

Consolidated Disability Findings from the 2015 United States Department of State Reports on Human Rights and Practices

South and Central Asia

Introduction to the Department of State Report on Disability Human Rights

The U.S. Department of State Report on Human Rights in 2015 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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South and Central Asia

Afghanistan

EXECUTIVE SUMMARY

Other human rights problems included extrajudicial killings by security forces; ineffective government investigations of abuse and torture by local security forces; poor prison conditions; arbitrary arrest and detention, including of women accused of so-called moral crimes; prolonged pretrial detention; judicial corruption and ineffectiveness; violations of privacy rights; restrictions on freedom of speech, press, religion, and movement; pervasive governmental corruption; underage and forced marriages; abuse of children, including sexual abuse; trafficking in persons; discrimination against persons with disabilities; discrimination and abuses against ethnic minorities; societal discrimination based on race, religion, gender, sexual orientation, and HIV/AIDS status; and abuse of worker rights, including forced labor and child labor.

Section 3. Freedom to Participate in the Political Process

Elections and Political Participation

Participation of Women and Minorities: The constitution specifies a minimum number of seats for women and minorities in the two houses of parliament. Women should occupy at least 25 percent of the 249 seats in the lower house. In 2010, voters elected 69 women, or 27 percent of the total. The constitution provides for at least 68 female members in the 249-member lower house. The constitution empowers the president to appoint one-third of the members of the upper house, and one-half of these must be women. Two seats are set aside in the lower house for members of the Kuchi minority, and the president's appointees to the upper house should include two Kuchis and two members with physical disabilities. One seat in the upper house is reserved for the appointment of a Sikh or Hindu representative. In 2013 then president Karzai issued a presidential decree reserving a seat in the lower house for a Sikh or Hindu in the 2015 parliamentary elections. The lower house rejected the decree in December 2013, the upper house approved it. It was sent to a joint committee for final resolution.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

While the constitution prohibits discrimination among citizens and provides for the equal rights of men and women, local customs and practices that discriminated against women prevailed in much of the country. The constitution does not explicitly address equal rights based on race, disability, or social status. There were reports of discrimination based on race, ethnicity, and gender.

Displaced Children: The Ministry of Labor, Social Affairs, Martyrs, and Disabled and the AIHRC continued to estimate the number of street children in the country at six million, but the National Census Directorate had not conducted a recent survey. Street children had little or no access to

government services, although several NGOs provided access to basic needs, such as shelter and food.

Persons with Disabilities

The constitution prohibits any kind of discrimination against citizens and requires the state to assist persons with disabilities and to protect their rights, including the rights to health care and financial protection. The constitution also requires the state to adopt measures to reintegrate and provide for the active participation in society of persons with disabilities. The Law on the Rights and Benefits of Disabled Persons provides for equal rights to, and the active participation of, such persons in society. The Ministry of Labor, Social Affairs, Martyrs, and Disabled continued to implement a five-year national action plan through a memorandum of understanding with the Ministry of Information and Culture and the Ministry of Education to implement public awareness programs on the rights of persons with disabilities through the national media and to provide scholarships for students with disabilities.

Updated and comprehensive data on persons with disabilities continued to be lacking.

According to a 2005 survey (the most recent data available), there were between 800,000 and 900,000 persons with disabilities in the country, and 20 percent of all households included at least one such person. The social affairs ministry and NGOs, however, estimated in 2013 there were two million persons with disabilities, 61 percent of whom were women or children.

Approximately 128,000 persons with disabilities were registered with the ministry and received financial support from the government during the year.

Disability rights activists reported that corruption prevented some persons with disabilities from receiving benefits. There were reports that government officials redirected scholarship funds for persons with disabilities to friends or family through fraud and identity theft. NGOs and government officials also reported that associations of persons with disabilities attempted to intimidate ministry employees in an effort to secure benefits such as apartments.

Lack of security remained a challenge for disability programs. Insecurity in remote areas, where a disproportionate number of persons with disabilities lived, precluded delivery of assistance in some cases. The majority of buildings remained inaccessible to persons with disabilities, prohibiting many from benefitting from education, health care, and other services.

Persons with disabilities faced such as limited access to educational opportunities, inability to access government buildings, lack of economic opportunities, and social exclusion. NGOs reported persons with disabilities faced difficulties accessing the majority of public buildings, including government ministries, health clinics, and hospitals. Society and even their own families mistreated persons with disabilities, since there was a common perception persons had disabilities because they or their parents had “offended God.”

In the Meshrano Jirga, authorities reserved two of the presidentially appointed seats for persons with disabilities.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to join and form independent unions and to conduct legal strikes and bargain collectively, and the government generally respected these rights. The law, however, provides no definition of a union or its relationship with employers and members, nor does it establish a legal method for union registration. The law does not prohibit antiunion discrimination or provide for reinstatement of workers fired for union activity. Other than protecting the right to participate in a union, the law provides no other legal protection for union workers or workers seeking to unionize.

