percentage of children certified as having such disabilities was much higher than in other counties, the number of Romani children among them was disproportionately high, and almost all certified children attend segregated remedial schools with substandard curricula. The CFCF asked the court to rule that there was racial bias in the diagnosing and certifying procedure and to ban the county and its institution from the practice. The case was pending at year's end.

NGOs and government officials estimated that one-third of Romani children were educated in segregated classes and that 20 percent were placed without justification in remedial classes for children with mental disabilities.

The Convention on the Rights of Persons with Disabilities

Hungary signed the Convention and Optional Protocol on 30/3/2007. Hungary ratified the Convention and the Optional Protocol on 20/7/2007.

Iceland

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, sexual orientation, gender identity, and social status. Various laws implement these prohibitions, and the government effectively enforced them. Following his visit to the country in January 2012, COE Human

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Rights Commissioner Thomas Hammarberg, asserted that the law does not protect all vulnerable persons equally and that persons with disabilities, older persons, members of ethnic and religious minorities, and transgender persons would benefit from stronger protections against discrimination.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The law provides that persons with disabilities receive preference for government jobs when they are at least as qualified as other applicants. Disability rights advocates asserted that the law was not implemented fully and that persons with disabilities constituted a majority of the country's poor. Children with disabilities attended school (primary, secondary, and higher education).

The law provides that persons with disabilities had access to buildings, information, and communications. Building regulations prescribe that buildings and building premises be designed in accordance with "universal design." "Universal design" is meant to ensure that persons are not discriminated against on the basis of a disability or illness regarding access or the general use of buildings, and to ensure that people can safely enter and exit buildings, even under abnormal circumstances, such as in the case of fire. Disability rights advocates complained that the law and regulations were not fully implemented, and also complained that access to public information was unsatisfactory, since not all persons with disabilities had access to the internet. One domestic airline did not accommodate persons in wheelchairs due to the small size of its airplanes. While violations of these regulations are punishable by a fine or a jail sentence of up to two years, one of the main associations for persons with disabilities complained that authorities rarely, if ever, assessed penalties for noncompliance.

In May the Ministry of Welfare published a report drafted by the Social Science Research Institute at the University of Iceland and the University of Iceland Center for Disability on violence against women with disabilities. The researchers interviewed 13 women with disabilities who reported being victims of violence. The report concluded that social isolation and diminished gender identity are among the consequences of the violence.

The Ministry of Welfare was the lead government body responsible for protecting the rights of persons with disabilities. The municipalities in each of the country's 10 regions are responsible for organizing and delivering services and support to persons with disabilities. The Ministry of Welfare maintained a diagnostic and advisory center in Reykjavik that aimed to create conditions allowing persons with disabilities to lead normal lives.

Other Relevant References

The children's ombudsman, who is appointed by the prime minister but acts independently of the government, has a mandate to protect children's rights, interests, and welfare. When investigating

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complaints, which typically involved physical and psychological abuse and inadequate accommodation for children with illnesses or disabilities, the ombudsman had access to all public and private institutions that housed or otherwise cared for children. The ombudsman was not empowered to intervene in individual cases but could investigate them for indications of a general trend. The ombudsman could also initiate cases at personal discretion. While the ombudsman's recommendations are not binding on authorities, the government generally adopted them.

The Convention on the Rights of Persons with Disabilities

Iceland signed the Convention and Optional Protocol on 30/3/2007.

Ireland

Constitution and Laws

The constitution and law prohibit discrimination. The nine grounds under which discrimination is prohibited by equality legislation include: gender; civil status; family status; sexual orientation; religion; age; disability; race; and membership in the Traveller community.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services; the government effectively enforced these provisions. The government effectively implemented laws and programs to ensure persons with disabilities have access to buildings, information, and communications. The National Disability Authority has responsibility for setting and implementing disability standards, as well as directing disability policy. Children with disabilities generally have full access to all educational options at all levels. Observers reported minors continued to be admitted to adult psychiatric units, and human rights groups continued to criticize understaffing and working conditions at the Central Mental Health Hospital in Dundrum, the country's only secure mental health facility.

The Convention on the Rights of Persons with Disabilities

Ireland signed the Convention on 30/3/2007.

Italy

Constitution and Laws

The law prohibits discrimination based on race, gender, ethnic background, and political opinion. It provides some protection against discrimination based on disability, language, or social status. While the government generally enforced these prohibitions, some societal discrimination continued against women, persons with disabilities, immigrants, Roma and Sinti, and LGBT persons.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in the areas of employment, education, air travel and other transportation, access to health care, and the provision of other government services. The government enforced these provisions, but in

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some instances access to public buildings and facilities was not guaranteed, and there were incidents of societal discrimination.

Although the law mandates access to government buildings for persons with disabilities, mechanical barriers, particularly in public transit, continued to pose challenges. Many cities lacked infrastructure (such as subway elevators, funicular stations, and ramps on sidewalks) for persons in wheelchairs or with limited mobility. The Ministry of Labor and Social Policies is responsible for protecting the rights of persons with disabilities. According to ISTAT, during the 2011-12 school year, the most recent available data, 145,000 persons with disabilities attended schools, of whom 81,000 were pupils in elementary schools assisted by 65,000 specifically assigned and specially trained instructors. In March, 1,214 persons were confined in six psychiatric prisons, often with inadequate facilities and limited access to psychiatric services.

Persons with disabilities generally were able to participate in political and public life. The government provided voting assistance at polling stations, in hospitals, and in homes to persons with serious impediments. In many instances municipalities provided free transportation to persons with disabilities who requested it. The law provided fiscal incentives to employers with more than 15 employees to hire workers with disabilities.

Other Relevant References

During the year there were some reports of police abuse of authority and inadequate care for prisoners with mental disabilities.

Human rights groups continued to criticize understaffing and poor infrastructure at the Central Mental Health Hospital in Dundrum, the country's only secure hospital for prisoners with mental disabilities.

The Convention on the Rights of Persons with Disabilities

Italy signed the Convention and Optional Protocol on 30/3/2007. Italy ratified the Convention and the Optional Protocol on 15/5/2009.

Kosovo

Constitution and Laws

The law specifically prohibits discrimination based on race, gender, ethnic origin, disability, language, sexual orientation, or social status. The government did not effectively enforce these prohibitions.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, health care, or other state services. Despite the legal requirement that the government provide protection and services to all citizens equally, persons with disabilities suffered considerable discrimination. The government did not effectively implement laws and programs to ensure them access to buildings, information, or communications. For example, persons with physical disabilities could not easily access ombudsperson offices, even though office personnel attempted to accommodate such persons with disabilities to the

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extent possible, often by meeting at alternative locations. The Ministry of Labor and Social Welfare has responsibility for protecting the rights of persons with disabilities.

In January a law establishing the rights of blind persons entered into force. It regulates the legal status of the blind and provides financial benefits.

The law provides for protection for children with disabilities. According to the Ministry of Education, seven special residential schools served children with disabilities, and on December 20, there were 453 special-needs children in 77 special-needs classrooms in regular schools. According to the UN Development Program (UNDP), children with disabilities faced a number of barriers to accessing mainstream educational facilities, including lack of transportation, special teacher training, and appropriate infrastructure. As a result only 10 percent of children with disabilities attended mainstream schools. The Ministry of Labor lacked funding and personnel needed to implement laws and provide support to families of children with disabilities.

No national law regulates the commitment of persons to psychiatric or social care facilities or protects their rights within such institutions. Mental health facilities were substandard. The labor and health ministries had separate mandates for treating persons dealing with mental health problems. The KRCT reported that in isolated instances, police detained persons with mental disabilities with no legal basis. According to World Health Organization estimates, there were 14,000 persons with mental disabilities, but other observers estimated that 50,000 persons with mental disabilities lived isolated and stigmatized lives outside of institutions.

The main facility for persons with mental disabilities was the Shtime/Stimlje Special Institute, a complex with two residential treatment buildings. One building served adults with developmental or intellectual disabilities and treated 63 individuals during the year. The second building specialized in treating adults with psychiatric disabilities and housed 65 persons during the year, most of whom lived there since the 1999 war. The government also supported several residential “community houses” for persons with developmental disabilities. All but one was dedicated to adults with disabilities.

The Ministry of Health operated eight integration and community homes across the country providing inpatient care for 75 persons with mental disabilities. The Ministry of Labor operated another 10 community homes with 10 to 15 residents in each facility. Most residents reportedly spent years in these homes with little prospect of community integration.

Other Relevant References

The Ministry of Labor and Social Welfare reported that there were 258 abandoned children with disabilities, ranging in age from three to 18 years, living in two government-funded community homes receiving 24-hour care.

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

During the year reported problems and abuses included the following: [...] societal discrimination against persons with disabilities; abuse and discrimination against persons based on their sexual orientation; and child labor in the informal sector.

