

Consolidated Disability Findings from the 2014 United States Department of State Reports on Human Rights and Practices

Western Hemisphere

Introduction to the Department of State Report on Disability Human Rights

The U.S. Department of State Report on Human Rights in 2014 is based on research performed by the State Department, specifically the Bureau of Democracy, Human Rights and Labor. The reports focus on the role of government in establishing policies to protect the human rights of all citizens.

USICD has consolidated the references on disability from each country report into one comprehensive document. Each country summary within the document is organized into four possible subheadings:

1. **Constitution and Laws:** If and how a country's constitution or laws cover disability rights.
2. **Persons with Disabilities:** Material drawn from the report's section on "Persons with Disabilities."
3. **Other Relevant References:** Disability highlighted elsewhere in a country's report (e.g. within the section on children, women, or prison and detention center conditions, etc.).
4. **The Convention on the Rights of Persons with Disabilities:** The status of a country's signature and ratification of the CRPD (Note: ratification dates are in a date/month/year format).

The following condensed reports are intended to be a resource only and do not necessarily reflect an endorsement of the quality of content or perspective contained within the reports. All content is pulled directly from the State Department reports with the exception of the CRPD status, which was added by USICD staff.

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Antigua and Barbuda

Constitution and Laws

Persons with Disabilities

The constitution contains antidiscrimination provisions, but no specific laws prohibit discrimination against, or mandate accessibility for, persons with disabilities. There were anecdotal cases of children with disabilities unable to take themselves to the restroom and thus were denied entry to school. Additionally, anecdotal evidence suggested support for persons with mental disabilities was lacking. It was alleged that those affected were often left on the street, as there were few alternatives to the one overcrowded and poorly maintained outpatient mental health facility. Public areas often lacked wheelchair accessibility.

Other References

Employment: The law prohibits discrimination in respect to employment or occupation regarding race, sex, age, or political beliefs. In general the government effectively enforced these laws and regulations. The law does not prohibit employment discrimination on the basis of disability, language, sexual orientation and/or gender identity, HIV- positive status or other communicable diseases, or social status. There were anecdotal reports of employment discrimination against employees with HIV/AIDS (see section 6, HIV and AIDS Social Stigma).

Convention on the Rights of Persons with Disabilities

Antigua and Barbuda signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 7/01/2016.

Argentina

Constitution and Laws

Persons with Disabilities

The constitution and laws 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 state services. A specific law also mandates access to buildings by persons with disabilities. While the federal government has protective laws, many provinces had not adopted the laws and had no mechanisms to ensure enforcement. For example, the city of Buenos Aires passed a resolution that allows the city to approve the opening of shops that do not meet accessibility requirements for persons with disabilities, and a court upheld the law; the NGO Access Now appealed the court's decision.

An employment-quota law reserves four percent of federal government jobs for persons with disabilities, but NGOs and advocacy groups claimed the quota often was not respected. A pattern of inadequate facilities and poor conditions continued in some mental institutions.

A 2013 regulation issued by the Buenos Aires City education ministry allows children with

disabilities to attend schools with their therapists and healthcare companions. The effort aimed to promote the inclusion of children with disabilities in mainstream schools.

The National Advisory Committee for the Integration of People with Disabilities under the National Council for Coordination of Social Policies has formal responsibility for actions to accommodate persons with disabilities.

On April 16, the UN Committee on the Rights of Persons with Disabilities found government authorities failed to ensure a prisoner with disabilities was able to use prison facilities and services on an equal basis with other detainees. The report stemmed from a complaint by a life-term prisoner arguing prison conditions affected his physical and mental health. While it concluded the prisoner had not established sufficiently his rights to health care and rehabilitation were being violated, the committee said Argentina was obliged to ensure he had equal access to facilities and that lack of accessibility did not cause physical or psychological suffering that might constitute cruel, inhuman, or degrading treatment.

Other References

Convention on the Rights of Persons with Disabilities

Argentina signed the CRPD on 30/03/2007. The government ratified the CRPD and Optional Protocol on 2/09/2008.

Bahamas, The

Constitution and Laws

The constitution prohibits discrimination on the basis of race, place of origin, political opinion, or creed, and the law prohibits discrimination based on disability. The government did not always effectively enforce these prohibitions, and the constitution and the law contain provisions that discriminate on the basis of gender. Neither the constitution nor the law addresses discrimination based on language, sexual orientation and/or gender identity, or social status.

The country consists of 700 islands and cays, 12 of which were significantly inhabited. Information in this report reflects the situation in the highly populated areas on New Providence and Grand Bahama. Limited information was available from other less-populated islands.

Persons with Disabilities

In July the government passed the Persons with Disabilities Act, which provides for the fundamental human rights of persons with disabilities as defined in the UN Convention on Persons with Disabilities. The new law addresses issues of employment, education, and access. Under the new law, businesses and public buildings have two years to make improvements to access once implementing regulations are approved. Provisions in other legislation address the rights of persons with disabilities, including a prohibition of discrimination on the basis of

disability. Although the previous law mandated access for persons with physical disabilities in new public buildings, authorities rarely enforced this requirement, and very few buildings and public facilities were accessible to persons with disabilities.

The Education Act affords equal access for students, but only as resources permit, with this decision made by individual schools. On less-populated islands, children with learning disabilities often sat disengaged in the back of classrooms because resources were not available.

The Disability Division within the Ministry of Labor and Social Development reported providing the following services during the year: disability allowances to persons with disabilities; financial assistance to procure prosthetics, wheelchairs, hearing aids, and other assistive devices; regular meetings for the prosthetic committee; annual government grants to NGOs serving the community of persons with disabilities; crisis intervention counseling; and Braille classes.

A mix of government and private residential and nonresidential institutions provided education, training, counseling, and job placement services for adults and children with physical or mental disabilities.

Other References

Children: The Department of Social Services is responsible for abandoned children up to age 18 but had very limited resources at its disposal. There is an extensive screening process for prospective foster parents, including relatives. The government found foster homes for some children, and the government hospital or Nazareth Center housed children with physical disabilities when authorities could not find foster homes or the children needed care beyond their parents' resources. Independent human rights observers reported that the government did not consistently approve access requests to the various foster care facilities. Many of these facilities were privately run with government support.

Employment: The law prohibits discrimination in employment based on race, creed, sex, marital status, political opinion, age, HIV status, or disability, but not in regard to language, sexual orientation and/or gender identity, or social status. The government did not effectively enforce the law.

Discrimination in employment and occupation occurred with respect to persons living with HIV/AIDS (see section 6). Foreign migrant workers were not consistently afforded legal protections.

Convention on the Rights of Persons with Disabilities

The Bahamas signed the CRPD on 24/09/2013. The government ratified the CRPD on 28/09/2015.

Barbados

Constitution and Laws

Persons with Disabilities

No laws specifically prohibit discrimination against persons with disabilities in employment, education, or the provision of other state services, other than constitutional provisions asserting equality for all. Persons with disabilities experienced discrimination. The Ministry of Social Care, Constituency Empowerment, and Community Development operated a disabilities unit to address the concerns of persons with disabilities, but parents complained of added fees and transport difficulties for children with disabilities at public schools. Although persons with disabilities continued to face social stigma preventing them from fully participating in society, attitudes were slowly evolving. Persons with disabilities generally experienced hiring discrimination as well as difficulty in achieving economic independence (see section 7.d.).

The Barbados Council for the Disabled (BCD), the Barbados National Organization for the Disabled, and other NGOs indicated that access and transportation remained the primary challenges facing persons with disabilities. Many public areas lacked the necessary ramps, railings, parking, and bathroom adjustments to accommodate such persons, and affordable, reliable transportation for them remained elusive. Private transportation providers addressed some transportation concerns.

While no legislation mandates provision of accessibility to public thoroughfares or public or private buildings, the Town and Country Planning Department set provisions for all public buildings to include accessibility to persons with disabilities. As a result, most new buildings had ramps, reserved parking, and accessible bathrooms for persons with disabilities. The BCD and other NGOs promoted and implemented sensitization and accessibility programs designed to improve inclusion and services for persons with disabilities.

The disabilities unit continued numerous programs for persons with disabilities, including Call-a-Ride and Dial-a-Ride public transportation programs, sensitization workshops for public transportation operators, inspections of public transportation vehicles, sign language education programs, integrated summer camps, and accessibility programs.

Other References

Employment: Labor laws do not prohibit discrimination on grounds of race, sex, gender, disability, sexual orientation, or HIV/AIDS status, although such legislation has been proposed.

There were occasional press reports alleging migrant workers received less than the minimum wage. Foreign workers in high-risk sectors, such as domestic service, agriculture, or construction, were sometimes not aware of their rights and protections under the law, and unions expressed concern domestic workers were occasionally forced to work in unacceptable

conditions. Persons with disabilities generally experienced hiring discrimination, as well as difficulty in achieving economic independence (see section 6, Persons with Disabilities).

Convention on the Rights of Persons with Disabilities

Barbados signed the CRPD on 19/07/2007. The government ratified the CRPD on 27/02/2013.

Belize

Constitution and Laws

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

Persons with Disabilities

The law does not expressly prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air or other transportation, access to health care, or the provision of other state services. The constitution provides for the protection of all citizens from any type of discrimination. The law does not provide for accessibility to persons with disabilities, and most public and private buildings and transportation were not accessible to them. There were no policies to encourage hiring of persons with disabilities in the private or public sectors.

In general, mental health provisions and protections in the country were poor. Informal government-organized committees for persons with disabilities were tasked with public education and advocating for protections against discrimination. Private companies and NGOs provided services to persons with disabilities. The Ministry of Education maintained an educational unit offering limited special education programs within the regular school system. There were two schools and four special education centers for children with disabilities.

The special envoy for women and children, First Lady Kim Simplis Barrow, continued advocacy campaigns on behalf of persons with disabilities and supported efforts to promote schools that made efforts to create inclusive environments for persons with disabilities. In March First Lady Barrow launched the Inspiration Center, an NGO that aimed to offer basic medical care and therapies for children with disabilities, as well as assistance for at-risk youth.

Other References

Employment: The law and regulations prohibit discrimination on the basis of race, sex, gender, language, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce those laws and regulations. The law does not explicitly prohibit discrimination in employment with respect to disability or to sexual or orientation and/or gender identity.

Prison and Detention Centers: In September the prison held 1,527 inmates, including 44 women (plus one minor), 50 male juveniles, 539 on remand, 199 foreigners, and 68 persons with

disabilities. Prison capacity was approximately 1,750, with an average population of 1,550 inmates.

The prison had one full-time doctor, one nurse, and seven emergency medical technicians to perform medical referrals to a local hospital. Two counselors were available on a daily basis. A psychologist visited the prison on Saturdays to see patients referred by the medical staff. Two counselors and two social workers from the Ministry of Human Development and Social Transformation visited inmates of the Wagner's Youth Facility three times a week. Prisoners with disabilities were housed separately and were visited twice a month by a psychiatric team.