Although the law identifies the Ministry of Labor, Social Affairs, Martyrs, and Disabled's Labor High Council as the highest decision-making body on labor-related issues, the lack of implementing regulations prevented the council from performing its function. There was an inspection office within the ministry, but inspectors could only advise and make suggestions. As a result the application of labor law remained limited because of a lack of central enforcement authority, implementing regulations that describe procedures and penalties for violations, funding, personnel, and political will.

c. Prohibition of Child Labor and Minimum Age for Employment

The labor law sets the minimum age for employment at 18 but permits 14-year-olds to work as apprentices, allows children who are 15 and older to do "light work," and permits children 16 and 17 to work up to 35 hours per week. Children under age 14 are prohibited from working under any circumstances. The law prohibits the employment of children in work likely to threaten their health or cause disability. In 2014 the labor ministry released a list of "hazardous occupations" forbidden for children. The list includes mining, begging, and garbage collection; work in blast furnaces, waste-processing plants, and large slaughterhouses; work with hospital waste; drug-related work; security guard services; and work related to war.

d. Discrimination with Respect to Employment and Occupation

The constitution prohibits discrimination and notes that citizens, "man and woman," have equal rights and duties before the law. It expressly prohibits discrimination based on language. The constitution contains no specific provisions addressing discrimination on account of race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation and/or gender identity, age, HIV-positive status, or other communicable diseases. The penal code prescribes a term of imprisonment of not more than two years for anyone convicted of spreading discrimination or factionalism.

Convention on the Rights of Persons with Disabilities

Afghanistan ratified the CRPD and the Optional Protocol on 18 Sep 2012.

Bangladesh

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law specifically prohibits certain forms of discrimination against women, provides special procedures for prosecuting persons accused of violence against women and children, calls for harsh penalties, provides compensation to victims, and requires action against investigating officers for negligence or willful failure of duty. Enforcement was weak. Laws regarding divorce, custody, and rape differed according to an individual's religion and were often discriminatory toward women and girls. Women, children, minority groups, persons with disabilities, indigenous people, and sexual minorities often confronted social and economic disadvantages.

Persons with Disabilities

The Disability Rights and Protection Act of 2013 provides for equal treatment and freedom from discrimination for persons with disabilities; however, persons with disabilities faced social and economic discrimination. The law focuses on prevention of disability, treatment, education, rehabilitation, social protection, employment, transport accessibility, and advocacy.

The law requires persons with disabilities to register for identity cards to track their enrollment in educational institutions and access to jobs. Giving unequal treatment for school, work, or inheritance based on disability is punishable with fines up to 500,000 taka (\$6,250) or three years' imprisonment. The law also created a 27-member National Coordination Committee charged with coordinating relevant activities among all government organizations and private bodies to fulfill the objectives of the law.

According to the NGO Action against Disability, 90 percent of children with disabilities did not attend public school. The government trained teachers about inclusive education and recruited disability specialists at the district level. The government also allocated stipends for students with disabilities.

The law contains extensive accessibility requirements for new buildings. Nevertheless, authorities approved construction plans for new buildings that did not meet these requirements. The law affords persons with disabilities the same access to information rights as those without disabilities, but family and community dynamics often influenced whether or not these rights were exercised. The law contains provisions for information and communications technology to be accessible to persons with disabilities through video subtitling, sign language, screen readers, or text-to-speech systems in public and private media outlets. The state television channel used sign language, but general practice by the media did not meet the requirements of the law.

The law identifies persons with disabilities as a priority group for government-sponsored legal services. The Ministry of Social Welfare, Department of Social Services, and National Foundation for the Development of the Disabled are the government agencies responsible for protecting the rights of persons with disabilities. Due to problems of accessibility and to discrimination, persons with disabilities were sometimes excluded from mainstream government health, education, and social protective services. The government reduced taxes on several hundred items, such as wheelchairs, hearing aids, braille machines, orthotics, and prostheses, designed to assist persons with disabilities.

Government facilities for treating persons with mental disabilities were inadequate. The Ministry of Health established child development centers in all public medical colleges to assess neurological disabilities. Several private initiatives existed for medical and vocational rehabilitation as well as for employment of persons with disabilities. National and international NGOs provided services and advocated for persons with disabilities. The government established service centers for persons with disabilities in all 64 districts, where local authorities provided free rehabilitation services and assistive devices. The government also promoted autism research and awareness.

Section 7. Worker Rights

d. Discrimination with respect to Employment or Occupation

The labor law prohibits wage discrimination on the basis of sex or disability, but it does not prohibit other discrimination based on sex, disability, social status, or similar factors. The constitution prohibits adverse discrimination by the state on the basis of religion, race, caste, sex, or place of birth and expressly extends that prohibition to government employment; it allows affirmative action programs for the benefit of disadvantaged populations.

Employment opportunities increased for women in the lower-wage garment sector. Women represented the majority of garment sector workers, but their workforce participation remained limited to jobs on factory floors and low in other parts of the formal economy. Women were sometimes subjected to abuse in factories, including sexual harassment. There were some gender-based wage disparities in the overall economy, but wages of women and men were comparable in the garment sector.

While wages for similar work within the garment sector were equal, women were generally underrepresented in supervisory and management positions. Some religious, ethnic, and other minorities reported discrimination, particularly in the private sector (see section 6.).

Convention on the Rights of Persons with Disabilities

Bangladesh signed the CRPD on 9 May 2007. Bangladesh ratified the CRPD on 30 Nov 2007. Bangladesh ratified the Optional Protocol on 12 May 2008.

Bhutan

EXECUTIVE SUMMARY

Other human rights problems included continued incarceration of Nepali-speaking political prisoners arrested for alleged participation in antigovernment protests in the early 1990s, domestic violence, restrictions on freedom of assembly and association, social stigma against

persons with disabilities, laws prohibiting consensual same-sex sexual activity, and reports of abuse of domestic workers.