The Convention on the Rights of Persons with Disabilities

Kosovo has not signed the Convention

Latvia

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, sexual orientation and/or gender identity, and social status, and the government enforced most of these prohibitions. There were complaints, however, that rape and domestic violence laws were ineffective or inadequately enforced.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to healthcare, or the provision of other state services, and the government generally enforced these provisions. The law mandates access to air travel and other transportation, and during the year the government and municipalities had partially implemented the law. The law mandates access to public buildings for persons with disabilities; however, most were not accessible. In January the government began providing a personal assistance service to persons with disabilities. NGOs including Apeirons noted that many persons with disabilities were dissatisfied with the service, largely due to scheduling difficulties.

In November the government adopted mid-term policy planning guidelines to implement the UN Convention on the Rights of People with Disabilities in Latvia during 2014-20. The document focused on four main priority areas: education, employment, social protection, and public awareness. The document also addressed some of the concerns regarding the personal assistance service, particularly for persons with mental disabilities.

The law grants additional assistance to children with disabilities, allowing them and their caretakers to use public transportation free of charge. The law also allows families of children diagnosed with a disability to receive state-funded counseling. Children with disabilities attended school. The majority attended specialized schools, but children with disabilities can also attend regular schools that accommodate their needs. Since October 2012 the government has provided eligible children with disabilities with assistants in schools.

There were 7,916 special needs children placed in segregated boarding schools or classrooms in regular schools.

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

The Convention on the Rights of Persons with Disabilities

Latvia signed the Convention on 18/7/2008 and Optional Protocol on 22/1/2010. Latvia ratified the Convention on 1/3/2010 and the Optional Protocol on 31/8/2010.

Liechtenstein

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status. The law also prohibits public incitement to violence or public agitation or insult directed against a race, people, or ethnic group. The government effectively enforced these prohibitions.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, transportation, access to health care, or the provision of other state services or other areas. According to nongovernmental organizations working with individuals with disabilities, cooperation with the government was good, but greater awareness of issues related to disabilities as well as support for employees and employers were needed. The government effectively implemented laws and programs to ensure that persons with disabilities readily had access to buildings, information, and communications. The law mandates that all public kindergartens and schools, as well as public transportation systems, must be accessible to persons with disabilities. Children with disabilities were able to attend public schools or a special school established by the orthopedic society. The country also had several institutions that provided working, living, and school facilities for persons with disabilities.

The government took various measures to eliminate barriers for persons with disabilities. It expanded barrier-free access to its internet platform, which was outfitted with a special sign language feature, and also maintained an online guide called "Barrier free through Liechtenstein," which provided the most current information on accessibility of buildings, schools and restaurants.

In 2012 there were 296 buildings rated "barrier-free," an increase of 46 in five years. The law requires recently constructed public buildings to be barrier free by 2027 and older public buildings by 2019.

The Convention on the Rights of Persons with Disabilities

Liechtenstein has not signed the Convention.

Lithuania

Constitution and Laws

The law prohibits and penalizes discrimination based on race, gender, social status, ethnic background, age, sexual orientation, disability, and religion or belief. Discrimination against women and ethnic and sexual minorities persisted despite government efforts at enforcement. In 2012 authorities began implementation of a two-year plan to coordinate, with Social Security and Labor Ministry oversight,

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governmental efforts against discrimination. The government allocated 298,500 litas (\$110 million) to the plan in the second year, including funding for NGOs.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, although it does not specify what kind of disabilities. It explicitly names housing, transport, telecommunications, and cultural and leisure activities as areas in which discrimination is forbidden. There was no proactive enforcement of these requirements. During the first half of the year, the equal opportunities ombudsman investigated 18 cases of alleged discrimination based on disability.

The law mandates that buildings be accessible to persons with disabilities. According to 2012 data from the Department of Statistics, nearly 52 percent of housing complied with this requirement.

According to the Department of Statistics, 42,754 children with disabilities (10.9 percent of all children in schools) attended public schools in 2011-12. Children enrolled in public schools, especially children with limited mobility, did not always receive the assistance they required. Sixty-two special schools or drop-in centers accommodated 3,864 children.

As of September 1, authorities had not made changes in the commitment process for persons with mental disabilities (in February 2012 the ECHR had found the process inadequate). In announcing its decision, the ECHR noted serious practical and legal shortcomings in the country's system of protecting persons with mental disabilities. Not only was there no avenue of appeal by persons the courts declared legally incompetent, but, in the case under their review, the plaintiff had no opportunity to participate in the competency hearing.

Observers widely regarded the mental health system as inadequate; it remained among the least reformed areas in the health sector.

In November 2012 the government approved its National Strategy for Social Integration of People with Disabilities for 2013-2019. On February 5, the Ministry of Social Security and Labor released an action plan for the implementation of the strategy. For the year the government allocated approximately 3.8 million litas (\$1.5 million) to 26 organizations for projects to empower persons with disabilities.

The Ministry of Social Security and Labor and the Council for the Affairs of the Disabled were the two primary governmental organizations responsible for developing equal opportunities in the labor market and improving government effectiveness in meeting the needs of, and augmenting the social security net for, persons with disabilities. The Ministry of Health was responsible for making health services equally accessible to all inhabitants of the country.

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The Convention on the Rights of Persons with Disabilities

Lithuania signed the Convention and Optional Protocol on 30/3/2007. Lithuania ratified the Convention and the Optional Protocol on 18/8/2010.

Luxembourg

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government effectively enforced it.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, the provision of other state services, or other areas. The government mostly enforced these provisions. The law does not require government or privately owned buildings to be accessible to persons with disabilities, but the government subsidized the construction of such structures. The NGO Aid for Handicapped Children advocated for the protection of the rights of persons with disabilities. Children with disabilities attended one of nine such specialized schools, based on the nature and degree of their disability. Children with disabilities can attend regular schools at their parents' discretion, in close consultation with advisory services of the Ministry of Education.

The law establishes quotas requiring businesses employing more than 25 persons to hire workers with disabilities and pay them prevailing wages, but the government acknowledged it had not applied or enforced these laws consistently. The law requires private companies with at least 25 workers to hire at least one employee with a disability and the workforce of larger companies to have between 2 and 4 percent of employees with a disability. For state and all public companies, at least 5 percent of the workforce had to be classified as having a disability.

The Convention on the Rights of Persons with Disabilities

Luxembourg signed the Convention and Optional Protocol on 30/3/2007. Luxembourg ratified the Convention and Optional Protocol on 26/9/2011.

Macedonia

Constitution and Laws

The constitution and law prohibit discrimination based on age, gender, race, disability, language, gender identity, religion, and ethnic, social, or political affiliation. The law provides for fines ranging from 400 to 1,000 euros (\$540 to \$1,350) on individuals or legal entities found guilty of discrimination. The government generally enforced these prohibitions. In his 2012 report the ombudsman stated that discrimination existed in all spheres in society, especially with regard to employment rights and on the basis of ethnicity and political affiliation.

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Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services, but the government did not always enforce these provisions effectively. The law allows persons who have experienced discrimination to submit complaints to the Commission for Protection from Discrimination.

A separate law regulates the usage of a special government fund for stimulating employment of persons with disabilities. The Employment Services Agency manages the fund with oversight by the Ministry of Labor and Social Policy. The fund provided incentives to prospective employers, including grants for office reconstruction or procurement of equipment for a working station in order to provide reasonable accommodation. The law requires persons with physical or mental disabilities to obtain approval from a government medical commission in order to serve in supervisory positions in both the private and public sectors.

The law requires new buildings be built in accordance with accessibility standards, while existing public structures are to be made accessible for persons with disabilities by 2015. NGOs reported that building accessibility was slowly improving but indicated that the law needed further clarification to define the requirement for a “fully accessible” environment. Many new buildings did not have accessible toilets. Public transportation was largely inaccessible for persons with physical disabilities, although all buses purchased over the past two years by the government for Skopje were accessible. In addition the Ministry of Transport and Communications initiated a two-year project to procure new train cars and renovate train stations in Skopje and 10 other cities to bring them into compliance with accessibility standards.

The Ministry of Education and Science made efforts to provide suitable support to enable children with disabilities to attend regular schools. It employed special educators, assigned either to individual selected schools or as “mobile” municipal special educators covering all schools in their municipality, to support teachers who had children with disabilities in their regular classes. School authorities also installed elevators in several primary schools and deployed technology to assist students with disabilities in using computers in selected primary and secondary schools. Despite these efforts a large number of students with disabilities continued to attend special schools.

Other Relevant References

On July 16, the prosecutor indicted 36 of 40 medical doctors and officials of the Health Fund whom police arrested in April on bribery and fraud charges related to disability pensions.

On December 2009 parliament passed a law that provides for free legal aid to citizens seeking legal assistance. The law designates those who qualify for assistance including recipients of social or disability welfare, single parents, certain pension recipients, and asylum seekers. The Office of the UN High Commissioner for Refugees (UNHCR) reported that in practice there has been no access to state-funded free legal aid for asylum seekers due to the manner in which the provisions of the law were interpreted.