Convention on the Rights of Persons with Disabilities

Belize signed the CRPD on 9/05/2011. The government ratified the CRPD on 2/06/2011.

Bolivia

Constitution and Laws

The constitution and the law prohibit discrimination based on race, gender, disability, language, sexual orientation, gender identity, and social status, but the government did not effectively enforce these provisions to protect all populations.

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. The law requires access for wheelchair users to all public and private buildings, duty-free import of orthopedic devices, and a 50 percent reduction in public transportation fares for persons with disabilities. The constitution and law also require communication outlets and government agencies to offer services and publications in sign language and Braille.

The government did not effectively enforce these provisions. In the October national elections, voters with disabilities were in some instances unable to vote due to inadequate facilities for wheelchairs or other physical barriers. In addition, societal discrimination kept many persons with disabilities at home from an early age, limiting their integration into society and restricting their right to participate in civic affairs. The Research Center for Socioeconomic Development reported that only an estimated 13,000 children with disabilities, or 6 percent of the population of youth with disabilities, had regular access to education. There was no information available regarding patterns of abuse in educational and mental health facilities.

The National Committee for Persons with Disabilities, directed by the Ministry of Health, is responsible for protecting the rights of persons with disabilities.

The government provides an annual pension of 1,000 bolivianos (\$146) to persons with "serious or very serious" disabilities.

Other References

Employment: Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV positive status or other communicable diseases, or social status.

Despite these legal protections, discrimination with respect to employment and occupation occurred. Civil society leaders reported credible instances of employment discrimination against indigenous peoples, Afro-Bolivians, and members of the LGBT community (see section 6).

Convention on the Rights of Persons with Disabilities

Bolivia signed the CRPD and Optional Protocol on 13/08/2007. The government ratified the CRPD and Optional Protocol on 16/11/2009.

Brazil

Constitution and Laws

The law prohibits and penalizes discrimination on the basis of race, gender, disability, or social status, but discrimination continued against women and girls, Afro-Brazilians, indigenous persons, and LGBT persons.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, air travel and other transportation, education, and access to health care, and the federal government generally enforced these provisions. An estimated 10 percent of the population had some form of disability. While federal and state laws mandate access to buildings for persons with disabilities, states did not enforce them effectively. A 1991 federal law requires private companies with more than 100 employees to hire persons with disabilities at a minimum level of 2 to 5 percent of their workforce, but authorities did not effectively enforce this quota.

The National Council for the Rights of Persons with Disabilities and the National Council for the Rights of the Elderly, both within the SDH, have primary responsibility for promoting the rights of persons with disabilities. According to the SDH, specific problems included the short supply of affordable and up-to-date orthotics and prosthetics, scarcity of affordable housing with special adaptations, and a need for greater accessibility to public transport. Children with disabilities attended school (primary, secondary, and higher education), but there existed a shortage of schools with support for such persons. The absence of accessible infrastructure and schools had a significant impact within the workforce, however, and only an estimated 6 percent of the population with disabilities participated in the workforce.

The government improved access for persons with disabilities in its infrastructure development and in retrofitting public sports venues to prepare for sporting events such as the World Cup and the 2016 Paralympics games.

Other References

Employment: Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, and sexual orientation or gender identity, and HIV-positive status or other communicable diseases. The government generally enforced these laws and regulations, although discrimination in employment and occupation continued to occur with respect to women, persons with disabilities, and transgender individuals (see section 6).

Governmental Human Rights Bodies: The Secretariat for Human Rights is a ministerial-level office under the presidency. The secretariat has jurisdiction over issues regarding persons with disabilities, LGBT persons, the elderly, children, and government representation in international and regional human rights forums in conjunction with the Ministry of External Relations. The Chamber of Deputies and the Senate had human rights committees that operated without interference and participated in several activities nationwide in coordination with domestic and international human rights organizations. Most states had police ombudsmen, but their accomplishments varied, depending on such factors as funding and outside political pressure.

Convention on the Rights of Persons with Disabilities

Brazil signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 1/08/2008.

Canada

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, social status, and sexual orientation. Provincial or territorial statutes in three provinces and one territory prohibit discrimination on the basis of gender identity. The government enforced these laws effectively.

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 or the provision of other state services, and the government effectively enforced these prohibitions. Although the government effectively implemented laws and programs mandating access to buildings, information, and communications for persons with disabilities, the absence of uniform standards across the country created disparities in standards of access between provinces.

Children with disabilities attended primary, secondary, and higher education, and the majority attended classes with nondisabled peers or a combination of nondisabled and special education classes with parental consent. Disparities in educational access for students with disabilities existed between provinces and among school boards within provinces. Policy differences included type of services, criteria to determine eligibility, allocation of resources, access to inclusive versus segregated classes or facilities, and the number of teachers, teacher's aides,

and therapists. Ontario offered the greatest access, with 48.7 percent of children with disabilities ages five to 14 years in the province receiving some form of special education service, while only 21.8 percent received services on Prince Edward Island, according to a 2006 study by the government's statistical agency. The proportion of such children receiving a special education service nationwide was 43.1 percent.

Disability rights NGOs reported that persons with disabilities experienced higher rates of unemployment and underemployment, lower rates of job retention, and higher rates of poverty and economic marginalization than their nondisabled peers.

Federal and provincial human rights commissions protected and promoted respect for the rights of persons with disabilities. The government provided services and monetary benefits, but disability groups noted a lack of coordination among services. Facilities existed to provide support for those with mental health disabilities, but mental health advocates asserted that the prison system was not sufficiently equipped or staffed to provide the care necessary for those in the criminal justice system, resulting in cases of segregation and self-harm.

In June the Ontario human rights commission issued the country's first comprehensive policy guidelines for accommodating persons with mental health disabilities and addictions. The policy sets out the obligations of landlords, employers, service providers, and others under the provincial human rights code as well as informs persons with disabilities of their legal rights.

Also in June the Quebec human and youth rights commission launched a series of informational videos in Quebec and American sign languages to inform persons with hearing disabilities of their rights.

Other References

Employment: The law and regulations prohibit discrimination with respect to employment or occupation on the basis of race, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. Some provinces, including Quebec, New Brunswick, and Newfoundland and Labrador, as well as the Northwest Territories, prohibit employment discrimination on the grounds of social origin, "social condition," and political opinion. Federal law requires equal pay for equal work for four designated groups in federally regulated industries enforced through the Canadian Human Rights Commission on a complaint basis: women, persons with disabilities, Aboriginal people, and visible minorities. Ontario and Quebec have pay equity laws that cover both the public and private sectors, and other provinces require pay equity only in the public sector.

Authorities encouraged individuals to resolve employment-related discrimination complaints through internal workplace dispute resolution processes as a first recourse, but federal and provincial human rights commissions investigated and mediated complaints and enforced the law and regulations. The government enforced the law effectively, but some critics complained that the process was complex and failed to issue rulings in a timely manner. Foreign migrant workers have the same labor rights as citizens and permanent residents, although NGOs alleged that discrimination occurred against migrant workers.

Societal Violence: There were no known reports of societal violence or discrimination against persons with HIV/AIDS. Courts generally interpreted prohibitions against discrimination on the basis of disability in federal and provincial human rights statutes to include discrimination against persons with HIV/AIDS.

Convention on the Rights of Persons with Disabilities

Canada signed the CRPD on 30/03/2007. The government ratified the CRPD on 11/03/2010.

Chile

Constitution and Laws

The constitution states that all persons are born free and are equal in terms of the law and dignity; however, it does not specifically identify groups protected from discrimination. The 2012 antidiscrimination law provides civil legal remedies to victims of discrimination based on race, ethnicity, nationality, socioeconomic situation, language, ideology or political opinion, religion or belief, association or participation in union organizations or lack thereof, gender, sexual orientation, gender identification, marriage status, age, affiliation, personal appearance, and sickness or physical disability. The law also increases criminal penalties for acts of violence based on 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, and the government effectively enforced these provisions. Nevertheless, persons with disabilities suffered forms of *de facto* discrimination. The law provides for universal and equal access to buildings, information, and communications. Most public buildings did not comply with legal accessibility mandates. The public transportation system, particularly outside Santiago, did not adequately provide accessibility for persons with disabilities. In recent years, however, TranSantiago, the main system of public transportation within Santiago, instituted changes to improve compliance with the law, including new ramp systems and elevators at certain metro stations, although many stations remained inaccessible to persons with physical disabilities.

The National Service for the Disabled (SENADIS) reported that children with disabilities attended school (primary and secondary) but noted difficulties in ensuring equal access to schooling at private institutions. SENADIS also reported that persons with disabilities had fewer opportunities to continue their education following secondary school. Persons with disabilities often faced discrimination in hiring; they constituted approximately 7.6 percent of the population but only 0.5 percent of the workforce.

SENADIS operates under the jurisdiction of the Ministry of Planning, has responsibility for protecting the rights of persons with disabilities, and advocates and promotes integration and protection policies throughout all government agencies.

Other References

Employment: The law and regulations prohibit discrimination based on race, sex, gender, disability, language, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. The law also provides civil legal remedies to victims of discrimination based on race, ethnicity, nationality, socioeconomic situation, language, ideology or political opinion, religion or belief, association or participation in union organizations or lack thereof, gender, sexual orientation, gender identification, marriage status, age, affiliation, personal appearance, and sickness or physical disability. Nevertheless, discrimination in employment and occupation continued to occur with respect to these groups (see section 6).

Convention on the Rights of Persons with Disabilities

Chile signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 29/07/2008.

Colombia

Constitution and Laws

The 2011 antidiscrimination law specifically prohibits discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status, but many of these prohibitions were not universally enforced.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to public buildings, air travel and other transportation, access to health care, or the provision of other state services. Somos Defensores and other NGOs claimed these laws were seldom enforced. There is no law mandating access to information and telecommunications for persons with disabilities. The Office of the Presidential Advisor for Human Rights under the Minister Counselor for Post-Conflict, Public Security, and Human Rights, along with the Human Rights Directorate at the Ministry of Interior, is responsible for protecting the rights of persons with disabilities.

The constitution establishes education as a fundamental right. Although children with disabilities attended school at all levels, advocates noted the vast majority of teachers and schools were neither trained nor equipped to educate children with disabilities successfully. Advocacy groups also stated children with disabilities entered the education system later and dropped out at higher rates than children without disabilities. Advocates also noted that children with disabilities were more vulnerable to sexual and other forms of abuse and that citizens with disabilities were hampered in their ability to vote and participate in civic affairs due to lack of adequate transportation or adequate access to voting facilities in numerous

locations throughout the country. Persons with disabilities were unemployed at a much higher rate than the general population (see section 7.d.).