Persons with Disabilities

The constitution specifically protects the rights of citizens with disabilities. Legislation directs the government to attend to the security of all citizens in the “event of sickness and disability.” The law stipulates that new buildings be constructed to allow access for persons with disabilities, but the government did not enforce this legislation consistently. There were reports that hospitals were generally accessible to persons with disabilities, but residential and office buildings were not.

Under the Disability Prevention and Rehabilitation Program, the government seeks to provide medical and vocational rehabilitation for persons with all types of disabilities, promote integration of children with disabilities in schools, and foster community awareness and social integration. There was no government agency specifically responsible for protecting the rights of persons with disabilities.

There were special-education institutes for students with disabilities, including the National Institute for the Disabled in Khaling, which educates children with vision disabilities, and an education resource unit in Paro for persons with hearing disabilities. Children with disabilities often attended mainstream schools, although the resources needed to accommodate them varied among school districts. There also were special education facilities in Thimphu designed to meet the needs of children with physical and mental disabilities. Although there were no government-sponsored social welfare services available for persons with disabilities, the National Pension and Provident Fund granted benefits to such persons. Two NGOs, the Disabled Persons’ Association of Bhutan and Ability Bhutan Society, seek to change the public perception of disability and assisting persons with disabilities and their families.

According to the *Bhutan Observer*, in rural areas there was widespread discrimination against persons with disabilities, and some parents did not send children with disabilities to school.

Section 7. Worker Rights

e. Acceptable Conditions of Work

Occupational safety and health (OSH) standards are current and appropriate. Labor regulations grant workers the right to leave work situations that endanger their health and safety. All citizens are entitled to free medical care. At its expense the government transported persons who could not receive adequate care in the country to other countries (usually India) for treatment.

Workers are eligible for compensation in the case of partial or total disability. Upon the death of a citizen, family members are entitled to compensation.

Convention on the Rights of Persons with Disabilities

Bhutan signed the CRPD on 21 Sep 2010.

India

EXECUTIVE SUMMARY

Other human rights problems included disappearances, hazardous prison conditions, arbitrary arrest and detention, and lengthy pretrial detention. Court backlogs delayed or denied justice, including through lengthy pretrial detention and denial of due process. There were instances of infringement of privacy rights. The law in some states restricted religious conversion, and there were reports of arrests but no reports of convictions under those laws. Some limits on the freedom of movement continued. Rape, domestic violence, dowry-related deaths, honor killings, sexual harassment, and discrimination against women remained serious societal problems. Child abuse and forced and early marriage were problems. Trafficking in persons, including widespread bonded and forced labor of children and adults, and sex trafficking of children and adults for prostitution were serious problems. Societal discrimination against persons with disabilities and indigenous persons continued, as did discrimination and violence based on gender identity, sexual orientation, and persons with HIV.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

d. Arbitrary Arrest or Detention

ARREST PROCEDURES AND TREATMENT OF DETAINEES

There were reported cases in which police denied suspects the right to meet with legal counsel, as well as cases in which police unlawfully monitored suspects' conversations and violated confidentiality rights. The constitution mandates that authorities will provide defendants with "economic or other disabilities" free legal counsel, but authorities do not assess need systematically. By law authorities must allow family members access to detainees, but this was not always observed. Arraignment of detainees must occur within 24 hours unless authorities hold the suspect under a preventive detention law. State authorities invoked preventive detention laws most frequently in Delhi but also in the states of Gujarat, Maharashtra, Uttar Pradesh, Punjab, and Kashmir. Civil society representatives reported authorities sometimes made large-scale preventive arrests before protest events.

The Human Rights Law Network (HRLN) in Kochi, Kerala, reported that certain prisoners with mental disabilities in the Kerala central prison considered "not fit for trial" had awaited trial for 10 to 26 years. According to the NGO, the prisoners in some cases were in detention far longer than their potential sentences. In 2013 the HRLN filed a writ petition with the Kerala High Court for the release of those prisoners. The court responded by issuing an order directing the state government to provide adequate medical treatment to the accused to render them fit for trial. The case was pending in the Kerala High Court at year's end.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, place of birth, caste, or social status. The government worked with varying degrees of success to enforce these provisions.

Women

In community health centers, 69.7 percent of gynecologist positions remained unfilled, according to a 2012 report by the Ministry of Health and Family Welfare on rural health statistics. Only 13 percent of the centers had the requisite number of specialists. Poor health infrastructure disproportionately affected marginalized women, including homeless women, tribal women, women working on tea estates or in the informal labor sector, Dalit women, and women with disabilities.

Persons with Disabilities

The constitution does not explicitly mention disability as a prohibited ground for discrimination. The Persons with Disabilities Act provides equal rights for persons with a variety of disabilities, including blindness, hearing disability, Hansen's disease (leprosy), mobility disability, developmental disability, and mental disability. The law links implementation of programs to the "economic capacity and development" of the government. The act encourages governmental authorities to promote access, but it includes no specific enforcement provisions or sanctions for noncompliance.

According to the director of the National Center for Promotion of Employment for Disabled People, the law regards persons with disabilities as requiring social protection and medical care, rather than as possessing inherent rights as persons with disabilities.

Discrimination against persons with disabilities in employment, education, and access to health care was more pervasive in rural areas. The Kolkata High Court passed an order in 2013 mandating the state government to provide accessibility to roads and buildings. Despite legislation that all public buildings and transport be accessible to persons with disabilities, there was limited accessibility. A Public Interest File was pending in the Supreme Court on accessibility to buildings and roads.