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The Convention on the Rights of Persons with Disabilities

Macedonia signed the Convention on 30/3/2007 and Optional Protocol on 29/7/2009 and ratified the Convention and Optional Protocol on 29/12/2011.

Malta

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, sexual orientation or gender identity, or social status, and the government generally enforced these prohibitions.

Persons with Disabilities

The law prohibits both the public and private sectors from discriminating against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, health care, physical access, access to goods and services, housing, and insurance, and the government effectively enforced these provisions. As of the end of September, the National Commission for Persons with Disabilities, the agency responsible for enforcement of this law, was examining 193 pending discrimination complaints from previous years; opened investigations into 207 new cases; and satisfactorily concluded 120. Fifty-seven new cases and 59 concluded cases were related to accessibility issues. During the summer the University of Malta conducted an accessibility study of the campus and noted the lack of ramps and the narrow sidewalks common in the country's towns and villages.

The government previously implemented legislation to ensure access to buildings, information, and communication. In November 2012 the government launched a Maltese language voice recognition software for use by persons with speech and hearing disabilities.

The Convention on the Rights of Persons with Disabilities

Malta signed the Convention and Optional Protocol on 30/3/2007 and ratified the Convention and Optional Protocol on 10/10/2012.

Moldova

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, ethnicity, or social status, but the government did not always enforce these prohibitions effectively.

In May 2012 parliament adopted the Law on Ensuring Equality, which prohibits discrimination on the basis of 11 characteristics, including sex, race, religion, and disability. It also prohibits discrimination on the basis of sexual orientation with regard to employment. In December 2012 parliament established a council to prevent discrimination and ensure equality in implementing the new law. The council became fully operational in October and as of November issued decisions on three discrimination cases. In one case the council found that a school principal and two deputies applied physical and verbal abuse

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against a student with a mental disability. The council fined the principal 7,000 lei (\$580) and sanctioned the two deputies.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to public facilities, health care, or the provision of other government services, but the law was rarely enforced.

In 2012 parliament passed the Law on Social Inclusion of People with Disabilities to protect the rights of persons with disabilities and ensure nondiscrimination in employment, education, health care, and public life. The law prohibits construction companies from designing or constructing buildings without special access for persons with disabilities and requires transportation companies to equip their vehicles to meet the needs of persons with disabilities. The law also requires that land, railroad, and air transportation authorities ensure access for persons with disabilities and adapt public spaces and transportation to provide access for persons in wheelchairs. The airport administration must provide an escort for persons with disabilities. The provisions of the law are in line with EU standards. There was little progress in their enforcement during the year, however.

The country had approximately 183,693 persons with disabilities, including 14,753 children, a large number of whom often faced discrimination, social exclusion, poverty, unemployment, and lack of access to public services. The state paid a monthly allowance of 500 to 1,000 lei (\$41-\$82) to persons with disabilities. According to the Ministry of Education most of the 4,400 children in residential institutions were children with disabilities. The Ministry of Health reported that 27 percent of them were children with congenital diseases, 26 percent had mental disabilities, and 20 percent had health conditions related to the nervous system.

While children with disabilities are entitled to home schooling provided by the government, officials often ignored the law or implemented it to minimal effect, particularly in rural areas. In many cases children with disabilities, even those whose disabilities would not prevent them from attending school, declined schooling to avoid discrimination. Schools were often ill equipped to address the needs of children with disabilities. A UNICEF study determined that 5,800 children with disabilities did not attend school during the year. Some children with disabilities attended regular schools, while others were placed in boarding schools, including "special" boarding schools, or were home schooled. The reform of the residential system aims at integrating as many children with disabilities as possible into regular schools.

In Transnistria children with disabilities rarely attended school and lacked access to specialized resources.

Official regulations mandate access to buildings for persons with disabilities, and most government buildings provided such access. While many newly built or reconstructed private buildings were

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accessible, older buildings often were not. Persons with limited mobility complained about the lack of access to public transportation and public institutions, and the lack of designated parking places. Even in cases where institutions had ramps, they often did not fit a standard wheelchair, or were too steep or slippery. Most of the access ramps at street crossings did not correspond to the required standards for access for wheelchair users. The government provided few resources to train those with disabilities. The Social Assistance Division in the Ministry of Labor, Social Protection, and Family and the National Labor Force Agency were responsible for protecting the rights of individuals with disabilities.

The network of social services was expanded to include specialized services, such as social assistance, support, and counseling to foster the beneficiaries' social inclusion. There were 102 community service centers for persons with disabilities in the country, including three community houses with a total of 14 children with mental disabilities and two specialized homes with a total of eight persons with disabilities. There were also nine mobile support groups providing social assistance, medical and psychological support to 614 beneficiaries, and family support services for 155 persons with disabilities. The government budgeted 9,500,000 lei (\$780,000) for services to persons with disabilities during the year.

There were 9,500 persons nationwide with visual disabilities, of whom 3,500 were fully blind. Ballots were not available in Braille, but the Central Electoral Commission started a pilot project to provide ballots in Braille for voters with visual disabilities in the next parliamentary elections.

According to the Ombudsman for Psychiatry, there were serious violations in many psychiatric and psycho-neurological boarding institutions, including physical and psychological abuses, malnutrition, and a lack of legal protection for persons with mental disabilities. Many persons with mental disabilities were isolated in psychiatric institutions. In some areas in the Balti psychiatric hospital there was a persistent smell of urine and feces. In some units up to 30 residents were forced to share the same room without any basic commodities or furniture to store personal belongings. The Psycho-Neurological Social Care Home in Brinzeni was overpopulated. The institution hosted 311 persons, and each person had approximately 21 square feet of space, well under the 81 square feet required by government regulation. Forced labor in institutions remained a problem. Female patients of psycho-neurological institutions reported forced medication and forced abortions.

Although the law provides for equal employment opportunities and prohibits discrimination against persons with disabilities (with the exception of jobs requiring specific health standards), many employers either failed to accommodate or avoided employing such persons. The Law on Social Inclusion of Persons with Disabilities requires that 5 percent of the workforce in companies with 20 or more employees must be persons with disabilities. Its provision that persons with disabilities are entitled to two months of paid annual leave and a six-hour workday can make it more difficult for persons with disabilities to find employment. In 2012 the government increased pensions for persons

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with disabilities by 9.6 percent. In March parliament endorsed a government decision to provide a small additional allowance to persons with disabilities.

Transnistrian “legislation” provides for protection of the rights of persons with disabilities in the areas of education, health care, and employment. Reliable information regarding the treatment of persons with disabilities in Transnistria was lacking.

Other Relevant References

On March 23, Transnistrian leader Igor Smirnov signed a decree granting a mass pardon, commutation, or amnesty to hundreds of inmates. More than 900 persons benefitted from the amnesty, including those who had served in the 1990-92 conflict with Moldova, persons convicted of lesser crimes, disabled and ill inmates (including those suffering from tuberculosis, HIV, and cancer), mothers, and single parents.

On July 1, acting president Mihai Ghimpu pardoned a group of convicts condemned for various offences, including two with disabilities. When examining the pardon requests, the reviewers and pardoning officials took into consideration the character and extent of the social threat of committed crimes; the offender's behavior and attitude towards work in prison, as well as participation in social activities within detention facilities; family status; and the term of punishment.

Transnistrian authorities also continued to control and intimidate NGOs by inviting their representatives to meetings where security officials were present and pressuring landlords not to renew leases for office space. Authorities restricted NGOs from providing legal advice and other assistance on political programs, such as domestic disputes, access for persons with disabilities, and property and pension rights. Transnistrian authorities encouraged NGOs operating in the region to cooperate with Russian, Abkhazian, and South Ossetian organizations rather than Western NGOs and those that operated in Moldova proper.

UNICEF estimated that 50 percent of the children who were institutionalized had disabilities. The Ministry of Labor, Social Protection, and Family maintained two boarding schools with a population of 675 children with disabilities and three asylums providing temporary shelter (for up to one year), counseling, and other assistance to up to 110 children from socially vulnerable families. The Ministry of Education oversaw 15 boarding schools with 5,813 students. The ministry reported that 35 percent of the children in its care were orphans or abandoned. The other 65 percent came from socially vulnerable families in which parents were unable to maintain even basic living conditions.

The Convention on the Rights of Persons with Disabilities

Moldova signed the Convention on 30/3/2007 and ratified the Convention on 21/9/2010.

Monaco

Constitution and Laws

The constitution provides that all nationals are equal before the law. It differentiates between rights accorded to nationals (including preference in employment, free education, and assistance to the ill or

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unemployed) and those accorded to all residents (including inviolability of the home). The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced it.

Persons with Disabilities

The constitution and the law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The government effectively enforced these provisions. The government enacted and effectively implemented laws ensuring access to public buildings for persons with disabilities, and the country had a beach that was accessible to persons with disabilities. The Social Welfare Services assisted minors less than 18 years of age with disabilities. Children with disabilities had access to all levels of education. There were no reports of abuse or patterns of abuse, degrading treatment or other abusive conditions in educational or mental health facilities.