On March 11, the Constitutional Court issued a decision upholding the legality of forced surgical sterilization of children with cognitive and psychosocial disabilities in certain cases. The court's decision stated, "In cases in which it has been proven that it is impossible for the child to develop the necessary understanding to decide about sterilization in the future, the parents or legal guardian may request authorization from a judge to utilize surgical contraception...A person who does not have the capacity to understand what sterilization consists of or what its consequences are would have difficulty understanding the responsibilities of parenthood and the implications of procreating." The ruling went on to state, "The decision to submit to surgical contraception assures a more dignified life condition for those who cannot make decisions related to the exercise of their reproductive rights and could be in risk of forced pregnancies that would violate their personal dignity."

In 2013 the State Council ordered all public offices to make facilities accessible to persons with disabilities and asked public officials to include requirements for accessibility when granting licenses for construction and occupancy. The State Council also asked every municipality to enforce rules that would make all public offices accessible to persons with disabilities "in a short amount of time." No information was available on how many public offices and facilities had complied with the order and undertaken accessibility reconstruction projects during the year. No information was available on fines or other penalties assessed against public offices that had not complied with the order.

Statutory Law 1618 passed in 2013 established a deadline of February 27, 2015, for public offices to comply with new accessibility requirements. The law stipulates that the National Council on Disability would be charged with monitoring compliance with the law.

During the year the municipal government of Bogota issued Decree 324, which adopts measures to guarantee effective access for persons with disabilities to the integrated public transportation system in the capital city.

Other References

Employment: The law prohibits discrimination in respect to employment or occupation regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. Complaints of quid pro quo sexual harassment are filed not with the Ministry of Labor but with the criminal courts; however, the government reported in 2012 that a system to follow up cases of sexual harassment at the workplace had been developed to enable labor inspectors to intervene, together with a protocol for receiving sexual harassment complaints for the purpose of providing legal advice and informing labor inspectors and public prosecutors. The government did not effectively enforce the law in all cases.

According to the UN resident coordinator, persons with disabilities were unemployed at a much higher rate than the general population, and unemployment among women was double that of men. The UN resident coordinator also stated that employment differences further highlighted societal discrimination based on race, noting that a black woman in the country earned on average 50 percent less than a man who is neither black nor indigenous.

Women: In March the Constitutional Court validated the practice of surgical sterilization of minors with intellectual and psychosocial disabilities (see section 6, Persons with Disabilities).

Convention on the Rights of Persons with Disabilities

Colombia signed the CRPD on 30/03/2007. The government ratified the CRPD on 10/05/2011.

Costa Rica

Constitution and Laws

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

Persons with Disabilities

The constitution prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, and access to health care or other state services. Discriminatory practices were reported in access to education, employment, information, public buildings, and transportation. The National Rehabilitation and Special Education Council (CNREE) is the government body responsible for protecting the rights of persons with disabilities and for coordinating interagency efforts. The law establishes a clear right to employment for persons with disabilities, but the government did not implement it. According to the 2011 INEC survey, 54 percent of individuals with disabilities between the ages of 15 and 65 were unemployed (see section 7.d.). In August the government launched an employment strategy that included policies to favor persons with disabilities. The government implemented the “empleate plus” program, a public-private partnership to promote employment among youth with a component for persons with disabilities.

From January to June, the Ombudsman’s Office reported receiving 269 complaints of discrimination against persons with disabilities, including 179 cases of restrictions on access to health services. During the first six months of 2013, the CNREE received 25 complaints for violations of the law regarding protection of equal opportunities for persons with disabilities. All 25 cases were investigated, and 23 remained under investigation as of August 2013. Although the law mandates access to buildings for persons with disabilities, the government did not enforce this provision, and many buildings remained inaccessible to persons with disabilities. Persons with disabilities did not have access to all public transportation. The CNREE also reported the education system required a comprehensive reform, especially in rural areas, to improve physical access to facilities, technical assistance and training,

interagency coordination, and support services in secondary schools.

Both the government policy on education and the national plan for higher education establish the right to education for students with special needs. The Ministry of Education operated a program for persons with disabilities that provided support services to students with special needs in both regular and special education systems. In 2012, the most recent year for which information available, there were 22 special education centers serving 4,286 students with disabilities. The government supported adults with disabilities through 28 attention centers. A political party, Accessibility without Exclusion, represented the interests of persons with disabilities and held one seat in the legislative assembly. The Supreme Elections Tribunal took measures (voting procedures, facilities, materials, and trained personnel) to provide for fully accessible elections for all persons with disabilities.

Other References

Employment: The laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government effectively enforced these laws and regulations. The Labor Ministry reported three cases of discrimination, including one in the northern area of the country; as of October, the three cases were under investigation.

Discrimination in employment and occupation occurred with respect to persons with disabilities and the LGBT population (see section 6). Discrimination against migrant workers occurred (see section 7.e.).

The government continued to implement the campaign for minimum wage compliance launched in 2010. During the first six months of the year, the Ministry of Labor conducted 8,880 visits to business establishments (6,920 of which were to microbusinesses and 1,607 to small businesses) to assess compliance with minimum wage laws. According to the ministry, 30.6 percent of the economically active population in the nonagricultural sector was in the informal economy. On August 14, the government launched a national strategy for employment and production that aimed at expanding decent work opportunities--particularly for working mothers and persons with disabilities--and creating 217,000 formal sector jobs in four years.

Convention on the Rights of Persons with Disabilities

Costa Rica signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 1/10/2008.

Cuba

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, or social status. Racial discrimination, however, occurred frequently in all levels of society, mostly directed at the Afro-Cuban population.

Persons with Disabilities

There is no known law prohibiting discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. A Ministry of Labor and Social Security resolution accords persons with disabilities the right to equal employment opportunities and equal pay for equal work. There was no information available, however, on compliance with this resolution. There are laws recommending that buildings, communications facilities, air travel, and other transportation services accommodate persons with disabilities, but these facilities and services were rarely accessible to persons with disabilities, and information for persons with disabilities was limited.

The Special Education Division of the Ministry of Education is responsible for the education and training of children with disabilities. Children with disabilities attended school; there were no known patterns of discriminatory abuse in educational facilities or in mental health facilities during the year. The Ministry of Labor and Social Security is in charge of the Employment Program for Persons with Disabilities.

Other References

Convention on the Rights of Persons with Disabilities

Cuba signed the CRPD on 26/04/2007. The government ratified the CRPD on 6/09/2007.

Dominica

Constitution and Laws

Persons with Disabilities

Although the government ratified the UN Convention on the Rights of Persons with Disabilities, it has not enacted provisions of the convention, nor does the law specifically prohibit discrimination against persons with disabilities. There is no legal requirement mandating access to buildings for such persons. Although disabled persons share the right to vote, in practice polling stations were often inaccessible. There is no state agency specifically responsible for protecting the rights of persons with disabilities or an official number of persons with disabilities who were unemployed. Civil society stated that unemployment numbers were very high, in part, because employers refused to hire persons with disabilities (see section 7.d.)

The government funded two special schools for children with intellectual or mental disabilities. Children with physical disabilities and those with hearing and vision impairments were integrated into mainstream schools. For the past three years, under an Education Enhancement Project, the government worked to increase the human resource capacity at schools to provide further services to students with disabilities, such as providing the services of a clinical psychologist and speech and language therapist. Primary and secondary schools established special education programs during the year.

Other References

Government and Nongovernmental Relationships: A number of domestic human rights and advocacy organizations operated without government restrictions. Several of these groups, such as the Association of Disabled People, the Dominica National Council of Women (DNCW), and a women and children's self-help organization, operated freely and without government interference.

Employment: The law does not prohibit discrimination regarding race, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. Discrimination in employment and occupation occurred with respect to women and persons with disabilities (see section 6).

Labor laws provide that the labor commissioner may authorize the employment of a person with disabilities at a wage lower than the minimum rate to enable that person to be employed gainfully. The labor commissioner has not authorized subminimum wages for the last few years.

Convention on the Rights of Persons with Disabilities

Dominica signed the CRPD on 30/03/2007. The government ratified the CRPD and Optional Protocol on 1/10/2012.

Dominican Republic

Constitution and Laws

Although the constitution prohibits discrimination based on race, gender, disability, language, and social status, such discrimination existed. The government seldom acknowledged that discrimination occurred or made efforts to address the problem.

Persons with Disabilities

Although the law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, these individuals encountered discrimination in employment and in obtaining other services. The law provides for physical access for persons with disabilities to all new public and private buildings and access to basic services. It also specifies that each ministry should collaborate with the National Disability Council to implement these provisions. Authorities worked to enforce these provisions, but a gap in implementation persisted. Very few public buildings were fully accessible.

In July the Ministry of Public Works and Communications constructed a curb and sidewalk along a major street, which received negative press coverage. The 10- inch-high, three-mile-long curb made it difficult for persons with mobility disabilities to navigate and included only five wheelchair-accessible ramps, primarily intended for vehicle use. The ministry explained the curb's significant height was designed to prevent vehicles from parking on the sidewalk, with little consideration given to the individuals the project would affect.

The Dominican Association for Rehabilitation received support from the Secretariat of Public Health and from the presidency to provide rehabilitation assistance to persons with physical and learning disabilities as well as to run schools for children with physical and mental disabilities. The association cited the lack of accessible public transportation for persons with disabilities as a major impediment.

The law states that the government should ensure that persons with disabilities have access to the labor market as well as cultural, recreational, and religious activities, but it was not consistently enforced (see section 7.d.). Persons with disabilities attended school at all levels; however, resources to meet their specific needs were often not sufficient both in terms of infrastructure and accessible materials. A 2012 UNESCO study reported that 70 percent of children with disabilities were not in school. The Santo Domingo Center for Integrated Care for Children, opened in November 2013 by First Lady Candida Montilla de Medina, assisted 200 children during the year. Several other centers remained under construction during the year.

Discrimination against persons with mental disabilities was common across all public and private sectors. Few resources were dedicated to those with mental disabilities.

Other References

Prison and Detention Centers: In the case of the CRCs, some prisoners with mental disabilities were separated and received treatment, including therapy, for their illnesses. There were no efforts to provide services to prisoners with mental disabilities in traditional prisons.

Employment: The law prohibits all forms of discrimination, exclusion or preference based on gender, age, race, color, nationality, social origin, political or union affiliation, religious belief, and against persons with HIV/AIDS. The government did not effectively enforce these provisions. There is no law against discrimination based on sexual preference.

Discrimination in employment and occupation occurred with respect to LGBT persons, especially transgender persons, against HIV/AIDS positive persons, against persons with disabilities, persons of darker skin color, and women (also see section 6). For instance, the ILO noted its concern regarding ongoing sexual harassment in the workplace, and urged the government to take specific steps to address existing social and cultural stereotypes contributing to discrimination in the country.