A Department of School Education and Literacy program provided special educators and resource centers for students with disabilities. There was no data available on whether these students remained within the education system or if the system denied any individualized supports needed for their education. The law allows mainstream schools to admit children with disabilities, but mainstream schools remained inadequately equipped with teachers trained in inclusive education, resource material, and appropriate curricula.

The law also reserves 3 percent of all educational places for persons with disabilities, although students with disabilities comprised only an estimated 1 percent of all students, according to the Ministry of Social Justice and Empowerment. Some schools continued to segregate children with disabilities or deny them enrollment due to lack of infrastructure, equipment, and trained staff. UNICEF estimated that between 6 and 10 percent of all children in the country were born with disabilities. The Ministry of Social Justice and Empowerment continued to offer scholarships to persons with disabilities to pursue higher education. University enrollment of

students with disabilities remained low for several reasons, including inaccessible infrastructure, limited resources, nonimplementation of the 3-percent job reservation, and harassment.

The Ministry of Health and Family Welfare estimated that 6 to 7 percent of the population experienced a mental or psychosocial disability. Of the individuals with mental disabilities, 25 percent were homeless, and many in rural areas did not have access to modern mental health-care facilities. Disability rights activists estimated that there were 40 to 90 million persons with disabilities. The NGO CRY estimated that one in 10 children in the country had disabilities. There were three mental-health institutions run by the federal government and 40 state-operated mental hospitals.

Patients in some mental-health institutions faced food shortages, inadequate sanitary conditions, and lack of adequate medical care. Human Rights Watch reported that women and girls with disabilities occasionally were forced into mental hospitals against their will.

Most persons with mental disabilities depended on public health-care facilities, and fewer than half who required treatment or community support services received such assistance.

Persons with disabilities reported cases of discrimination by the Central Industrial Security Forces in airports despite framed guidelines providing for no discrimination based on disability in air travel.

The law reserves 3 percent of public sector jobs for persons with physical, hearing, or vision disabilities. NGOs reported that annual government reports did not provide any information on fulfillment of the quota, but activists and NGOs stated there were vacancies for persons with disabilities that authorities had not filled. The government continued to allocate funds to programs and NGO partners to increase the number of jobs filled. Private sector employment of persons with disabilities remained low, despite governmental incentives that private companies establish a workforce with more than 5 percent with disabilities.

On December 3, the Department of Empowerment of Persons with Disabilities launched the “Accessible India Campaign” designed to achieve universal accessibility to public spaces, transportation systems, and communication systems.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

On July 1, the Odisha state government created the Department of Social Security and Empowerment of Persons with Disabilities with responsibility for evolving welfare programs for transgender persons. On September 24, the department formed a state level committee with representation from transgender activists to recommend social security policies and welfare measures

Section 7. Worker Rights

d. Discrimination with Respect to Employment and Occupation

The law and regulations prohibited discrimination with respect to employment and occupation, with respect to race, sex, gender, disability, language, sexual orientation, and/or gender identity, or social status. The law does not prohibit discrimination against individuals with HIV/AIDS or other communicable diseases, color, religion, political opinion, national origin or citizenship. The

government effectively enforced those laws and regulations within the formal sector. The law and regulations, however, do not protect those working within the informal sector, who comprised an estimated 90 percent of the workforce.

Discrimination occurred in the informal sector with respect to Dalits, indigenous people, and persons with disabilities. Legal protections are the same for all, but gender discrimination with respect to wages was prevalent. Foreign migrant workers were largely undocumented and typically did not enjoy the protection of labor laws available to workers who are Indian nationals.

Convention on the Rights of Persons with Disabilities

India signed the CRPD on 30 Mar 2007. India ratified the CRPD on 10 Oct 2007.

Kazakhstan

EXECUTIVE SUMMARY

Other reported abuses included arbitrary or unlawful killings; military hazing that led to deaths; detainee and prisoner torture and other abuse; harsh and sometimes life-threatening prison conditions; arbitrary arrest and detention; infringements on citizens' privacy rights; prohibitive political party registration requirements; restrictions on the activities of nongovernmental organizations (NGOs); violence and discrimination against women; abuse of children; sex and labor trafficking; discrimination against persons with disabilities; societal discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons; discrimination against those with HIV/AIDS; and child labor.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

PRISON AND DETENTION CENTER CONDITIONS

The NPM reported infrastructure problems in prisons, such as unsatisfactory sanitary and hygiene conditions, including poor plumbing and sewerage systems and unsanitary bedding. It also reported shortages of medical staff and insufficient medicine, as well as problems of mobility for prisoners with disabilities. In many places the NPM noted restricted connectivity with the outside world and limited access to information about prisoners' rights. The PRI reported there was a widespread lack of heating and adequate ventilation in prisons.

d. Arbitrary Arrest or Detention

ARREST PROCEDURES AND TREATMENT OF DETAINEES

Persons detained, arrested, or accused of committing a crime have the right to the assistance of a defense lawyer from the moment of detention, arrest, or accusation. The new criminal procedure code, which went into effect January 1, introduced an obligation for the police to inform detainees about their rights, including the right to an attorney. Human rights observers alleged that prisoners were constrained in their ability to communicate with their attorneys and that penitentiary staff often remained present during their meetings with clients. The human rights ombudsman reported that in 2014 law enforcement officials dissuaded detainees from seeing an attorney, gathered evidence through preliminary questioning before a detainee's attorney arrived, and in some cases used defense attorneys loyal to the government to gather evidence. The law states that the government must provide an attorney for an indigent suspect or defendant when the suspect is a minor, has physical or mental disabilities, or faces serious criminal charges, but public defenders often lacked the necessary experience and training to assist defendants. Defendants are barred from freely choosing their defense counsel if the cases against them involve state secrets. The law allows only lawyers who have special clearance to work on such cases.