The Convention on the Rights of Persons with Disabilities

Monaco signed the Convention on 23/9/2009.

Montenegro

Constitution and Laws

The constitution and laws prohibit discrimination based on race, sexual orientation, gender, disability, language, and social status. The government did not fully enforce these prohibitions. Persons could bring complaints of discrimination to the Office of the Ombudsman, but that institution lacked the human, technical, and financial resources to address it adequately. Antidiscrimination campaigns and training for public servants continued, but government efforts to combat discrimination remained modest. In July 2012 the criminal code was amended to provide that, when a crime was motivated by hatred based on race, religion, national or ethnical affiliation, or sexual orientation, courts would consider such a motivation an aggravating factor in determining punishment. In his annual report the ombudsman noted concern with the prevalence of complaints of discrimination against women, the elderly, the LGBT population, persons with disabilities, and ethnic minorities, particularly Roma.

The NGO Human Rights Action stated that respect for human rights of patients in special psychiatric institutions improved, but insufficient staffing and the practice of mixing prisoners and mental patients together at the Dobrota psychiatric hospital continued to be problems.

Persons with Disabilities

The constitution and laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in access to employment, education, health care, pensions, allowances, family care and support, buildings, information, air travel, and road and railway transportation. The constitution gives persons with mental disabilities the right to be placed in adequate residential institutions and the right to foster care and other government services. Societal discrimination against

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persons with disabilities effectively limited their access to these benefits, however, and authorities did not actively prosecute such discrimination. While authorities generally enforced the requirement that new public buildings include access for persons with disabilities, a continuing lack of access to older public buildings, hospitals, and public transportation was a problem. The government failed to implement a legal requirement to make all public facilities accessible to persons with disabilities by October.

Authorities installed polling booths to accommodate persons with disabilities at approximately one-tenth of polling stations in the country--120 in all--for the April 7 presidential elections.

Persons with disabilities remained among the most vulnerable members of the population. According to the 2011 census, 11 percent of the population had difficulty performing everyday activities due to illness, age, and disability. The Ministries of Health, Labor and Social Welfare, Education, Finance, Justice, Human and Minority Rights, Sustainable Development, and Tourism, as well as the Secretariat for Legislation, the State Employment Agency, and five NGOs provided assistance and protection in their respective spheres to persons with disabilities. In a June letter to the prime minister, NGOs criticized the government for placing the Council for Care of Persons with Disabilities under the auspices of the Ministry of Labor and Social Welfare, alleging that it would significantly limit the role and importance of the council and its efforts to deal with the problems of persons with disabilities. NGOs contended that the government was significantly behind in implementing its action plan to integrate persons with disabilities.

On May 28, parliament passed a law on social and child protection that severely cut benefits for persons with disabilities. The government held that the new law would help reduce fraudulent claims, but organizations that worked with persons with disabilities contended that it would eliminate subsidies for most persons with disabilities.

Discrimination against persons with disabilities persisted. The government did not consistently implement regulations providing protection, encouraging employment, and securing housing for persons with disabilities. Although they are entitled to health care within the general health care system, it was often not delivered in a satisfactory manner. Disability allowances did not cover the cost of living.

There are no legal restrictions on participation of persons with disabilities in civic affairs, but the lack of adequate infrastructure prevented them in many cases from doing so. In its 2012 annual report the Office of the Ombudsman stated that courts received reports of 12 cases of discrimination against persons with disabilities. According to the ombudsman, such a low number of cases was a consequence of the low public awareness of human rights and protection mechanisms.

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Education for children with mental and physical disabilities remained inadequate. There were no precise statistics on the number of children with disabilities in the country. A common belief prevailed that children with disabilities were ill and needed to be separated from other children and institutionalized. Children with disabilities attended primary and, to a lesser degree, secondary schools. There were three schools specially designed for children with disabilities (two in Podgorica and one in Kotor). The number of children with disabilities who attend regular schools has risen during the previous four years. As of October 1,075 children with lesser physical and mental disabilities attended school together with other children countrywide. The government started a project on inclusive education and trained 120 teachers. Many schools had neither proper access nor adequate infrastructure for students with physical disabilities. Those students who went to university generally were limited in which faculties they could enroll, since only two were accessible to students with disabilities. Many parents turned to the ombudsman because their children had problems integrating into schools. The ombudsman generally recommended that schools provide assistants to children with special needs. During the year the government funded training for 176 such assistants and assigned 171 assistants to the schools. The government continued to implement its plan to construct daycare centers for younger children with disabilities as an alternative form of care in all 21 municipalities. By year's end seven centers were in operation, with five additional centers nearing completion, according to the government.

Employment opportunities for persons with disabilities were limited. Advocates noted that the few available training programs for persons with disabilities did not contribute significantly to their economic integration. Governmental entities employed very few persons with disabilities. Thirty-one employers in the private sector provided employment to 42 persons with disabilities in 2012, while 1,967 remained unemployed. Authorities provided incentives to private employers to hire persons with disabilities, and those who failed to meet established hiring quotas were required to contribute to a Fund for Professional Rehabilitation and Employment of Persons with Disabilities. Employers often preferred to pay the contribution. The allegedly nontransparent use of the fund continued to be a source of controversy. Parliament's Committee for Human Rights claimed that during four years the fund dispensed only approximately 1.3 million euros (\$1.8 million) and returned 19.8 million euros (\$27.3 million) to the government budget at the end of the year. NGOs complained that the fund spent resources for unspecified purposes and in a nontransparent manner. NGOs requested that the fund be detached from the State Employment Agency and Ministry of Finance and made a separate legal entity.

According to the NGO Association of Young Persons with Disabilities, 50 persons with disabilities were studying in local universities during the year, compared with three in 2001. The NGO continued a project for training guide dogs and provided three dogs to visually impaired individuals. NGOs welcomed the decision by the government and two private universities during the year to exempt persons with disabilities from paying tuition for the upcoming academic year.

Mental health care for persons with mental disabilities remained inadequate. Persons were often institutionalized as wards of the state and lived in isolation in outdated and underfunded facilities.

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Institutionalization perpetuated stigmatization. Monitoring conducted by a group of NGOs revealed that conditions improved at the Komanski Most institution for persons with mental disabilities and at the Center for Children and Youth (“Ljubovic”) correctional facility. NGOs noted that authorities continued to ignore some recommendations of the CPT and local NGOs. For example, authorities housed abused and mistreated children together with juvenile delinquents in the Center for Children and Youth correctional facility. Furthermore, the managers of the center did not remove either of two staff members accused of having intercourse with institutionalized adolescents. The Komanski Most institution lacked qualified staff and clear regulations governing admissions.

Other Relevant References

The government provided books for children without parents, the disabled, special social cases, and Romani children.

A deputy ombudsman investigated complaints of violations of children's rights. His office received 32 complaints during the first nine months of the year, mainly involving contact with parents after divorce, protection from violence, the rights of children with disabilities, children's right to education, and access to social benefits.

Children with disabilities faced numerous obstacles in education and other social services. Some children with mental disabilities were confined in institutions under substandard conditions. In its March 9 report on its 2008 visit to the country, the CPT described the treatment of 15 children in the Komanski Most Institution for Persons with Special Needs, where mentally disabled children were held together with adults in unsanitary circumstances and without sufficient supervision to prevent their mistreatment by adults.

Principal human rights problems included [...] discrimination against persons with disabilities; discrimination against ethnic minorities, particularly Roma; intolerance based on sexual identity; and infringement on the rights of workers.

Inadequate treatment of children with mental disabilities at the Komanski Most institution for persons with disabilities continued to be a problem. Observers criticized authorities for inadequate efforts to deinstitutionalize children with mental disabilities.

The Convention on the Rights of Persons with Disabilities

Montenegro signed the Convention and Optional Protocol on 27/9/2007. Montenegro ratified the Convention and the Optional Protocol on 2/11/2009.

Netherlands

Constitution and Laws

The constitution and laws prohibit discrimination based on age, race, gender, disability, language, political preference, sexual orientation, and social status, and the governments generally enforced these prohibitions.

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

Persons with Disabilities

There are antidiscrimination laws throughout the kingdom. In the Netherlands, discrimination against persons with physical, sensory, intellectual, and mental disabilities is illegal. The law requires equal access to employment, education, health care, and other state services. The law also requires that persons with disabilities have access to public buildings, information, and communications, but, despite continued progress, public buildings and public transport were not always easily accessible, as some continued to lack access ramps. Children with disabilities attended school (primary, secondary, and higher education) including specialized schools if needed. In 2011, 324 of the 6,849 primary schools were specially designed for impaired children. In higher education more than 100 schools offered facilities for impaired students. The law provides criminal penalties for discrimination and administrative sanctions for failure to provide access. Government enforcement of rules governing access was inadequate. The Netherlands Institute for Human Rights processed some 128 cases during the year related to persons with disabilities -- many of which dealt with workplace problems, including discrimination in hiring, failure to provide reasonable accommodation, lack of promotion and other issues --resulting in 39 rulings. Although such rulings are not binding, authorities usually implemented them.