Convention on the Rights of Persons with Disabilities

The Dominican Republic signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 18/08/2009.

Ecuador

Constitution and Laws

The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status. The government did not fully enforce these prohibitions. Women, persons with disabilities, indigenous persons, Afro- Ecuadorians, and LGBT persons continued to face 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, or the provision of other government services. The National Council on Disability Equality oversees government policies regarding persons with disabilities. Although the law mandates access to buildings and promotes equal access to health, education, social security, employment, transport, and communications for persons with disabilities, the government did not fully enforce it. The law requires that 4 percent of employees in all public and private enterprises with more than 25 employees be persons with disabilities.

The law grants persons with disabilities the right to cost and fee reductions from several public and private entities, including utilities, transportation, and taxes. It also stipulates rights to health facilities and insurance coverage, increases access and inclusion in education, and creates a new program for scholarships and student loans for persons with disabilities. The law provides for special job security for those with disabilities or those who care for a person with disabilities, and it entitles employees who acquire a disability to rehabilitation and relocation. The law also creates a new national system intended to evaluate and register persons with disabilities. Many of the benefits in the law are transferable to a parent or primary caregiver. The law also gives the Human Rights Ombudsman's Office responsibility for following up on alleged violations of the rights of persons with disabilities and lays out a series of fines and punishments for lack of compliance with the law.

Advocates for persons with disabilities reported procedural regulations that went into effect in December 2013 reduce coverage, protection, and the legal recognition of some persons with disabilities. Individuals with disabilities that are considered less inhibitive--those that restrict their capacity to perform less than 40 percent of essential everyday activities--lost access to certain economic benefits, including health care, home loans, special retirement and disability payments, and reduced fees in utility services. On April 17, media outlets reported that these reductions also affected persons with disabilities in the areas of tax refunds and employment. The government continued a campaign to create jobs for persons with disabilities, provide funding to municipalities to improve access to public buildings, and open training and rehabilitation centers. The initiative also monitored the degree of compliance by companies that hire persons with disabilities. The caregivers of persons with severe disabilities received a monthly government subsidy of \$240. In December 2013 the Technical Secretariat for Disabilities reported that between 2010 and 2013, the government incorporated 60,758 persons with disabilities into the labor market.

The law directs the electoral authorities to provide access to and facilitate voting for persons with disabilities, and international observers commended the government's accommodations for persons with disabilities in this year's local elections. During the year the CNE promoted disability access in the electoral process through public outreach and workshops to train election observers with disabilities. In addition, during the February elections, the CNE initiated a program to allow in-home voting for those with severe disabilities.

Other References

Employment: The law and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation, and/or gender identity, HIV-positive status or other communicable diseases, or social status. The law prohibits employers from using discriminatory criteria in hiring, discriminating against unions, and retaliating against striking workers and their leaders. The government did not always effectively enforce those laws and regulations.

Freedom of Speech: A new criminal code went into effect on August 10. Article 176 of the new code establishes a prison sentence of up to three years for those who "disseminate, practice, or incite any distinction, restriction, or preference on grounds of nationality, ethnicity, place of birth, age, sex, gender identity or sexual orientation, cultural identity, marital status, language, religion, ideology, socioeconomic status, immigration status, disability, or health status with the aim of nullifying or impairing the recognition, enjoyment, or exercise of equal rights." According to some legal experts, the article could restrict freedom of speech.

Prison and Detention Centers: On June 4, Minister Zuniga reported the new prison centers inaugurated by the government-included spaces for prisoners with disabilities, training workshops, and recreation. Observers noted medical units in prison centers were not fully equipped, which also affected persons with disabilities.

Convention on the Rights of Persons with Disabilities

Ecuador signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 3/04/2008.

El Salvador

Constitution and Laws

Although the constitution and other laws provide that all persons are equal before the law and prohibit discrimination based on race, sex, gender, disability, language, sexual orientation, gender identity, or social status, the government did not effectively enforce these prohibitions. There was discrimination against women, persons with disabilities, LGBT persons, and indigenous people.

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. According to CONAIPD the government did not allocate sufficient resources to enforce these prohibitions effectively, particularly in education, employment, and transportation. The government did not effectively enforce legal requirements for access to buildings, information, and communications for persons with disabilities. There were almost no access ramps or provisions for the mobility of persons with disabilities. Children with disabilities generally attended school, but at higher levels attendance was more dependent on their parents' financial resources.

CONAIPD, composed of representatives of multiple government entities, is the government agency responsible for protecting disability rights, but it lacked enforcement power.

Only 5 percent of businesses and no government agency fulfilled the legal requirement of hiring one person with disabilities for every 25 hires.

There were no reported patterns of abuse in educational or mental health facilities, although CONAIPD previously reported isolated incidents, including sexual abuse, in those facilities.

CONAIPD reported employers frequently fired persons who acquired disabilities and would not consider persons with disabilities for work for which they qualified. Some schools would not accept children with disabilities due to lack of facilities and resources. There is no formal system for filing a complaint with the government.

During the year SIS and CONAIPD conducted awareness campaigns, provided sensitivity training, promoted employment of persons with disabilities, and trained doctors and teachers about the rights of persons with disabilities.

On April 4, the president approved the National Policy for the Comprehensive Attention for Persons with Disabilities, which includes an action plan to integrate persons with disabilities fully into society.

Several public and private organizations, including the Telethon Foundation for Disabled Rehabilitation and the National Institute for Comprehensive Rehabilitation (ISRI), promoted the rights of persons with disabilities. The Rehabilitation Foundation, in cooperation with ISRI, continued to operate a treatment center for persons with disabilities. CONAIPD reported that the government provided minimal funding for ISRI.

Other References

Employment: The constitution and regulations prohibit discrimination regarding race, sex, gender, disability, language, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce those laws and regulations. Sexual orientation and/or gender identity are not included in the constitution, although the PDDH and Ministry of Labor actively sought to protect such rights.

Discrimination in employment and occupation occurred with respect to gender, disability, and sexual orientation and/or gender identity (see sections 6 and 7.e.). According to the Ministry of Labor, migrant workers have the same rights as citizens, but the ministry did not enforce these rights.

Women: The law criminalizes rape, and the criminal code's definition of rape may apply to spousal rape. The law requires the FGR to prosecute rape cases whether or not the victim presses charges, and the law does not permit the victim to nullify the criminal charge. Generally, the penalty for rape is six to 10 years' imprisonment, but the law provides for a maximum sentence of 20 years for raping certain classes of victims, including children and persons with disabilities.

Prison and Detention Centers: Prisoners reportedly conducted criminal activities from their cells, at times with the complicity of prison guards. Smuggling of weapons, drugs, and other contraband such as cell phones and cell-phone SIM cards was a major problem in the prisons. As of September 2, prison authorities removed two guards from prisons for carrying illegal objects and sanctioned 74 guards for misconduct. There were no reported patterns of abuse of persons with disabilities in prisons, although the government's National Council for Comprehensive Attention to Persons with Disability (CONAIPD) previously reported isolated incidents, including sexual abuse.

Convention on the Rights of Persons with Disabilities

El Salvador signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 14/12/2007.

Grenada

Constitution and Laws

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, but the constitution and law do not protect persons with disabilities from discrimination in the provision of state services. Although the law does not mandate access to public buildings or services, building owners increasingly incorporated accessibility features into new construction and premises renovation. The government provided for special education throughout the school system; however, for practical reasons, most parents chose to send their children to three special education schools operating in the country. The government and nongovernmental organizations (NGOs) continued to provide training and work opportunities for such persons. The Ministry of Social Development includes an office responsible for looking after persons with disabilities, as well as a council for the disabled, which reviews disability-related issues.

Other References

Employment: The law prohibits discrimination in respect to employment or occupation regarding race, color, national extraction, social origin, religion, political opinion, sex, age, or disability. The law does not prohibit discrimination in respect to employment or occupation regarding language, HIV-positive status or other communicable diseases, sexual orientation and/or gender identity. In general the government effectively enforced these laws and regulations. There were no reports discrimination with respect to employment and occupation occurred.

Convention on the Rights of Persons with Disabilities

Grenada signed the CRPD on 12/07/2010. The government ratified the CRPD on 28/8/2014.

Guatemala

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. The government frequently did not enforce these provisions, and there was no protection related to sexual orientation and gender identity discrimination.

Persons with Disabilities

The constitution contains no specific prohibitions against discrimination based on physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services. The law, however, mandates equal access to public facilities and provides some other legal protections. In many cases the law was not enforced, and the government devoted few resources to addressing the problem. The law does not mandate that persons with disabilities have access to information or communications. Accessible public transportation was minimal.

The National Council for Persons with Disabilities reported few persons with disabilities attended educational institutions or held jobs. The council, composed of representatives of relevant government ministries and agencies, is the principal government entity responsible for protecting the rights of persons with disabilities. The council met regularly to discuss initiatives and had a budget of 10.6 million quetzales (\$1.38 million). There were no reports on what, if any, effect the council had on meeting the needs of persons with disabilities.

There were minimal educational resources for persons with special needs. Most universities did not have accessible facilities for persons with disabilities.

The Frederico Mora National Hospital for Mental Health, the principal health provider for persons with mental illness, lacked basic supplies, equipment, hygienic living conditions, and adequate professional staff. In 2012 Disability Rights International filed a complaint with the

Inter-American Commission on Human Rights and documented mistreatment of mentally ill patients. Later that year the commission found the charges credible and ordered preventive measures aimed at protecting all patients, particularly women and children, from physical, psychological, and sexual violence by other patients, guards, and hospital staff. In 2013 the government agreed to initiate a series of reforms and implement new legal protections for mentally ill persons and those with disabilities. Principal concerns at Frederico Mora remained centered on security, in particular the practice of housing those awaiting criminal proceedings in the same facility as the general population. Additional complaints raised during the year included that patients with serious mental, psychiatric, and physical disabilities were mixed within the general population. As of December disability rights organizations noted no changes had occurred.

Other References

Employment: The law explicitly prohibits discrimination with respect to employment or occupation regarding race, sex, religion, and disability. The government did not effectively enforce these laws and regulations. The law does not explicitly prohibit employment discrimination based on language, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status.

Convention on the Rights of Persons with Disabilities

Guatemala signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 7/04/2009.

Guyana

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, social status, religion, or national origin.

Persons with Disabilities

The constitution mandates the state to “take legislative and other measures” designed to protect disadvantaged persons and persons with disabilities. The law provides for equal protection and for a National Commission on Disabilities (NCD) to advise the government, coordinate actions on problems affecting persons with disabilities, and implement and monitor the law. The NCD focused its attention on sensitizing the public about the law and on compliance, as well as performing sensitization workshops with the Ministries of Labor, Human Services and Social Security, Education, and Health.