e. Denial of Fair Public Trial

TRIAL PROCEDURES

Indigent defendants in criminal cases have the right to counsel and a government-provided attorney. By law a defendant must be represented by an attorney when the defendant is a minor, has mental or physical disabilities, does not speak the language of the court, or faces 10 or more years of imprisonment. Defense attorneys, however, reportedly participated in only one-half of criminal cases, in part because the government failed to pay them properly or on time. The law also provides defendants the rights to be present at their trials, to be heard in court, to confront witnesses against them, and to call witnesses for the defense. They have the right to appeal a decision to a higher court. According to observers, prosecutors dominated trials, and defense attorneys played a minor role.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

PROTECTION OF REFUGEES

A legislative framework does not exist to manage the movement of asylum seekers between the country's borders and authorities in other areas. There are no reception facilities for asylum seekers. The government does not provide accommodation, allowances, or any social benefits to asylum seekers. The law does not provide for differentiated procedures for persons with specific needs, such as separated children, and persons with disabilities. Asylum seekers and refugees with specific needs are not entitled to financial or medical assistance. There are no guidelines for handling sensitive cases, including LGBTI cases.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

While the law prohibits discrimination based on race, gender, disability, language, or social status, the government did not effectively enforce the law. There were reports of violence against women, trafficking in persons, and discrimination against persons with disabilities and LGBTI persons.

Persons with Disabilities

The Ministry of Health Care and Social Development was the primary government agency responsible for protecting the rights of persons with disabilities. The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, and access to health care, and in the provision of other government services, but significant discrimination existed in the areas of employment, education, and access to government services.

The law provides for access to information for persons with disabilities. The government produced periodicals, scientific journals, reference literature, and fictional works that were recorded either on disc or in Braille. The law requires one national television channel to broadcast news programs with sign-language interpretation. NGOs stated implementation of the law on disability was lacking, and the Nur Otan Party's Institute of Parliamentary Development concluded that access for persons with disabilities to information and communications was insufficient.

The law requires companies to set aside 3 percent of their jobs for persons with disabilities. International and local observers noted some improvement regarding the rights of persons with disabilities. During the year the government showed commitment to addressing the rights of persons with disabilities, including high-level enforcement of measures to enhance their economic opportunities. Nevertheless, there were reports persons with disabilities faced difficulty integrating into society and finding employment. The vice minister of health care and social development identified the two biggest problems facing persons with disabilities as poor infrastructure and lack of access to education. Persons with disabilities had difficulty accessing public transportation. The government has enacted high-level enforcement of measures to enhance economic opportunities for citizens with disabilities, part of the president's *Strategy 2050*.

Citizens with mental disabilities may be committed to state-run institutions without their consent or judicial review, and the government committed young persons under age 18 with the permission of their families. Institutions were poorly managed, understaffed, and inadequately funded.

There are no regulations regarding the rights of patients in mental hospitals. Human rights observers believed this led to widespread abuse of patients' rights. NGOs reported that patients often experienced poor conditions and a complete lack of privacy. According to an NPM report, most of the hospitals required extensive maintenance. Other problems observed included shortage of personnel, unsatisfactory sanitary-hygienic conditions, poor food supply, overcrowding, and lack of light and air.

Members of the NPM may visit mental hospitals to monitor conditions and signs of torture of patients, but any institutions holding children, including orphanages, were not on the list of institutions NPM members may visit.

The government did not legally restrict the right of persons with disabilities to vote and arranged home voting for individuals who could not travel to polling places inaccessible to them.

Section 7. Worker Rights

d. Discrimination with Respect to Employment and Occupation

Law and regulations prohibit discrimination with respect to employment and occupation based on gender, age, disability, race, ethnicity, language, place of residence, religion, political opinion, affiliation with tribe or class, public associations, or property, social, or official status. The law did not specifically prohibit discrimination with respect to employment and occupation based on disability, sexual orientation, gender identity, age, HIV-positive status, or having other communicable diseases. The government effectively enforced the law and regulations. Discrimination is a criminal offense punishable by a fine up to 991,000 tenge (\$3,670) or imprisonment for up to 90 days, which was generally sufficient to deter violations. Discrimination, however, occurred with respect to employment and occupation for persons with disabilities, orphans, and former convicts. Disability NGOs reported that despite government efforts, obtaining employment was difficult. The law does not require equal pay for equal work for women and men. NGOs reported no government body assumed responsibility for implementing antidiscrimination legislation and asserted the law's definition of gender discrimination does not comply with international standards. More women than men were self-employed or underemployed relative to their education level.

Convention on the Rights of Persons with Disabilities

Kazakhstan signed the CRPD and the Optional Protocol on 11 Dec 2008. Kazakhstan ratified the CRPD on 21 Apr 2015.

Kyrgyz Republic

EXECUTIVE SUMMARY

Additional human rights problems included poor prison conditions; harassment of both local and international nongovernmental organizations (NGOs), activists, and journalists; pressure on independent media; restrictions on religious freedom; pervasive corruption; discrimination and violence against women, persons with disabilities, ethnic and religious minorities, and persons based on their sexual orientation or gender identity; child abuse; trafficking in persons; and child labor.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, ethnic origin, creed, age, political or other beliefs, education, background, property, or other status.