In Sint Maarten and Aruba, a wide-ranging law prohibiting discrimination does not specifically mention, but is in practice applied to, persons with physical, sensory, intellectual, and mental disabilities in employment, education, health care, air travel and other transportation, and the provision of other state services. Children with disabilities attended primary, secondary, and university-level schools on all three islands.

In Aruba, children with disabilities were able to participate in the "regular" school but there were also various types of special schools for them. Different foundations, subsidized by the government, provided adequate and free transportation for their clients, including citizens with disabilities free of charge.

Although discrimination is illegal in Curacao, human rights observers asserted there was a continuing need for more specific laws banning it since persons with disabilities had to rely on ad hoc measures by government and other employers to access buildings, parking spots, and information. Not all public buildings and public transport was easily accessible. The law does not make specific reference to access to air travel.

According to the Ministry of Education in Sint Maarten, children with physical disabilities had access to public primary and secondary schools "if they are able to participate fully in their academic programs." Not all schools were equipped for children with a range of physical disabilities. There was one government-run school for special needs children, serving children with various disabilities.

Other Relevant References

It is a crime to engage in public speech that incites hatred, discrimination, or violence against persons because of their race, religion, convictions, gender, sexual orientation, or disability.

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The Convention on the Rights of Persons with Disabilities

Netherlands signed the Convention on 30/3/2007.

Norway

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, sexual orientation, or social status, and the government mostly enforced this prohibition, although there were reports of violence against women and children, some anti-Semitism, and stigmatizing statements against immigrants and Muslims.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other governmental services, and the government effectively enforced these provisions. The law applies to all persons with disabilities without enumerating specific types of disabilities. It mandates access to public buildings, information, and communications for persons with disabilities. All educational institutions, from primary schools through universities, are required to have an appointed contact person for students with disabilities as well as a plan of action to include this group of students.

The Convention on the Rights of Persons with Disabilities

Norway signed the Convention on 30/3/2007 and ratified the Convention on 3/6/2013.

Poland

Constitution and Laws

The constitution prohibits discrimination in “political, social, and economic life for any reason whatsoever.” The law prohibits discrimination on the grounds of gender, age, disability, race, nationality, trade union membership, ethnic origin, and sexual orientation.

The law requires the ombudsman for citizen rights to monitor implementation of the principle of equal treatment and to support victims of discrimination. The ombudsman and NGOs asserted that some provisions of the antidiscrimination law might be unconstitutional, since they do not treat all groups equally, providing greater protection against discrimination on grounds of race, ethnicity, and gender than on disability, sexual orientation, or age.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government services. While the government effectively enforced these provisions, there were reports of some societal discrimination against persons with disabilities. The government restricted the right of persons with certain mental disabilities to vote or participate in civic affairs.

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The law states that buildings should be accessible for persons with disabilities, and at least three laws require retrofitting of existing buildings to provide accessibility. Many buildings remained inaccessible to persons with disabilities, however, because regulations do not specify what constitutes an accessible building. Public buildings and transportation generally were accessible, although older trains and vehicles were often less accessible to persons with disabilities, and many train stations were not fully accessible for persons with all types of disabilities.

The law specifies that children with disabilities have the right to attend all levels and types of school. In cases where there was no school nearby to accommodate a child with disabilities, the child had alternatives, such as independent schooling by teachers at the child's home.

The Ministry of Labor and Social Policy is responsible for disability-related matters. During the year the government plenipotentiary for persons with disabilities organized training sessions for central and local government officials to encourage them to hire persons with disabilities. The government fund for rehabilitation of persons with disabilities continued a nationwide campaign encouraging companies to employ persons with disabilities. The fund granted money to NGOs to organize media campaigns on the rights of persons with disabilities.

Other Relevant References

A government ombudsman for children's rights issued periodic reports on problems affecting children, such as pedophilia on the Internet, improving access to public schools for children with disabilities, and providing better medical care for children with chronic diseases.

In its November 2009 report, the UN Committee on Economic, Social, and Cultural Rights expressed concern that, despite the existence of a ministerial-level position for equal treatment within the Prime Minister's Chancellery, discrimination continued against women and minorities, including ethnic minorities, persons with disabilities, and LGBT persons.

Romani organizations and the Ministry of Education reported that authorities continued to send many Romani children, particularly in southern provinces, to schools for children with mental disabilities unnecessarily.

The Convention on the Rights of Persons with Disabilities

Poland signed the Convention on 30/3/2007 and ratified the Convention on 25/9/2012.

Portugal

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, sexual orientation, language, and social status, and the government effectively enforced these prohibitions. On July 9, the ECRI reported that the law does not expressly make racist motivation an aggravating circumstance for all offenses. The procedure to file a complaint of racial discrimination continues to be lengthy and complicated. The ECRI suggested the current complaints system against police officers concerning racist

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or racially discriminatory acts was not functional and was seriously underreporting. It suggested the government revise the system to restore confidence in the complaints procedure and the police.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The government effectively enforced the law. The law also mandates access to public buildings for persons with disabilities, and the government implemented these provisions; however, no such legislation covers private businesses or other facilities. The Lisbon municipal government continued to carry out a project to eliminate barriers that cause difficulty of movement to persons with physical disabilities.

Students with disabilities attended all levels of schooling (primary, secondary, and higher education). The government's policy is to integrate students with disabilities into mainstream schools. The Ministry of Solidarity and Social Security oversees the National Bureau for the Rehabilitation and Integration of Persons with Disabilities, which is responsible for the protection, professional training, rehabilitation, and social integration of persons with disabilities, as well as for the enforcement of related legislation.

The Convention on the Rights of Persons with Disabilities

Portugal signed the Convention and Optional Protocol on 30/3/2007. Portugal ratified the Convention and the Optional Protocol on 23/9/2009.

Romania

Constitution and Laws

The law forbids discrimination based on race, gender, disability, ethnicity, nationality, language, religion, social status, beliefs, sexual orientation, age, noncontagious chronic disease, HIV infection, or belonging to an underprivileged category, or on any criteria that aim at restricting human rights and fundamental freedoms. The government did not enforce these prohibitions effectively, and women, as well as Roma and other minorities, often were subjected to discrimination and violence.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation (without specifying air travel), access to health care, and the provision of other services. The government did not fully implement the law, and discrimination against persons with disabilities remained a problem.

In many cases persons with disabilities faced institutional and societal discrimination. According to a report drafted by the EU's Agency for Fundamental Rights (FRA), publicized in June 2012, only 1 percent of persons with mental disabilities had employment. The FRA report also indicated that persons with mental disabilities in institutional settings, in particular children, were subjected to various forms of bullying, harassment, and abuse. According to an EU-funded survey, published in 2012 by the

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government in partnership with several NGOs, 87 percent of respondents viewed discrimination (broadly understood) as one of the major problems faced by persons with disabilities.

The law mandates accessibility for persons with disabilities to buildings and public transportation. While the number of buildings with facilities for persons with disabilities continued to increase during the year, the country still had had an insufficient number of facilities specifically designed to accommodate persons with disabilities, and persons with disabilities could have extreme difficulty navigating city streets or gaining access to public buildings.

According to the Ministry of Labor, Family, and Social Protection, 700,736 persons with disabilities were registered at the end of June, of whom only 29,184 were employed. At the end of June, there were 387 public social assistance institutions for adults with disabilities, coordinated by the Ministry of Labor. At the end of March there were 61,063 children with disabilities registered with the DPC.

In January the Doctors' College started an investigation after images taken with a hidden camera in the pediatric ward in the Buzau county hospital showing children tied to their beds were broadcast by a private television station. The investigative commission concluded that, although it was legal to tie patients with psychiatric problems to their beds, there were a series of irregularities; for example, there was no book used by doctors to record the grounds for tying the children or the time and duration of the proceedings. The government dismissed the head of the pediatric ward and the head nurse.

Multiple NGOs reported being refused access to some state-run institutions for persons with mental disabilities, such as Gheorghe Serban Center in Bucharest, in order to provide independent monitoring, which raised questions about the persons' living conditions and the observance of their rights. According to human rights NGOs, there was no system to ensure that government-run institutions for children with mental disabilities observed the rights of children in their care.

A 2012 FRA report on involuntary placement and treatment of persons with mental disabilities revealed that, despite the provisions of the law, most respondents stated that authorities did not consider their opinion, were not asked to give their consent for admission, and did not receive information about the procedure. The medical staff did not "distinguish between consent to admission and consent to drug treatment," and did not inform them of their "right to request a second medical opinion."