There were specialized schools for the blind and special schools for persons with disabilities in regions four and six, the most populous regions of the country. Non- specialized schools lacked the curriculum and infrastructure necessary to accommodate children with disabilities. Lack of appropriate transportation and infrastructure to provide access to both public and private

facilities made it difficult for persons with disabilities to be employed outside their homes. The NCD received very few complaints from persons who experienced discrimination.

Other References

Employment: The law prohibits discrimination based on race, sex, gender, disability, language, HIV positive status or other communicable diseases, social status, and nationality. The government did not effectively enforce the law. The law does not prohibit discrimination based on sexual orientation or gender identity. Discrimination in employment and occupation occurred with respect to women and to persons based on their sexual orientation or gender identity (see section 6).

Convention on the Rights of Persons with Disabilities

Guyana signed the CRPD on 11/04/2007. The government ratified the CRPD on 10/09/2014.

Haiti

Constitution and Laws

Persons with Disabilities

The constitution stipulates for persons with disabilities the means to provide for their autonomy, education, and independence. The law prohibits any discrimination in employment practices against persons with disabilities, requires the government to integrate such persons into the state's public services, and imposes a 2 percent quota for persons with disabilities in the workforces of private sector companies. There was no information available on the extent of government enforcement of these legal protection mechanisms. Government officials also took steps to include protections for persons with disabilities to vote.

The 2010 earthquake substantially increased the size of the community of persons with disabilities and focused international attention on the need to bolster support mechanisms for this group. Because of widespread and chronic poverty, a shortage of public services, and limited educational opportunities, persons with disabilities remained disadvantaged.

Additionally, individuals with disabilities faced significant social stigma because of their condition. As a group, persons with mental or developmental disabilities were consistently marginalized, neglected, and abused in society. While information about the number of persons with disabilities was scarce at the national level, the Office of the Secretary of State for the Integration of Handicapped Persons (BSEIPH), which falls under the Labor Ministry, estimated that 10 percent of citizens had disabilities. The BSEIPH is the lead government agency responsible for providing assistance to persons with disabilities and ensuring their civil, political, and social inclusion. International and local NGOs continued to provide most direct services to persons with disabilities. Access to quality medical care posed a significant challenge for persons with disabilities. Hospitals and clinics in Port-au-Prince did not have sufficient space, human resources, or public funds to treat such individuals. Where facilities existed to treat and

rehabilitate them, the conditions were below international standards.

The BSEIPH has several departmental offices outside the capital and continued to refine a strategic development plan to guide the institution's efforts. The BSEIPH also offered scholarships and grants to students with disabilities and initiated a program to help fund the study of disabilities-related issues at the Haitian State University. In June, in partnership with international donors, the BSEIPH renovated two schools in Jacmel to make them accessible to children with disabilities. The government continued to hold public awareness campaigns to change the societal norms of weakness associated with being physically or mentally disabled.

The BSEIPH continued to ensure that existing efforts to craft or reform legislation took into account the needs of persons with disabilities. The BSEIPH continued to provide technical assistance to governmental efforts to harmonize the labor code to the law on the integration of persons with disability, reform domestic adoptions framework, and conform the building code (in partnership with representatives from the Labor Ministry, IBESR, and Ministry of Public Works, Transport, and Communications) to standards of universal accessibility. Similarly, the BSEIPH worked with international NGO Handicap International and the Ministry of Public Health to develop standardized training protocols for physical therapists and other health practitioners.

Other References

Employment: The constitution provides for freedom of work for all citizens and prohibits discrimination based on sex, origin, religion, opinion, or marital status. For public sector employment, the constitution sets a minimum quota of 30 percent for women. The labor code does not define employment discrimination, although it sets out specific provisions with respect to the rights and obligations of foreigners and women such as the conditions to obtain a work permit, foreign worker quotas, and provisions related to maternity leave. The law does not prohibit discrimination based on disability, language, sexual orientation and/or gender identity, social status, and HIV-positive status. There are also no penalties provided for by law sanctioning discrimination with respect to employment or occupation.

The government took some steps to enforce the laws through administrative methods, through the Ministry of Women's Conditions and the Secretary of State for the Integration of the Disabled. In the private sector, several work areas, which used to be predominantly male-oriented, began engaging female workers at the same pay scale, including the public transportation and construction industries. Despite these improvements discrimination related to gender remained a major concern, although there was no governmental assessment or report of work abuses. In the garment industry, the April ILO Better Work Haiti report found incidences of sexual harassment of workers in their workplace.

Convention on the Rights of Persons with Disabilities

Haiti ratified the CCRPD and Optional Protocol on 23/07/2009.

Honduras

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status. In 2013 the National Congress reformed the penal code to include sexual orientation and gender identity as classes protected from discrimination. Authorities did not effectively enforce these laws.

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. Although enforcement in employment is the responsibility of the Secretariat of State of Labor and Social Security (STSS), enforcement was not effective due to the secretariat's focus on workplace safety and pay problems. Enforcement of the laws in other areas is the responsibility of the Public Ministry. The law requires access to buildings for persons with disabilities, but few buildings were accessible, and the national government did not effectively implement laws or programs to provide access.

Some students with disabilities attended school (primary, secondary, and higher education). The Ministry of Education created special classrooms for children with reading and writing disabilities and managed pilot projects for children with severe disabilities. The law includes provisions for inclusive education for students with special needs. The ministry promulgated regulations to implement the law and created a separate division to manage special education. According to the ministry, the national education system served 49,981 students with special needs in 2013. Patterns of abuse were reported in mental health facilities, including degrading treatment, arbitrary commitment, inappropriate use of physical restraints, unhygienic conditions, inadequate or dangerous medical care, and sexual or other violence.

The government did not implement its policy on persons with disabilities. The government had a disabilities unit in the Secretariat of State of Development and Social Inclusion. In the postelection government restructuring, the government eliminated the office of the special commissioner for disabilities of the Secretariat of State of the Presidency.

Other References

Employment: The law prohibits discrimination with respect to access to employment on the basis of age, sex, disability, nationality, race, religion, political opinion, language, sexual orientation and/or gender identity, HIV-positive status, or social status. The law prohibits employers from requiring pregnancy tests as a prerequisite to employment. The government did not effectively enforce these laws and regulations.

Persons with disabilities, women, indigenous and Afro-Honduran persons, LGBT persons, and persons with HIV/AIDS faced discrimination in employment and occupation (also see section 6).

Freedom of Speech: The law prohibits discrimination based on race, gender, disability, language, or social status. In 2013 the National Congress reformed the penal code to include

sexual orientation and gender identity as classes protected from discrimination. Authorities did not effectively enforce these laws.

Prison and Detention Centers: Authorities held prisoners with mental disabilities with the general prison population. They also held persons with mental illnesses, as well as those with tuberculosis and other infectious diseases, with the general prison population. Authorities at the National Penitentiary in Tamara reported their facility was the only prison with an antiretroviral treatment program, but it did not have necessary materials to test for or diagnose HIV/AIDS, tuberculosis, or diabetes. In addition the surgical unit lacked anesthesia, surgical gloves, and needles.

Convention on the Rights of Persons with Disabilities

Honduras signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 14/04/2008 and Optional Protocol on 16/08/2010.

Jamaica

Constitution and Laws

Persons with Disabilities

While the law prohibits discrimination against persons with disabilities, it does not mandate accessibility standards. Persons with disabilities encountered discrimination in employment and access to schools--usually due to the state of the infrastructure, which limited access to buildings and provided few special facilities. In 2013 Senator Floyd Morris was sworn in as the first blind president of the senate; he promoted rights of persons with disabilities and began advocating with local businesses and organizations to help fund projects to improve access to sidewalks and buildings by persons with disabilities.

Limitations in access to education were particularly pronounced at the primary level due to insufficient facilities and access for persons with disabilities. The deficiencies were due primarily to lack of funding to install access ramps, renovate classrooms, and widen doors and restroom facilities in older schools, or to construct newer, accessible schools. There was also a lack of suitably trained faculty to properly care for and instruct students with disabilities. This resulted in students with disabilities not being able to attend school as regularly as their peers. There were fewer reports of problems in secondary schools. Tertiary institutions, including community colleges, increasingly drafted policies to promote full inclusion of persons with disabilities. The Disabilities Act, passed in October, provides for the "full and effective participation and inclusion in the society for persons with disabilities on an equal basis with others" and establishes a Disabilities Rights Tribunal to hear complaints. The Jamaica Council for Persons with Disability conducted a nationwide survey to determine the full scope of the problem in the schools. Health care reportedly was universally available.

The Ministry of Labor has responsibility for the Jamaica Council for Persons with Disabilities. The council distributes economic empowerment grants of up to \$50,000 JMD (\$446) to persons with disabilities to help them embark on small entrepreneurial ventures, such as vending or furniture making, or to provide them with assistive aids, such as prosthetics or hearing aids. Smaller rehabilitation grants of up to \$15,000 JMD (\$134) were available for similar purposes. The Ministry of Labor also has responsibility for the Early Stimulation Project, an education program for children with disabilities, as well as the Abilities Foundation, a vocational program for older persons with disabilities.

Other References

Employment: Laws and regulations prohibit discrimination on the grounds of race, sex, gender, place of origin, social status, color, disability, religion, or political opinions. The law does not prohibit discrimination on the basis of sexual orientation and/or gender identity or HIV-positive status. The Disabilities Act, passed in October, addresses issues not specifically or adequately addressed by prior legislation.

There were no reports of cases filed for discrimination in employment or occupation during the year; however, anecdotal evidence from NGOs indicated that certain groups, especially members of the LGBT community, experienced discrimination when seeking or maintaining employment. Individuals may file legal complaints against employers in such cases, but observers noted that fear of social stigma and lack of confidence in the inefficient legal system probably discouraged the victims from actively pursuing their complaints. Employment discrimination also occurred with respect to disability and HIV-positive status (see section 6).

Convention on the Rights of Persons with Disabilities

Jamaica signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD on 30/03/2007.

Mexico

Constitution and Laws

Persons with Disabilities

Council for Development and Inclusion of Persons with Disabilities, CNDH, and National Council to Prevent Discrimination, worked in support of the country's efforts to carry out its obligations under the UN Convention on the Rights of Persons with Disabilities.

Although the Law for the Inclusion of People with Disabilities attempts to bring the country into compliance with the Convention on the Rights of Persons with Disabilities, the DRI claimed the law fails to establish new opportunities for community integration. The DRI noted under the law the ministry of health is required to promote the creation of long-term institutions for persons with disabilities in distress, and the ministry of social development must establish

specialized institutions to care for, protect, and house persons with disabilities in poverty, neglect, or marginalization. As such, the DRI noted the law does not recognize the right of a person with disabilities to live in the community.