The government did not effectively enforce these prohibitions. Although women were active in government, education, civil society, the media, and small business, they encountered gender-based discrimination. Rights activists claimed authorities failed to investigate or punish perpetrators of crimes of discrimination during the year. Members of the LGBTI community reported systematic-police led harassment and beatings. NGOs reported ethnic Uzbeks were attacked by ethnic Kyrgyz because of their ethnicity.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities, but such persons faced discrimination in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The law mandates access to buildings for persons with disabilities, requires access to public transportation and parking, and authorizes subsidies to make mass media available to persons with hearing or vision disabilities, and free plots of land for the construction of a home. The government generally did not ensure proper implementation of the law. In addition, persons with disabilities often had difficulty finding employment because of negative societal attitudes and high unemployment among the general population.

A lack of resources made it difficult for persons with disabilities to receive adequate education. Although children with disabilities have the right to an education, the Association of Parents of Children with Disabilities stated schools often denied them entry. Parents sometimes established special educational centers for their children, but they did not receive government assistance. The government funded programs to provide school supplies and textbooks to children with mental or physical disabilities.

Serious problems continued within psychiatric hospitals. The government did not adequately provide for basic needs, such as food, water, clothing, heating, and health care, and facilities were often overcrowded. Inadequate funding played a critical factor.

Authorities usually placed children with mental disabilities in psychiatric hospitals rather than integrating them with other children. Other residents were also committed involuntarily, including children without mental disabilities who were too old to remain in orphanages. The Youth Human Rights Group monitored the protection of children's rights in institutions for children with mental and physical disabilities. The group noted gross violations by staff at several institutions, including depriving young residents of sufficient nourishment and physically abusing them.

The Office of the Prosecutor General is responsible for protecting the rights of psychiatric patients and persons with disabilities. According to local NGO lawyers, members of the Prosecutor General's Office had no training and little knowledge of the protection of these rights and were ineffective in assisting citizens with disabilities. Most judges lacked the experience and training to make determinations as to whether it was appropriate to mandate committing persons to psychiatric hospitals, and authorities institutionalized individuals against their will. The country does not have centralized statistics on persons with disabilities, but authorities estimated their number at between 20,000 and 30,000 in a population of six million persons. Several activists noted authorities have not implemented a 2008 law requiring employers to provide special hiring quotas (approximately five percent of work positions) for persons with disabilities.

Section 7. Worker Rights

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets the minimum legal age for basic employment at 16, except for work considered to be “light,” such as selling newspapers in which children as young as age 14 may work with the permission of a parent or guardian. The law prohibits employment of persons under age 18 at night, underground, or in difficult or dangerous conditions, including in the metal, oil, and gas industries; mining and prospecting; the food industry; entertainment; and machine building. Children ages 14 or 15 may work up to five hours a day; children ages 16 to 18 may work up to seven hours a day. These laws also apply to children with disabilities.

Convention on the Rights of Persons with Disabilities

Kyrgyz Republic signed CRPD on 21 Sep 2011.

Maldives

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

To streamline the process of reporting abuse against women and children, there were family and children’s centers on every atoll. According to the HRCM, these centers also provided services for neglected children, support for families unable to take care of their children, and women with mental illness or disabilities. The Ministry of Law and Gender reported the need to establish residential facilities at family and children’s centers on every atoll to provide emergency shelter assistance to domestic violence and other victims.

Persons with Disabilities

The constitution and law provide for the rights and freedom from discrimination of persons with disabilities. The Disabilities Act provides for the protection of the rights of persons with disabilities and financial assistance. Since the establishment of the National Registry of People with Disabilities in 2011, 6,032 persons had been registered as of July. The Act mandates the state to provide a monthly financial benefit of not less than MVR 2,000 (\$130) to each registered individual.

Government services for persons with disabilities included special educational programs for those with sensory disabilities. Inadequate facilities and logistical challenges related to transporting persons with disabilities between island and atolls made it difficult for persons with disabilities to participate in the workforce or consistently attend school.

Multiple NGOs, including Hand in Hand and the Care Society, worked to increase awareness and improve support for persons with disabilities.

The government integrated students with physical disabilities into mainstream educational programs. Nevertheless, a report in 2010 by the HRCM and the UN Development Program found that most schools accepted only children with very limited to moderate disabilities and not those with more significant disabilities. Children with disabilities had virtually no access or transition to secondary education. One mental health clinic in Male and several private health clinics employ psychiatrists and psychologists. They focused on a broad range of issues but service availability remained limited. There also was a lack of quality residential care. Families usually cared for persons with disabilities. When family care was unavailable, individuals with disabilities lived in the Health Ministry's Home for People with Special Needs, which, as of October, housed 36 persons. There were no individuals on the waitlist for a spot at the home. The home accepted elderly persons as well. The government also provided assistance devices, such as wheelchairs, crutches, spectacles, hearing aids, and special seats for children with cerebral palsy.

Section 7. Worker Rights

d. Discrimination with Respect to Employment or Occupation

The law and regulations prohibit discrimination with respect to employment and occupation on the basis of race, color, sex, political opinion, religion, national origin or citizenship, social origin, disability, language, age, sexual orientation or gender identity, and HIV positive status or other communicable diseases. The government effectively enforced those laws and regulations, with some exceptions.