The Directorate General for the Protection of Persons with Disabilities in the Ministry of Labor coordinates at the central level the activities of special protection and advocacy for the rights of persons with disabilities, drafts policies, strategies, and standards in field of rights of persons with disabilities, and follows the implementation of regulations.

Other Relevant References

Government agencies provided inadequate assistance to persons with disabilities and neglected persons with disabilities who were institutionalized.

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There were also reports that some personnel in state institutions mistreated abandoned children with physical disabilities and subjected children in state orphanages to lengthy incarceration as punishment for misbehavior.

The Convention on the Rights of Persons with Disabilities

Romania signed the Convention on 26/9/2007 and Optional Protocol on 25/9/2008. Romania ratified the Convention on 31/1/2011.

Russia

Constitution and Laws

The law prohibits discrimination based on race, gender, language, social status, or other circumstances, but the government did not universally enforce these prohibitions.

During the year the government conducted a campaign of raids on migrant workplaces and homes and introduced anti-LGBT laws. Hostile rhetoric and propaganda against some groups spread through state-run media outlets contributed to discrimination and xenophobia. The escalation in anti-immigrant and anti-LGBT rhetoric created an atmosphere in which nationalist groups could attack LGBT persons with impunity and could attack migrants at their workplaces and hostels, sometimes with police collusion.

Persons with Disabilities

While several laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, transportation, access to health care, and the provision of state services, the government generally did not enforce these laws.

There are no laws to prohibit discrimination in air travel. Persons with disabilities continued to face discrimination and denial of equal access to education, employment, and social institutions. Persons with mental disabilities were subject to severe discrimination in education and employment. Additionally the conditions of guardianship imposed by courts deprived them of almost all personal rights. For example, under the family code, individuals with mental disabilities at times were prevented from getting married without their guardian's consent.

Conditions in institutions for adults with disabilities were often poor, with unqualified staff and overcrowding. Institutions rarely attempted to develop the abilities of residents, whom they frequently confined to the premises and whose movements they sometimes restricted within the institutions themselves.

Federal law on the protection of persons with disabilities requires that buildings be accessible to persons with disabilities, but authorities did not enforce the law, and many buildings were not accessible. In its August report, Human Rights Watch noted that in apartment buildings constructed before 2001, i.e., prior to the development minimum accessibility standards for new construction, doorways and elevators were too narrow for wheelchairs or lacked elevators or appropriate ramps. In some cases buildings constructed after 2001 lacked these accommodations as well. This lack of building access was

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an insurmountable barrier to employment, education, and social engagement for the vast majority of wheelchair-bound persons interviewed in the report. The report also noted that critical public facilities and emergency services remained largely inaccessible to persons with disabilities.

While public transport has historically been inaccessible to passengers with disabilities, there were a handful of examples of increased accessibility. New subway stations in Moscow include elevators to the train platform and an audible warning system for train departure and arrival. Nevertheless, subway travel for wheelchair users remained limited, since only 19 of 189 stations--none of which were in the city center--had elevators. The St. Petersburg subway had two stations with elevators, but their use had to be arranged with staff ahead of time. The Sapsan (speed train) between Moscow and St. Petersburg offered one wheelchair space on just one car. In Yekaterinburg newer train stations had elevators. In Vladivostok the city government purchased several minibuses for free use by individuals with disabilities, but renovations in preparation for the Asia-Pacific Economic Cooperation conference included installation of sidewalks that lacked ramps for wheelchair access, making it impossible for wheelchair-bound citizens to access the buses. Human Rights Watch underscored the difficulties facing blind users of commuter trains, noting the example of one man who fell three times from Moscow commuter train platforms due to the lack of tactile strips or other markers that indicate the end of the platform. Furthermore, in areas where authorities do not effectively and regularly clear snow and ice from public spaces, they can become a long-lasting barrier to the movement of persons with disabilities.

As of July federal law allows regional governments to set quotas for employment of persons with disabilities. Firms with 35-100 employees have a quota of 1-3 percent, while firms of more than 100 employees have a 2-4 percent quota. Some local authorities and private employers continued to discourage persons with disabilities from working, and there was no penalty for failure to honor quotas.

Because only 3 percent of schools could accommodate them, most children with disabilities could not study in their communities and were isolated from other community members.

Authorities generally segregated children with disabilities from mainstream society through a system that institutionalized them until adulthood. Observers concluded that the welfare of such children was often ignored, and there were few means of addressing systemic problems and abuse. Human rights groups alleged that the staff of state institutions for children with disabilities took poor care of, and in some cases, physically abused children in their charge. Graduates of such institutions also often lacked the necessary social, educational, and vocational skills to function in society.

There appeared to be no legal mechanism by which individuals could contest their assignment to a facility for persons with disabilities. The classification of children with mental disabilities to categories of disability often followed them through their lives. The designations "imbecile" and "idiot," assigned by a commission that assesses children with developmental problems at the age of three, signify that authorities consider a child to be uneducable. These designations were almost always irrevocable. The

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designation “debil” (having slight cognitive or intellectual disability) followed an individual on official documents, creating barriers to employment and housing after graduation from state institutions.

Election laws do not specifically mandate that polling places be accessible to persons with disabilities, and the majority of polling stations were not. Election officials generally brought mobile ballot boxes to the homes of voters with disabilities. In the months prior to the 2012 presidential elections, television commercials instructed citizens with disabilities on their rights and voting procedures.

In 2011 the government adopted the State Program on Accessible Environment for 2011-15 with a total budget of 47 billion rubles (\$1.5 billion). The goal of the pilot program was to provide access to services in health care, culture, transport, information and communications, education, social protection, sports, and housing facilities for persons with disabilities. During the year the program continued under the supervision of the newly formed Ministry of Labor and Social Development. Groups such as Human Rights Watch criticized the program, however, noting that it did not address individuals with psychosocial, developmental, and intellectual disabilities and that it funded only those regions that were willing to allocate their own resources as well.

On June 28, a group of wheelchair users staged a protest in the center of Yekaterinburg to draw attention to the absence of accessibility features in city infrastructure. Activists highlighted nonfunctioning call bells, lack of ramps, and the failure of the State Program on Accessible Environment to improve conditions.

Inspections by the Ombudsman’s Office of Homes for Children with Mental Disabilities continued to identify severe violations of children’s rights and substandard conditions.

Other Relevant References

There were several dozen large NGO umbrella organizations, as well as thousands of small grassroots NGOs. In the regions, NGO coalitions continued to focus their advocacy on such causes as the rights of the disabled [...].

In March 2007 the government implemented its flagship child welfare program, Children of Russia. During the year this program continued the construction and renovation of orphanages and centers for disabled children and detention centers for juvenile offenders. The program also focused on the comprehensive rehabilitation and social integration of disabled children in a family environment and supplied children’s rehabilitation centers with equipment.

There continued to be some governmental and widespread social discrimination against persons with disabilities, ethnic minorities, and dark-skinned immigrants.

Human rights organizations expressed concern that a number of schools segregated Romani students or placed them in classes designed for children with learning disabilities because of their ethnicity.

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The Convention on the Rights of Persons with Disabilities

Russia signed the Convention on 24/9/2008 and ratified the Convention on 25/9/2012.

San Marino

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, religion, sexual orientation, or social status. The government effectively enforced antidiscrimination laws.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, air travel and other transportation, education, access to health care, and in the provision of other state services. The government effectively enforced most of these provisions. The Ministry for Territory has not fully implemented a law that mandates easier access to public buildings by persons with disabilities, and many buildings were inaccessible. There were no press reports or legal cases involving discrimination against persons with disabilities. Children with disabilities attended school at all levels; assistant teachers offered them special help.

Other Relevant References

The minimum age of consent is 18 years, and the penalty for sexual acts with a minor is imprisonment from six months to three years. The penalty increases to two to six years if the act involves a child under 14 years of age or a child under 18 with physical or mental disabilities.

The law punishes anyone distributing information aimed at enticing or sexually exploiting children under the age of 18. The penalty for this type of crime is imprisonment from two to six years, which is increased to four to 10 years if the act involves sexual intercourse or if it has been committed to the detriment of a child under 14 years of age or a child under 18 with physical or mental disabilities.

The Convention on the Rights of Persons with Disabilities

San Marino signed the Convention and Optional Protocol on 30/3/2007. San Marino ratified the Convention and the Optional Protocol on 22/2/2008.

Serbia

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government made efforts to enforce these prohibitions effectively. Discrimination continued, however, against women, LGBT persons, persons with disabilities, and ethnic minorities; trafficking in persons and violence against women and children were problems. On June 27, on the recommendation of the commissioner for equality, the government adopted the Strategy for Prevention and Protection from Discrimination for 2013-18, which aims to reduce all forms of discrimination, particularly against the country's marginalized and socially disadvantaged groups; to strengthen and improve control mechanisms; promote tolerance; and support the implementation of anti-discrimination regulations.