A January 2013 government decree regarding various mental health provisions of the general health law directs mental health care be “provided with a focus on community and psychosocial rehabilitation as well as strict respect for human rights.” The decree requires mental health-care treatment to include “the reintegration of the person through the creation of social and welfare programs such as protected homes and workshops for the proper care of these patients.” The DRI noted the changes represented positive signs that the country’s mental health services were moving from an institution-based to a community-based mental health system. For the first time in law, there is a provision for independent monitoring of health establishments, in which independent experts monitor human rights conditions for persons with mental and behavioral disabilities treated in health facilities. The DRI reported no changes in the mental health system to create community services nor any efforts by authorities to have independent experts monitor human rights violations in psychiatric institutions.

Public buildings and facilities continued to be in noncompliance with the law requiring access for persons with disabilities. The education system provided special education for students with disabilities nationwide. Children with disabilities attended at a lower rate than those without disabilities.

Human rights abuses in mental health institutions and care facilities across the country, including those for children, continued to be a problem. Abuses of persons with disabilities included lack of access to justice, the use of physical and chemical restraints, physical and sexual abuse, disappearances, and illegal adoption of institutionalized children. Institutionalized persons with disabilities often lacked adequate privacy and clothing and often ate, slept, and bathed in unhygienic conditions. They were vulnerable to abuse from staff members, other patients, or guests at facilities where there was inadequate supervision. Documentation supporting the person’s identity and origin was lacking, and there were instances of disappearances.

In August, for instance, observers noted poor conditions at a center of social assistance and integration in the Federal District for men with psychosocial disabilities.

A supreme court ruling remained pending in the 2013 case of Ricardo Adair, a 25- year-old with Asperger syndrome who a judicial review determined was unable to make decisions on his own. In an amicus curiae brief, the DRI and other human rights entities urged the court to recognize the right of persons with psychosocial disabilities to make decisions for their own care.

Persons with disabilities have the right to vote and participate in civic affairs. Voting centers for federal elections are generally accessible for persons with disabilities, and ballots are available with a braille overlay for federal elections. In Mexico City voting centers were also reportedly accessible for local elections and braille overlays were available, but in local elections elsewhere

in the country, the accessibility for voting centers and the availability of braille ballots or overlays was inconsistent.

Other References

Children: The NGO Disability Rights International (DRI) continued to express grave concerns regarding violations of the rights of children with mental and physical disabilities in orphanages and care facilities.

Employment: The law prohibits discrimination with respect to employment or occupation regarding ethnic origin, gender, age, disability, health, social and migratory conditions, religion, opinion, sexual orientation, or social status. The government effectively enforced these laws and regulations. Nevertheless, discrimination in employment or occupation occurred against women, indigenous groups, persons with disabilities, LGBT persons, and migrant workers (also see section 6).

Convention on the Rights of Persons with Disabilities

Mexico signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 17/12/2007.

Nicaragua

Constitution and Laws

The law prohibits discrimination on the basis of race, gender, disability, language, or social status; however, the government did not regularly enforce these legal prohibitions. Persons thus discriminated against filed few discrimination suits or formal complaints due to a belief their complaints would not be addressed and could lead to negative outcomes for those filing.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, but such discrimination was widespread in employment (see section 7.d.), education, transportation, access to health care, and the provision of state services. Laws related to persons with disabilities did not stipulate penalties for noncompliant companies, although penalties may be issued under the general labor inspection code. MiFamilia, the Ministry of Labor, and the PDDH are among government agencies responsible for the protection and advancement of rights for persons with disabilities. The government did not enforce effectively the law with regard to the protection of such individuals; did not mandate accessibility to buildings, information, and communications; and did not make information available on efforts to improve respect for the rights of persons with disabilities. Independent media reported that less than 1 percent of public sector employees hired were persons with disabilities, although that percentage is mandated by law, and public institutions did not sufficiently coordinate with the Labor Ministry regarding the rights of persons with disabilities.

Persons with disabilities faced severe problems accessing schools, public health facilities, and other public institutions. The law did not restrict persons with disabilities' right to vote, although many voting facilities were not accessible to persons with disabilities. Complaints continued regarding the lack of an accessible public transportation system in Managua. While some buses were accessible to persons with disabilities, reports continued that drivers of these equipped buses either refused to stop to allow persons with disabilities to board or intentionally broke lift and ramp equipment on their buses. The press reported the Managua Mayor's Office sponsored relevant training for bus drivers through transportation cooperatives. The PDDH special prosecutor for disability rights was active throughout the year. Government clinics and hospitals provided care for veterans and other persons with disabilities, but the quality of care generally was poor.

Other References

Employment: Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce these laws and regulations.

Discrimination in employment and occupation occurred with respect to women, persons with disabilities, sexual orientation, and gender identity (see section 6).

Trial Procedures: Defendants are presumed innocent until proven guilty. Under the law defendants have the right to be fully informed of the charges against them and the right to a fair trial. Where the law establishes specific time periods for cases to come to trial, most encountered undue delay. Trials are public, but in some cases involving minors or at the victim's request they may be private. The law provides defendants with the option of a jury trial, but certain types of cases (drugs, organized crime, money laundering) do not have the option for a jury trial and must be decided by a judge. Defendants have the right to legal counsel, and the state provides public defenders for indigent persons. Defendants have the right to adequate time and facilities to prepare a defense and access to all information and evidence registered with the government, as well as the right to know why and how it was obtained, but only during the discovery and trial phases, not during the pretrial period. Defendants can confront and question witnesses and have the right to appeal a conviction. Defendants may present their own witnesses and evidence in their defense; however, some judges refused to admit evidence on behalf of the defense. Defendants cannot be compelled to testify or confess guilt. The law extends these rights to all citizens regardless of gender, ethnicity, disability, or other status.

Convention on the Rights of Persons with Disabilities

Nicaragua signed the CRPD on 30/03/2007, and the Optional Protocol on 21/20/2008. The government ratified the CRPD on 7/12/2007, and the Optional Protocol on 2/2/2010.

Panama

Constitution and Laws

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

Persons with Disabilities

The law prohibits discrimination based on physical, sensory, intellectual, or mental disability, but the constitution permits the denial of naturalization to persons with mental or physical disabilities. The law mandates access to new or remodeled public buildings for persons with disabilities and requires that schools integrate children with disabilities. Persons with disabilities experienced substantial discrimination in access to transportation, employment, education, access to health care, and the provision of other state services. Panama City's fleet of new buses was wheelchair accessible when first introduced in 2011, but the subsequent installation of turnstiles made access difficult for passengers using wheelchairs. The Panama City metro system, inaugurated in April, includes elevators for access for persons with disabilities, yet most of the time the elevators were locked and could not be used. Most businesses had wheelchair ramps and accessible parking spaces as required by law, but in many cases, they did not meet government specifications as to size. Some public schools admitted children with mental and physical disabilities, but most did not have adequate facilities for other children with disabilities. The government installed ramps in some schools and mainstreamed some children with disabilities. Few private schools admitted children with disabilities.

The 2012 Guardian Angel program, which provides a subsidy of 80 balboas (\$80) per month for children with significant physical disabilities, continued during the year. To qualify, the parents or guardian of a child must be living in poverty and must submit medical certification as to the degree of the disability and the child's dependency on another person. A total of 7,286 persons with disabilities received a check for 160 balboas (\$160) during the fourth fund disbursement in October.

The new administration allowed relatives of the recipients to find out, via the Ministry of Social Development webpage, where checks were being disbursed.

As of August there was no ruling from the Supreme Court regarding a challenge to Law 35 on grounds of discrimination and the protection of private information. The 2010 law mandates that the National Electoral Tribunal include a person's disabilities as well as blood type and allergies on his or her national identification card in case of emergency. The law also requires the National Transportation Authority to include the same information on a state-issued driver's license. Neither the Electoral Tribunal nor the National Transportation Authority enforced this law.

The National Secretariat for the Social Integration of Persons with Disabilities (SENADIS) is the government agency responsible for protecting the rights of persons with disabilities. The

Ministries of Education and of Social Development share responsibilities for educating and training minors with disabilities.

In May, together with the National Secretariat for Science and Technology, SENADIS opened the first “infoplaza,” or free internet cafe, run by an NGO managed by persons with disabilities. The “Colon Club for Blind Persons” was chosen by both government secretariats to run this center. All computers had software installed for users with disabilities.

In June SENADIS inaugurated a new building to host the National Directorate for Certification to comply with the World Health Organization’s mandated Disability Assessment. By August more than 200 applications had been filed by persons with disabilities or their legal mentors to be on the waiting list for their appointments.

The law stipulates a 2 percent quota for persons with disabilities within the workforce. The Ministry of Labor is responsible for referring workers with disabilities to employers for suitable jobs; however, successful hiring by private sector employers remained poor. In August SENADIS, the Ministry of Labor, and the local NGO Sumarse sponsored a career fair with 67 large local companies to offer jobs to persons with disabilities. In August the administrative court within the Supreme Court ruled illegal the 2010 dismissal of a public servant with disabilities by the Ministry of Economy and Finance and ordered his return to service. Although the ministry justified the layoff stating that the employee was in a political appointee position, which allows removal at any time, the court stated that the ministry should have taken into consideration international conventions and local laws promoting equal opportunities for employment (see section 7.d.).

SENADIS continued to operate the Family Businesses Project, which assisted low- income families with disabled members to open microbusinesses. In July the government provided 50 balboas (\$50) per month to 115 new beneficiaries. Throughout the year the government also donated rehabilitation equipment to low- income persons with disabilities.

In June SENADIS trained PNP staff on the rights of persons with disabilities. In July it trained COPA Airlines customer service personnel, and in August it trained nurse students from the Latin University on sign language.

Other References

Employment: Labor laws and regulations prohibit discrimination regarding race, gender, disability, language, and social status but do not do so on the basis of sexual orientation and/or gender identity, HIV-positive status or other communicable diseases, or social status. The government did not effectively enforce these laws and regulations.

Discrimination in employment and occupation occurred with respect to race, sex, gender, disability, sexual orientation and/or gender identity, and HIV-positive status (see section 6). Discrimination against migrant workers also occurred (see section 6).

Convention on the Rights of Persons with Disabilities

Panama signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 7/08/2007.

Paraguay

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, language, or social status, but it was not effectively enforced. Women, LGBT persons, indigenous persons, and persons of African ancestry also faced discrimination. The country has no comprehensive law against discrimination, which undermined enforcement of the constitutional clause against discrimination and the protection and restitution for victims of discrimination and societal abuses.

Persons with Disabilities

The law nominally prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, public transportation, access to health care, or the provision of other state services. The law generally does not mandate accessibility for persons with disabilities, and most of the country's buildings remained inaccessible.