Convention on the Rights of Persons with Disabilities

Maldives signed the CRPD on 2 Oct 2007. Maldives ratified the CRPD on 5 Apr 2010.

Nepal

EXECUTIVE SUMMARY

Other human rights problems included poor prison and detention center conditions and police mistreatment of detainees. The courts remained vulnerable to political pressure, bribery, and intimidation. There were problems of harassment of media and press self-censorship. The government sometimes restricted freedom of assembly, notably in areas where violent protests against the constitutional process were taking place from August through the end of the year. The government limited freedoms for refugees, particularly for resident Tibetans. Corruption remained a problem at all levels of government. Citizenship laws and regulations that discriminate by gender contributed to statelessness. Early and forced marriage, and rape and domestic violence against women, including dowry-related deaths, remained serious problems. Violence against children, including reported abuse at orphanages, continued and was rarely prosecuted. Sex trafficking of adults and minors remained a significant problem. Discrimination

against persons with disabilities, lower-caste individuals, and some ethnic groups continued, as did some harassment against gender and sexual minorities. There were some restrictions on worker rights. The government made little progress in combatting forced and bonded labor, which persisted despite laws banning the practice, and there was moderate progress in efforts to eliminate child labor.

Section 2. Respect for Civil Liberties, Including:

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

INTERNALLY DISPLACED PERSONS

The government sanctioned the UN and NGOs to provide relief to IDPs. Equity of aid distribution remained a concern for displaced populations. According to Amnesty International, groups who were often the target of discriminatory treatment, including women who headed households, Dalits, indigenous people, and persons with disabilities, faced increased challenges when trying to access urgently needed relief. In some instances supporters of certain political parties or family and friends of those organizing distributions were favored over others. Location was also a factor, with more aid provided to those closer to shelter entrances and to households in official camps as opposed to impromptu sites.

Section 3. Freedom to Participate in the Political Process

Elections and Political Participation

Participation of Women and Minorities: No specific laws restrict women or minorities from voting, running for office, serving as electoral monitors, or otherwise participating in government or political parties. The new constitution mandates that at least one third of all members of the lower house of the federal parliament must be women and requires inclusion of various minority groups in the list of candidates in the 40 percent of seats chosen by a proportional representation system. The new constitution also stipulates that in the upper house of the federal parliament, for the 56 members chosen by an electoral college, the eight members from each province must include at least three women, one Dalit, and one person with a disability or member of a minority groups. Additionally, of the remaining three members of the upper house chosen by the president, at least one must be a woman.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Both the 2007 interim constitution and the new constitution prohibit discrimination based on race, caste, gender, religion, ideological conviction, language, and social origin, and there is also a legal prohibition against discrimination based on disability, but the government did not effectively enforce these prohibitions. The new constitution added disability to the list of

categories for which there are nondiscrimination guarantees, as well as health condition, pregnancy, marital status, and economic condition. Additionally, the new constitution includes gender and sexual minorities among disadvantaged groups eligible for protection, empowerment, or advancement through special legal provisions. Despite passage of the Caste Discrimination and Untouchability Act in 2011, a rigid caste system continued to operate throughout the country in many areas of religious, professional, and daily life. Members of the Dalit caste faced severely restricted access to post-earthquake relief and reconstruction resources due to caste discrimination. Societal discrimination against lower castes, women, and persons with disabilities remained common, especially in rural areas. Human trafficking persisted.

Women

Rape and Domestic Violence: Violence against women remained a problem. Under the civil code, prison sentences for rape vary between five and 15 years, depending on the victim's age. The law also mandates five years' additional imprisonment in the case of gang rape, rape of pregnant women, or rape of a woman with disabilities. The victim's compensation depends on the degree of mental and physical abuse. In October the president signed into law the Bill to Amend Some Nepal Acts to Maintain Gender Equality and End Gender-Based Violence, which increased the sentence for marital rape from three to six months' imprisonment to three to five years' imprisonment. The bill also extends the statute of limitations for filing rape charges from 35 days to 180 days. Human rights groups highlighted concerns with the statute, despite its extension, and its implications for addressing sexual violence committed during the country's 10-year conflict. In March, after a six-year old girl from Bara district died as a result of being raped, women's rights activists called on the government to toughen penalties for sexual assault and better address insecurity faced by women and girls throughout the country.

Persons with Disabilities

The new constitution prohibits discrimination based on disability or physical condition and contains additional rights for persons with disabilities that did not appear in the 2007 interim constitution. These include the right to free higher education for all physically disabled citizens who are "financially poor" and the provision of special instructional materials and curricula for the visually impaired.

Although government efforts to enforce laws and regulations to improve rights and benefits for persons with disabilities were gradually improving, they still were not effective. In 2012 the Supreme Court ordered the government to do more for persons with physical and mental disabilities, including providing a monthly stipend, building shelters, and appointing one social welfare worker in each district. NGOs reported that, although the government had attempted to implement the court's order by making budget allocations to empowerment and development programs, little progress had been made. Despite government efforts, persons with disabilities continued to face discrimination in employment (see section 7.d.).

The Ministry of Women, Children, and Social Welfare was responsible for the protection of persons with disabilities. Additionally, the Ministry of Education provided scholarships to help approximately 85,000 children with disabilities attend public or private schools at the primary level. An estimated 60 percent of children with disabilities, particularly those with intellectual or

mental disabilities and the visually or hearing impaired, did not attend school. Compared with primary school attendance, relatively few children with disabilities attended higher levels of education, largely due to accessibility problems, school locations, and financial burdens on parents. Although incidents of abuse of children with disabilities reportedly occurred in schools, no incidents were filed in the courts or with the relevant agencies during the year.