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Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services. The government generally enforced the law; however, an estimated 700,000 to 800,000 persons with disabilities were among the most vulnerable social groups, and were marginalized in terms of access to education, other basic services, employment, and participation in social and political life. Lack of access to older public buildings and public transportation continued to be a problem. Persons with disabilities and their families suffered from stigmatization and segregation because of deeply entrenched prejudices and lack of information. The international organization Mental Disability Rights Initiative-Serbia (MDRI-S) stated in its July 2012 report that there was “a considerable absence of safeguards for ensuring and preserving the rights of people with intellectual disabilities, including the right to a full and unhindered legal capacity.” MDRI-S also stated that attempts by the government to implement reforms to the system for providing services to special needs children had so far failed to meet expectations.

The commissioner for equality stated that 20 percent of all complaints filed with her office were instances of discrimination against persons with disabilities. A total of 19,142 persons with disabilities were registered with the National Employment Agency.

The law prohibits physical, emotional, and verbal abuse in all schools. In May the commissioner for equality published a report on the status of persons with disabilities and the physical accessibility of 23 state institutions. Only the buildings of two ministries and the National Assembly had adequate access for persons with disabilities. The report also noted the following specific instances of discrimination: A restaurant expelled hearing-impaired children; entry platforms for public transportation buses were not being used because they could not be accessed; and construction of buildings continued without proper accommodations for persons with disabilities.

In August a local NGO sent a video to Beta news agency that showed children from the Center for Children with Special Needs in Veternik digging up medical waste including needles and syringes with their bare hands in a nearby landfill, in the presence of several center employees. After an August 7 visit to the facility, the NGO reported that the children were intimidated and that they had been pressured to remain silent about the event. The NGO called on the authorities to investigate the case.

The Ministries of Labor, Employment, and Social Policy; Education; and Health had sections with responsibilities to protect persons with disabilities. The Ministry of Labor, Employment, and Social Policy had a broad mandate to liaise with NGOs, distribute social assistance, and monitor laws to ensure protection for the rights of persons with disabilities. The Ministries of Health and Education offered assistance and protection in their respective spheres.

The Convention on the Rights of Persons with Disabilities

Serbia signed the Convention and Optional Protocol on 17/12/2007. Serbia ratified the Convention and the Optional Protocol on 31/7/2009.

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

Slovakia

Constitution and Laws

The constitution and the law prohibit discrimination based on race, gender, disability, language, sexual orientation or gender identity, or social status; the government made efforts to enforce these prohibitions.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, air travel and other transportation, or the provision of other public services. Persons with disabilities were able to vote and participate in civic affairs. Experts reported, however, that access to buildings and higher education remained a problem, and laws to assist students with disabilities with regard to school facilities or educational materials were not implemented.

NGOs reported limited resources for persons with mental disabilities outside of Bratislava, a lack of community-based supports, and an absence of mechanisms to monitor human rights violations against persons with mental disabilities. Psychiatric institutions and hospitals, which fall under the purview of the Ministry of Health, continued to use cage beds to restrain patients. The law prohibits both physical and nonphysical restraints in social care homes managed by the Ministry of Labor, Social Affairs, and Family. Several NGOs conducted public education campaigns on mental illness and worked cooperatively with the Health Ministry.

No broadcaster implemented legislation requiring television stations to provide audio description for viewers who are blind or have other vision disabilities. While the law defines mandatory standards for access to buildings, NGOs noted they were not fully implemented, although access to privately owned buildings improved more rapidly than access to state buildings.

The government's Council on Human Rights, National Minorities, and Gender Equality operated a committee for persons with disabilities. The council served as a governmental advisory body and included representation from NGOs working on disability problems.

Other Relevant References

[Amnesty International (AI)] also found that Romani parents were offered cultural and financial incentives regardless of the presence of a mental disability to send their children to what was locally known as the "gypsy" school. AI's investigation found that authorities lacked proper assessment procedures for enrolling students in special schools.

A number of children's foundations operated programs for abused or disabled children (or both).

NGOs reported that most Romani victims, including children with disabilities, were exploited by family members or other Roma.

Although Romani children comprised only 15 percent of the total number of children under the age of 16, they were disproportionately enrolled in "special" schools for children with mental disabilities, despite diagnostic scores that were often within the average range of intellectual capacity.

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The Convention on the Rights of Persons with Disabilities

Slovakia signed the Convention and Optional Protocol on 26/9/2007. Slovakia ratified the Convention and the Optional Protocol on 26/5/2010.

Slovenia

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, sexual orientation and/or gender identity, and social status, and the government usually enforced these prohibitions effectively.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other government services, and the government generally enforced these provisions. The law requires employers to protect workers disabled on the job. If incapacitated, such workers can perform other work corresponding to their abilities, obtain part-time work, and receive occupational rehabilitation and wage compensation. The law mandates access to buildings for persons with disabilities, but modification of public and private structures to improve access continued at a slow pace, and many buildings were not accessible. The government continued to implement laws and programs to provide persons with disabilities with access to buildings, information, and communications. The Ministry of Labor, Family, and Social Affairs has primary responsibility for protecting the rights of persons with disabilities.

In the first half of the year, authorities received reports of 17 criminal acts involving the sexual abuse of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Slovenia signed the Convention and Optional Protocol on 30/3/2007. Slovenia ratified the Convention and the Optional Protocol on 24/4/2008.

Spain

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status, and the government generally enforced the law effectively.

Persons with Disabilities

The law prohibits, with fines of up to one million euros (\$1.35 million), discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, access to information technology and communication, including social media, and the provision of other state services. The government generally enforced these provisions effectively. The law mandates access to buildings for persons with disabilities, and the

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government generally enforced these provisions; however, levels of assistance and accessibility differed between regions. Children with disabilities attended school, and there were no patterns of abuse in educational or mental health facilities. The government requires companies with more than 50 workers to reserve 2 percent of their jobs for persons with disabilities.

Other Relevant References

Penalties for recruiting children or persons with disabilities into prostitution is imprisonment from one to five years (previously it was one to four years); if the child is under the age of 13, the term of imprisonment is four to six years.

The Convention on the Rights of Persons with Disabilities

Spain signed the Convention and Optional Protocol on 30/3/2007. Spain ratified the Convention and the Optional Protocol on 3/12/2007.

Sweden

Constitution and Laws

While the constitution and law prohibit discrimination based on race, gender, disability, social status, or sexual orientation, the government did not always effectively enforce these prohibitions.

Persons with Disabilities

The law prohibits employers from discriminating against persons with physical, sensory, intellectual, and mental disabilities in hiring decisions and prohibits universities from discriminating against students with disabilities in making admission decisions. No other specific law prohibits discrimination against persons with disabilities. The discrimination ombudsman is responsible for protecting the rights of persons with disabilities.

The law does not cover accessibility. Regulations for new buildings require full accessibility, and similar requirements exist for some, but not all, public facilities. Many buildings and some means of public transportation remained inaccessible.

In 2012 the number of reports of discrimination against persons with disabilities in employment, education, access to health care, or the provision of state services decreased to 485 compared with 563 in 2011. Observers reported cases of insufficient access to privately owned buildings used by the public, such as apartments, restaurants, and bars. Those involved handled many complaints through mediation procedures rather than formal court hearings.

Other Relevant References

At the national level, the country has seven ombudsmen: [...] disabilities. On September 30, after the government amended the country's antidiscrimination laws, the European Commission ended legal proceedings against the country for incorrectly implementing EU rules on equal treatment in employment on the basis of [...] disability [...]. The new law against discrimination merges a scattered number of discrimination laws into one. It also establishes new grounds for financial compensation.

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The Convention on the Rights of Persons with Disabilities

Sweden signed the Convention and Optional Protocol on 30/3/2007. Sweden ratified the Convention and the Optional Protocol on 15/12/2008.

Switzerland

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, or social status. The government generally enforced these prohibitions.

Persons with Disabilities

The constitution and federal law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services, including air travel and other transportation, and the government generally enforced the prohibition. The law mandates access to public buildings and government services for persons with disabilities, and the government generally enforced these provisions.

The Federal Equal Opportunity Office for Persons with Disabilities promoted awareness of the law and respect for the rights of the disabled through counseling and financial support for projects to facilitate their integration in society and the labor market.

In 2011 the Disabled Persons Federation criticized plans for new Swiss Federal Railways (SBB) double-decker trains (scheduled to start operations on interurban rail lines in 2013) for their lack of accessibility. The federation complained that entering the trains in a wheelchair was difficult and that the special cars for persons with disabilities alienated them. According to the federation, the trains did not meet the standards as defined by the disabilities act. The federation appealed to the federal administrative court and lost the court case against the SBB on February 22. The federal court stated that the SBB did not have to remodel the newly constructed trains as one car dedicated to individuals with disabilities was sufficient.

On June 1, a revised planning and building act entered into force in the canton of Zurich. According to the new law, residential buildings with more than five units must be barrier free.

Children with disabilities could attend schools, and in most cantons children with disabilities were well integrated into the school system. Special need schools were available for severely disabled children.