In 2011 the municipality of Asuncion approved an ordinance establishing architectural requirements for accessibility to buildings and on sidewalks, as well as fines for lack of compliance. Subsequently, Asuncion, San Lorenzo, and the National University of Asuncion began to improve accessibility to public sidewalks and in public buildings. In 2012 the National Directorate for Public Procurement modified its bidding terms to include clauses for public construction projects to provide accessibility to persons with disabilities. In 2013 the Municipality of Asuncion inaugurated some public buildings with ramps and bathrooms accessible to persons with disabilities. The municipality began including ramps in some sidewalks, and traffic police fined drivers whose cars blocked access to them. In 2013 the executive branch signed into law the Physical Accessibility Law.

Many persons with disabilities faced significant discrimination in employment; others were unable to seek employment because of a lack of accessible public transportation. The law mandates the allocation of 5 percent of all available public employee positions, approximately 10,000 positions, to persons with disabilities.

As of 2013 government employees with disabilities constituted less than 1 percent of public sector employees, or approximately 1,000 employees. A 2013 law provides a tax incentive for private companies to hire persons with disabilities.

The Ministry of Education estimated at least half of all children with disabilities did not attend school because public buses could not accommodate them. In 2013 the executive branch signed into a law that mandates inclusion of students with disabilities in both the public and

private education systems.

The preliminary results of the DGEEC 2012 national census indicated that 12 percent of the population had some form of disability, a significant increase from 1 percent in previous censuses.

The National Secretariat for the Rights of Persons with Disabilities is responsible for certifying disability status. No laws provide for access to information and communications.

Other References

Employment: The labor code specifically prohibits discrimination based on race, color of skin, gender, religion, political affiliation, or social status. Other legislation prohibits discrimination based on disability and HIV status. Laws and regulations mandate that five percent of public employees be persons with disabilities. These laws and regulations were often not enforced. There is no legislation forbidding labor discrimination based on sexual orientation, language, or having a communicable disease.

Employment discrimination mostly occurred in regards to sex, race, disability, language, sexual orientation, HIV-positive status, and for pregnancy.

Discrimination in employment occurred with respect to women, indigenous groups, Afro-Paraguayans, and LGBT persons (see section 6). Testing and discrimination for contagious diseases and HIV was common.

Discrimination against domestic workers was common. Domestic workers had lesser legal protections and wages and poorer working conditions. Undocumented migrant workers from Brazil and other countries working in the service sector in Ciudad del Este suffered discrimination. Transvestite persons faced severe labor discrimination, even from other LGBT individual persons, and many engaged in prostitution as a result.

Political Participation: During the 2013 general elections, the TSJE collaborated with a local NGO Saraki Foundation to foster the participation of persons with disabilities. In anticipation of the 2015 municipal elections, the TSJE was promoting accessibility to provide for participation of persons with disabilities. These initiatives included voter registration and physical accessibility to polling stations and voting booths.

Prison and Detention Centers: According to a Ministry of Justice report in March, the country's 16 penitentiaries held 10,843 inmates, 63 percent more than their design capacity of 6,637. The prison in Ciudad del Este, designed to hold 450 inmates, held 1,182, and the prison in Tacumbu, designed to hold 1,687 inmates, held 2,611. Conditions in the Tacumbu, Ciudad del Este, and several other prisons were inadequate, with widespread overcrowding and unsanitary living conditions. In an effort to address this situation, the government stopped putting new prisoners in Tacumbu and Ciudad del Este prisons and transferred existing prisoners to less crowded prisons. The ministry reported the prison population included 124 prisoners with diagnosed mental illness, 102 with tuberculosis, and 44 with HIV. Only the Padre Juan A. de la Vega prison,

opened in 2012, was built with adequate temperature controls and reasonable accommodations (such as ramps) for prisoners with physical disabilities. The remaining 15 penitentiaries did not have adequate accommodations for inmates with physical disabilities.

Convention on the Rights of Persons with Disabilities

Paraguay signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 3/09/3008.

Peru

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status, but enforcement lagged, and discrimination persisted. The law does not specifically protect individuals from discrimination based on sexual orientation or gender identity.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transport, access to health care, and provisions of state services, and it establishes infractions and sanctions for noncompliance with specified norms. The law provides for the protection, care, rehabilitation, security, and social inclusion of persons with disabilities; mandates that public spaces be free of barriers and accessible to persons with disabilities; and provides for the appointment of a disability rights specialist in the Ombudsman's Office.

In addition the law mandates that internet sites maintained by governmental, institutional, and other service providers be accessible to persons with disabilities and requires accessibility through the inclusion of sign language or subtitles in all educational and cultural programs on public television and in media alternatives in all public libraries. The law establishes employment quotas for persons with disabilities: 3 percent for private businesses with more than 50 employees and 5 percent for public sector organizations. On April 8, the government passed implementing regulations that specify procedures for implementing the quotas and establish fines for companies and government agencies not in compliance with the law. Congress included several individuals with disabilities, including two wheelchair users and one individual with two prosthetic arms.

The National Council for the Integration of Persons with Disabilities oversees compliance with the law. The council supported 14 regional workshops with both public- and private-sector participants, three national workshops with persons with disabilities, and technical multi-sectoral meetings to develop strategies and activities to implement the law. The Ministry of Women and Vulnerable Populations coordinated with the National Assembly of University Rectors to raise awareness of the need for universities to provide reasonable accommodation to support matriculation and graduation of persons with disabilities.

The government devoted limited resources to law enforcement and training, and many persons with disabilities remained economically and socially marginalized. Governments at the national, regional, and local levels made little effort to provide access to public buildings. There were few interpreters for deaf persons in government offices and no access to recordings or Braille for blind persons. The majority of government websites remained inaccessible to persons with disabilities, and only the congressional television channel offered sign language interpretation. INEI reported that there were 18 registered sign language interpreters for more than 500,000 deaf persons.

The government failed to enforce laws safeguarding and attending to persons with mental disabilities in situations of social abandonment. The number of medical personnel providing services in psychiatric institutions was insufficient to care for all patients.

The ombudsman and NGOs reported that many children with disabilities were unable to attend public schools due to lack of physical access. The most recent data, from a 2011 Ombudsman's Office report, noted that nearly half of public schools had no entrance ramps, and 88 percent lacked restrooms to accommodate persons with disabilities. Relatively few teachers (39 percent) had received any training in inclusive or special education. More than half of public schools did not meet basic standards for students with disabilities.

Other References

Employment: The law prohibits discrimination with respect to employment based on race, gender, disability, language, or social status. The law does not specifically identify discrimination based on sexual orientation and/or gender identity, HIV-positive status, or other communicable diseases. The government did not effectively enforce the law.

Discrimination in employment and occupation occurred with respect to race, sex, gender, disability, sexual orientation and/or gender identity, and social status (see section 6). NGOs and labor rights advocates noted that discrimination cases often went unreported to authorities, in part due to a lack of confidence in the legal system to effectively address the case and protect the individuals in question.

Reforms to the Inspection Law provide employers found in violation of labor law a grace period of three years during which SUNAFIL stipulates actions to "prevent and correct" violations. The law also specifies that during this three-year grace period, employers are fined no more than 35 percent of the value of the fines levied during this period. Exceptions to this provision include fines for very serious violations of trade union rights, violations of safety and health norms when they result in death or permanent disability of the worker, child labor, forced labor, obstruction of inspections, and recidivist conduct within a six-month period. Labor NGOs reported concern that these new modifications weaken the enforcement mechanism of the national labor inspectorate.

Prison and Detention Centers: Basic medical care was available at most prisons, but there was a shortage of doctors, and inmates complained of having to pay for medical attention.

Tuberculosis and HIV/AIDS reportedly remained at near-epidemic levels; the Ombudsman's Office reported the incidence of tuberculosis was 50 times higher than outside the prisons, while the HIV/AIDS rate was more than eight times higher. The Ombudsman's Office reported insufficient accessibility and inadequate facilities for prisoners with disabilities. Prisons lacked specialized medical equipment needed for disability care, such as wheelchairs and transferrable beds. Low accessibility to adequate psychological care for prisoners with mental health problems was also reported.

Congressional Human Rights Bodies: Congressional committees included Justice and Human Rights; Women and the Family; Labor; Andean, Amazonian, Afro-Peruvian Peoples and Environment and Ecology; Health, Population, and Persons with Disabilities; and Women and Social Development.

Women: Violence against women and girls – including rape, spousal abuse, and sexual, physical, and mental abuse – remained serious national problems. The Ministry of Women and Vulnerable Populations reported that an average of seven women died per month as a result of domestic violence. As of September the ministry documented more than 21,000 cases of violence against women. Police and judicial authorities were sometimes reluctant to assist female victims, and arrest and prosecute abusers. The government reported 66 actual and 88 attempted femicides as of September. Femicide is incorporated into the criminal code and carries a minimum sentence of 15 years' imprisonment for those convicted of killing a woman who is an immediate relative, spouse, or partner. The law establishes sentences of up to life in prison when the victim is a minor, pregnant, or disabled.

Convention on the Rights of Persons with Disabilities

Peru signed the CRPD and Optional Protocol on 30/03/2007. The government ratified the CRPD and Optional Protocol on 30/01/2008.

St. Kitts and Nevis

Constitution and Laws

The constitution prohibits discrimination on the basis of race, color, or sex, and the government generally respected these prohibitions. No specific legislation addresses discrimination based on disability, language, sexual orientation or gender identity, or social status.

Persons with Disabilities

The law does not prohibit discrimination specifically against persons with physical, sensory, intellectual, and mental disabilities in employment, air travel, transportation, access to healthcare or the provision of others services, and persons with disabilities experienced discrimination. The building code mandates access to buildings for persons with disabilities, but this code was not always followed or enforced. Children with disabilities attended school. For

practical reasons there were also separate schools for children with vision and hearing disabilities.

The law allows authorities to declare persons with mental disabilities who commit crimes a menace to society and incarcerate them for life; approximately 32 such persons were incarcerated as of October 2013. The government was unable to provide information on appeal procedures for such menace-to-society declarations. Ministry of Health nurses in the various district health centers provide support services to persons with mental illness, and the general hospital has a wing dedicated to caring for patients with mental illness.

Other References

Employment: The law and regulations prohibit discrimination regarding race, sex, gender, language, HIV- positive status or other communicable diseases, or social status. The government effectively enforced those laws and regulations. The law does not prohibit discrimination in employment with respect to disability or to sexual orientation and/or gender identity.

Discrimination in employment and occupation did not occur based on the above categories.

Governmental Attitudes Towards Nongovernmental Organizations: There were no governmental restrictions on human rights groups, and several organizations worked with marginalized groups such as women, children, the elderly, and persons with mental or physical disabilities. These groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were somewhat cooperative and responsive to their views.

Government Human Rights Bodies: The Ministry of Health maintained a human rights desk to monitor discrimination and other human rights abuses.

Convention on the Rights of Persons with Disabilities

St. Kitts and Nevis has not signed or ratified the CRPD or Optional Protocol.

St. Lucia

Constitution and Laws

The constitution prohibits discrimination on the basis of gender, race, place of origin, or color, but no specific legislation addresses discrimination based on disability, language, sexual orientation or gender identity, or social status.

Persons with Disabilities

The law does not 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 state services. Government regulations require disabled

access to all public buildings, but only a few government buildings had ramps to provide access. The Health Ministry operated a community-based rehabilitation program in residents' homes. Physically and visually impaired children were mainstreamed into the wider student population and had no special schools. There were separate schools for persons with mental disabilities and hearing impairment, although children with disabilities faced barriers in education, and there were few opportunities for such persons when they became adults. While persons with disabilities share the right to vote, polling stations often were inaccessible. During the year the United Nations collaborated with the government and the National Council for Persons with Disabilities to increase awareness of the needs of and sensitization activities for persons with disabilities.

Other References

Employment: The law and regulations prohibit discrimination regarding race, sex, disability, or age. The government effectively enforced those laws and regulations.

There were no reports of discrimination in employment and occupation occurring.

Convention on the Rights of Persons with Disabilities

St. Lucia has not signed or ratified the CRPD or Optional Protocol.

St. Vincent and the Grenadines

Constitution and Laws

The law provides for equal treatment regardless of race or gender, and the government generally enforced this provision. The constitution does not address equal treatment regarding disability, language, sexual orientation, or social status.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, access to health care, and the provision of other state services and the government generally observed these prohibitions. The law does not mandate access to buildings for persons with disabilities and access for such persons generally was difficult. The law prohibiting discrimination against persons with disabilities does not mention travel and transportation specifically; however, persons with disabilities traveled freely. Communications were available for persons with disabilities, but the government did not have programs to facilitate communication through technology. There were no restrictions on voting or other civic participation. Education was provided until age 21 for persons with disabilities, and the government partially supported a school for persons with disabilities. Persons with disabilities also could attend public schools. A separate rehabilitation center treated an average of five persons daily. The Ministry of National Mobilization, Social Development, NGO Relations, Family, Gender Affairs, and Persons with Disabilities is responsible for assisting persons with disabilities.

Other References

Employment: Labor laws and regulations prohibit discrimination regarding gender and disability, but no laws prohibit discrimination against a person on the basis of sexual orientation, gender identity, or HIV-positive status.

Reportedly, the most common form of employment discrimination occurred with respect to women being underpaid compared with their male counterparts.

Convention on the Rights of Persons with Disabilities

St. Vincent and the Grenadines ratified the CRPD and Optional Protocol on 29/10/2010.

Suriname

Constitution and Laws

The law prohibits discrimination based on race, ethnicity, but it does not address discrimination based on disability, language, sexual orientation and/or gender identity, or social status. Various sectors of the population--such as women, Maroons, Amerindians, persons with HIV/AIDS, and LGBT persons--suffered forms of discrimination.

Persons with Disabilities

No laws prohibit discrimination against persons with physical or mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of government services. Persons with disabilities suffered from discrimination when applying for jobs and services. Authorities provided some training programs for persons with vision or other disabilities. No laws or programs provide that persons with disabilities have access to buildings. A judge may rule to deny a person with a cognitive disability the right to vote, take part in business transactions, or sign legal agreements. Primary education was available for persons with disabilities, and, depending on the disability, secondary and higher education could be available. There is secondary and technical education for the deaf but not the blind. No information was available regarding abuse in educational or institutional facilities for persons with disabilities. A working group in the Ministry of Social Affairs remained responsible for protecting the rights of persons with disabilities, but it made limited progress.

Other References

Employment: The constitution prohibits discrimination regarding race, gender, age, nationality, religion, or political background, but enforcement was selective. No legislation protects against discrimination based on disability, language, sexual orientation or gender identity, or HIV status or other communicable diseases.

Discrimination in employment occurred with regard to disability, gender, sexual orientation, gender identity, and HIV/AIDS status (see section 6). In addition there were reports that the government fired or removed persons from their jobs because of their political background.

Convention on the Rights of Persons with Disabilities

Suriname signed the CRPD on 30/03/2007.

Trinidad and Tobago

Constitution and Law

The government generally respected the constitutional provisions for fundamental human rights and freedoms for all without discrimination based on race, gender, social status, or disability. Laws do not prohibit discrimination based on sexual orientation.

Persons with Disabilities

The law prohibits discrimination on the basis of disability but does not mandate equal access for persons with disabilities to the political process, employment, education, transportation, housing, health care, or other citizen services.

Persons with disabilities (an estimated 16 percent of the population) faced discrimination and denial of opportunities. Such discrimination could be traced to architectural barriers, employers' reluctance to make necessary accommodations that would enable otherwise qualified job candidates to work, an absence of support services to assist students with disabilities to study, lowered expectations of the abilities of persons with disabilities, condescending attitudes, and disrespect.

The Public Transportation Services Corporation purchased three new buses, which offered some access for persons with disabilities, and the Ministry of Transport formed a committee to provide feedback on a state-owned bus-provider vehicle overhaul, drawing on input from a large disabilities NGO umbrella group. The government improved access to transportation by continuing to implement its free, door-to-door on-call transportation service, supported by 24 buses equipped to transport persons with disabilities. A majority of the traditional bus stops were located on high sidewalks without ramps. Most government buildings and public places were not accessible. There are no legal restrictions on access to information, communications, voting, or participation in civic affairs, although lack of accessibility posed a barrier to the practice of these activities.

Other References

Employment: The law and regulations prohibit discrimination regarding sex, race, ethnicity, origin, religion, marital status, and disability. The government effectively enforced those laws and regulations. The law does not prohibit discrimination on the basis of sexual orientation, age, or HIV status.

Discrimination in employment occurred with respect to disability.

Convention on the Rights of Persons with Disabilities

Trinidad and Tobago signed the CRPD on 27/09/2007. The government ratified the CRPD on 25/06/2015.

Uruguay

Constitution and Laws

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 in general did not monitor compliance and did not effectively enforce provisions or promote programs to provide for access to buildings, information, public transportation, and communications. The National Disabilities Honorary Commission of MIDES oversees implementation of a 2010 law to protect the rights of persons with disabilities.

The law reserves no less than 4 percent of public-sector jobs for persons with physical and mental disabilities. New government decrees established regulations certifying the use of walking sticks and provisions for extending adequate training in their use and granted guide dogs full access to public and private premises and transportation. Most public buses did not have provisions for passengers with disabilities, although airports and ports offered accessibility accommodations. The law also provides for tax benefits to private-sector companies and grants priority benefits to small- and medium-sized companies owned by persons with disabilities. The law grants children with disabilities the right to attend school (primary, secondary, and higher education) and prohibits patterns of abuse in education and mental facilities, including degrading treatment, arbitrary commitment, and abusive use of physical restraints, unhygienic conditions, inadequate or dangerous medical care, and sexual or other violence. The law also grants persons with disabilities the right to vote and participate in civic affairs without restriction.

A 2013 UNICEF report on the estimated 9.2 percent (47,779) of children and adolescents with disabilities stated strong social barriers limited the possibilities of these children. Some parks in Montevideo and Canelones offered wheelchair accessible facilities. The report stated that since 2002, authorities built or adapted public elementary and high school facilities for the use by wheelchair users, allowing 87.3 percent of children and adolescents with disabilities to attend school, including higher-education facilities. The University of the Republic has a program to offer sign language interpreters for deaf students. Some movie theaters and other cultural venues lacked access ramps. The country's One Laptop per Child program continued to offer specially adapted laptops to children with disabilities.

Other References

Employment: Labor laws and regulations prohibit discrimination regarding race, sex, gender, disability, language, sexual orientation and/or gender identity, HIV- positive status or other

communicable diseases, or social status and the government in general effectively enforced these laws and regulations.

Prison and Detention Centers: The ombudsman's report noted that 13 out of 28 prisons suffered overcrowding in excess of 120 percent. Prisoners with disabilities faced difficulties in receiving the specialized medical care they needed.

Convention on the Rights of Persons with Disabilities

Uruguay signed the CRPD on 3/04/2007. The government ratified the CRPD on 11/02/2009, and the Optional Protocol on 10/11/2009.

Venezuela

Constitution and Laws

The law prohibits discrimination based on race, gender, sexual orientation, disability, language, or social status; however, discrimination occurred against women; persons with disabilities; members of the lesbian, gay, bisexual, and transgender (LGBT) community; and indigenous persons.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in education, employment, health care, air travel and other transportation, and the provision of other state services, but the government did not make a significant effort to implement the law, inform the public of it, or combat societal prejudice against persons with disabilities. The law requires that all newly constructed or renovated public parks and buildings provide access, but persons with disabilities had minimal access to public transportation, and ramps were almost nonexistent. Online resources and access to information were generally available to persons with disabilities, although access to close-captioned or audio-described online videos for deaf and blind persons was limited. Separately, leading deaf advocates lamented difficulty accessing public services due to a lack of government-funded interpreters in public courts, health-care facilities, and legal services, as well as lack of other public accommodations. The National Commission for Persons with Disabilities (Conapdis), an independent agency affiliated with the Ministry for Participation and Social Development, and the Mission Jose Gregorio Hernandez advocated for the rights of persons with disabilities and provided medical, legal, occupational, and cultural programs. The national director of the mission reported that since the mission's inception in 2009, the program had assisted 336,490 persons with disabilities. He added the program had distributed, without charge, 1,000 prosthetic devices and 22,000 hearing aids. The government developed a series of employment fairs to increase the number of persons with disabilities in formal employment sectors, an initiative to help companies meet the legal requirement for 5 percent of employees to be persons with disabilities. According to Conapdis less than 20 percent of persons with disabilities registered with government health programs were fully employed. The Mission for the Children of

Venezuela provided monthly subsidies of Bs 600 (\$95) to heads of households for each child or adult with disabilities they supported.

Other References

Employment: The constitution prohibits employment discrimination for every citizen. Labor law prohibits discrimination based on age, race, sex, social condition, creed, marital status, union affiliation, political views, nationality, disability, or any condition that could be used to lessen the principle of equality before the law.

Protection of Refugees: With the refugee status determination process centralized in Caracas with the National Refugee Commission, asylum seekers could wait up to three years to obtain a final decision. During this period they had to continue renewing their documentation to stay in the country and avoid arrests and deportation. While travelling to the commission, particularly vulnerable groups, such as women with young children, the elderly, and persons with disabilities, faced increased protection risks such as arrest and deportation, extortion, and sexual abuse by authorities at checkpoints and other locations.

Convention on the Rights of Persons with Disabilities

Venezuela ratified the CRPD and Optional Protocol on 24/09/2013.