The Convention on the Rights of Persons with Disabilities

Switzerland ratified the Convention on 15/4/14.

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Turkey

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status. The government did not enforce these prohibitions effectively. The constitution allows measures to advance gender equality as well as measures to benefit children, seniors, persons with disabilities, widows, and veterans, without violating the constitutional prohibition against discrimination. The government maintained hotlines to prevent the exploitation of women, children, persons with disabilities, and senior citizens, although some human rights groups questioned their effectiveness.

Persons with Disabilities

The constitution permits positive discrimination favoring persons with disabilities and the law prohibits discrimination against them in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The government did not enforce the law effectively.

The law requires all governmental institutions and businesses to enable access by persons with disabilities to public areas and on public transportation by July 2011, but the government continued to make little progress implementing the law. Access in most cities was extremely limited, and there was no clear system of fines or other punishment for noncompliance. The Disabled and Senior Citizens Directorate General, under the MFSP, is responsible for protecting persons with disabilities, although human rights associations, including domestic advocacy organization Solidarity Association for the Physically Disabled, claimed the directorate general lacked adequate funds.

For companies with more than 50 workers, the law requires that at least 3 percent of the workforce be persons with disabilities; in the public sector, the requirement is 4 percent. The MFSP reported that a job placement initiative launched with an April 2012 exam yielded 5,254 positions for disabled persons in 2012 and an additional 5,926 as of October 2013. As of March, the MFSP reported 10,266 applications filed, yielding 9,528 job offers in the private sector and 67 job offers in the public sector.

The law requires all public schools to accommodate disabled students, although activists reported instances of students with disabilities being refused admission or encouraged to drop out of school. According to disability activists, a large number of school-age children with disabilities did not receive adequate access to an education. Through the end of May, the Ministry of Education's Directorate General for Special Education and Counseling spent 578 million lira (\$289 million) on special education schools and socialization classes for 262,970 students with disabilities. Students with disabilities received at least eight hours of individual education and four hours of group education per month. The MFSP reported that the number of special education schools for disabled students had increased to 911 in 2010, serving 41,170 students in the 2010-11 school year.

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The Convention on the Rights of Persons with Disabilities

Turkey signed the Convention on 30/3/2007 and Optional Protocol on 28/9/2009. Turkey ratified the Convention on 28/9/2009.

Ukraine

Constitution and Laws

The law and constitution prohibit discrimination based on race, gender, disability, language, social status, and ethnic and social origin. Nevertheless, both governmental and societal discrimination persisted, and the government did not effectively enforce the prohibitions.

In September 2012 parliament adopted a law to prevent and counteract discrimination. It covers discrimination based on race; political, religious, or other beliefs; sex; age; disability; ethnic or social origin; family and property status; place of residence; language; and other characteristics. Experts generally described the law as well intentioned but noted that the definition of discrimination was too narrow because it omitted explicit reference to sexual orientation and gender identity. In addition experts expressed concern that the law lacked meaningful enforcement mechanisms.

In June 2012 President Yanukovich signed a government resolution implementing additional measures to suppress terrorism in the country by banning distribution of materials that incite ethnic, racial, or religious hatred, intolerance, and discrimination.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services; however, the government did not effectively enforce these provisions.

In January 2012 the president signed into law several provisions concerning the rights of persons with disabilities. The changes forbid discrimination based on disability and require that the government ensure access to public venues for persons with disabilities and support their involvement in public, educational, cultural, and sporting activities. The new measures also require employers to provide safe workspaces that take into account the individual needs of employees with disabilities and anticipate that NGOs that defend the rights of the disabled would also participate in municipal planning processes to ensure government facilities meet legal requirements for accessibility. The government generally did not enforce these laws.

Advocacy groups maintained that despite the legal requirements, most public buildings remained inaccessible to persons with disabilities. Access to employment and essential services such as education, health care, transportation, and financial services remained difficult. Limited access to public buildings restricted the ability of persons with disabilities to participate in public affairs, but the law requires providing assistance during elections for homebound voters and other voters with disabilities.

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

On July 4, the president signed legal amendments increasing financial aid to disadvantaged families raising children with disabilities and taking care of disabled family members to raise their total income up to the minimum subsistence level. NGOs claimed this was a nonsystemic improvement and that the government did not allocate adequate resources to help those with disabilities. In addition NGOs noted that the government was unable to provide outpatient care to persons with disabilities, thus putting the main burden on their families and forcing them to place children and sometimes adults with disabilities in state institutions.

The country's system for caring for children with mental and physical disabilities favored institutionalization over placement with their families. The state cared for approximately one-third of the estimated 250,000 children with disabilities. While the country has adopted major international conventions that obligate the state to deinstitutionalize children, it lacks the legal framework and budget resources to do so. Programs to provide for the basic needs of children with disabilities and inpatient and outpatient therapy programs were underfunded and understaffed. The inadequate number of educational and training programs for children with disabilities left many children isolated and limited their professional opportunities in adulthood.

According to Semyon Gluzman of the Ukrainian Psychiatric Association (UPA), patients in mental health facilities remained at risk of abuse, and many psychiatric hospitals continued to use outdated methods and medicines. According to UPA, insufficient funding, patients' lack of access to legal counsel, and poor enforcement of legal protections deprived patients with disabilities of their right to adequate medical care. In November 2012 the parliamentary ombudsman for human rights published a report on monitoring visits made to 11 psychiatric facilities, in which representatives found insufficient funding for patients' food and medicine, the confinement of patients for extended periods when they were not acutely ill, understaffing, overcrowding, poor ventilation, unsanitary bathrooms, and other harsh conditions.

By law employers must allocate 4 percent of employment opportunities to persons with disabilities. NGOs noted that many of those employed to satisfy this requirement received nominal salaries but did not actually work at their companies. Through August an estimated 8,400 persons with disabilities received jobs through government placement services, according to the Ministry of Social Policy.

NGOs expressed concern over the lack of programs to promote the integration of students with disabilities into the general student population and noted that the unavailability of needs assessment programs in state-funded employment centers led to the placement of graduates with disabilities in inappropriate jobs.

Other Relevant References

According to Semen Gluzman of the Ukrainian Psychiatric Association (UAHRB), patients in mental health facilities remained at risk for abuse, and many psychiatric hospitals continued to use outdated

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methods and medicines. According to the UAHRB, insufficient funding, the absence of public watchdog councils at psychiatric hospitals, patients' lack of access to legal counsel, and poor enforcement of legal protections deprived patients with disabilities of their right to adequate medical care.

In April, Andriy Fedosov reported that an investigation by his group, Uzer (Ukrainian Organization of Users of Psychiatric Care), had uncovered poor living conditions and physical abuse in psychiatric hospitals in Crimea. Some women with small children and persons with disabilities were trafficked abroad for begging.

The Convention on the Rights of Persons with Disabilities

Ukraine signed the Convention and Optional Protocol on 24/9/2008. Ukraine ratified the Convention and the Optional Protocol on 4/2/2010.

United Kingdom

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, sexual orientation, or social status, and the government routinely enforced the law effectively.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services; the government effectively enforced this.

The law requires that all public service providers make “reasonable adjustments” to ensure their services are available to persons with disabilities. The law prohibits schools from discriminating against students with disabilities, either directly, for example, by refusing admission, or indirectly.

Bermudian law protects the rights of persons with disabilities in the workplace; the act requires employers to “modify the circumstances of employment” to accommodate persons with disabilities so long as there is no “unreasonable hardship” on the employer.

From March 2011 to March 2012, police in England and Wales recorded 1,744 hate crimes connected to disability. In Scotland there were 138 recorded crimes connected to disability in 2012-13. The PSNI recorded 74 hate crimes connected to disability in Northern Ireland from April 2012 through March. The National Autism Society published a survey to highlight the effect of hate crimes on persons with autism. Of the 800 persons who took part, 81 percent of respondents stated they had experienced verbal abuse; 47 percent stated they had been the victim of physical assaults.

The mandate of the EHRC includes work on behalf of persons with disabilities to stop discrimination and promote equality of opportunity. The EHRC provided legal advice and support for individuals, a hotline for persons with disabilities and employers, and policy advice to the government. It may also conduct

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formal investigations, arrange conciliation, require persons to adopt action plans to ensure compliance with the law, and apply for injunctions to prevent acts of unlawful discrimination.

Other Relevant References

The law requires that all public service providers (except in the transportation sector) make "reasonable adjustments" to ensure their services are available to persons with disabilities. The law forbids employers from harassing or discriminating against job applicants or employees with disabilities.

Northern Ireland in March published a report acknowledging that hate crime in Northern Ireland was underreported , with 38 on disability hate incidents recorded by the Police Service of Northern Ireland.

The Convention on the Rights of Persons with Disabilities

The United Kingdom signed the Convention on 30/3/2007 and Optional Protocol on 26/2/2009. The United Kingdom ratified the Convention on 8/6/2009 and the Optional Protocol on 7/8/2009.