The Ministry of Local Development allocated an estimated 1 to 2 percent of the budget of local development agencies for disability programs. Some NGOs working with persons with disabilities received funding from the government, but most individuals with physical or mental disabilities relied almost exclusively on family members for assistance.

There are no restrictions in law on the rights of persons with disabilities to vote and participate in civic affairs. According to the Ministry of Women, Children, and Social Welfare, however, there were obstacles to exercising these rights, especially the lack of accessibility to public facilities. Access to mental health services was available in larger cities, and the Ministry of Women, Children, and Social Welfare increased its allocation for mental health organizations during the year from 1.0 to 1.5 million rupees (\$10,000 to \$15,000).

Section 7. Worker Rights

d. Discrimination with Respect to Employment or Occupation

The 2007 interim constitution prohibited discrimination on the basis of religion, race, sex, caste, tribe, social origin, language, or ideological conviction. The interim constitution also stipulated that the government may make special provisions for the protection, empowerment or advancement of women, Dalits, indigenous peoples, persons with disabilities, and those “who belong to a class which is economically, socially or culturally backward.” The new constitution added a general prohibition on discrimination on the basis of disability and physical and health conditions. It also added gender and sexual minorities to the categories eligible for special measures on protection, empowerment, and advancement. On employment specifically, the new constitution gives women the right to special opportunities and gives ethnic minorities, persons with disabilities, Muslims, and gender and sexual minorities the right to serve in state bodies through a principle of inclusion. It also states that there will be special legal provisions for Dalits in employment, including in public service. Labor regulations prohibit discrimination in payment or remuneration based on gender.

There are no provisions in the new constitution, law, or regulations prohibiting discrimination, including labor discrimination, regarding color, age, national origin or citizenship, HIV-positive status, and other communicable disease.

Discrimination in employment and occupation occurred, despite some constitutional and legal protections, with respect to gender, caste, ethnicity, national origin, citizenship, disability, sexual orientation and gender identity, and HIV-positive status. Such discrimination was most common in the informal sector, where monitoring by the government and human rights organizations was weak or absent, and those in disadvantaged categories had little leverage or recourse. In the formal sector, labor discrimination generally took the form of upper-caste men without disabilities being favored in hiring, promotions, and transfers. In the public sector, such

discrimination was also based on personal affiliation and reportedly occurred in many instances with the tacit understanding of political leaders.

Although the law requires equal pay for equal work for men and women, the government did not implement those provisions, in particular in many state industries. To be eligible for government jobs, Nepali national origin or citizenship is mandatory, and dual nationals are excluded. A fixed-term employment of a foreign national under contractual arrangements or as a consultant, however, is permitted. Labor laws limit hiring foreign nationals in fully owned or joint-venture foreign enterprises.

The government used a mandatory 5 percent public employment quota to hire 200 persons with disabilities during the year, primarily as teachers, an increase from 175 hires in 2014. The government also attempted to implement this quota system on a voluntary basis in the private sector and during the year began conducting free classes to help persons with disabilities prepare for public-service exams. Nevertheless, according to government officials and disability rights advocates, the overall rate of employment of persons with disabilities has not increased significantly. In the private sector, large numbers of persons with disabilities claimed they were denied work opportunities or dismissed due to their conditions. In all sectors, employees with disabilities reported other forms of discriminatory treatment.

Convention on the Rights of Persons with Disabilities

Nepal signed the CRPD and Optional Protocol on 3 Jan 2008. Nepal ratified the CRPD and Optional Protocol on 7 May 2010.

Pakistan

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Children

Infanticide or Infanticide of Children with Disabilities: According to the Edhi Foundation, its staff recovered more than 1,300 dead infants in 2013. By law anyone found to have abandoned an infant may be jailed for seven years, while anyone guilty of secretly burying a child may be imprisoned for two years. Murder is punishable by life imprisonment, but authorities rarely prosecuted the crime of infanticide.

Persons with Disabilities

The law provides for equal rights for of persons with disabilities, but authorities did not always implement its provisions. After the Ministry of Social Welfare and Special Education was dissolved in 2011, its affiliated departments--including the Directorate General for Special Education, National Council for the Rehabilitation of the Disabled, and National Trust for the Disabled--were transferred to the Capital Administration and Development Division. The special education and social welfare offices, which devolved to the provinces, are responsible for protecting the rights of persons with disabilities.

In the provinces social welfare departments worked for the welfare and education of persons with disabilities. In Sindh the law mandates the minister for bonded labor and special education to address the educational needs of persons with disabilities. According to the Leonard Cheshire Foundation, most children with disabilities did not attend school. At the primary level, 50 percent of girls and 28 percent of boys with disabilities were out of school. At the higher education level, Allama Iqbal Open University, the University of the Punjab, and Karachi University had programs to train students as educators for individuals with disabilities. The government's 2003 National Disability Policy designated the federal capital and provincial capitals as disability-friendly cities and granted permission to persons with disabilities to take central superior service exams to compete for entry to the civil service. The policy also provided for 127 special education centers in main cities. Employment quotas at the federal and provincial levels require public and private organizations to reserve at least 2 percent of jobs for qualified persons with disabilities. Authorities only partially implemented this requirement due to lack of adequate enforcement mechanisms. In Lahore, beginning in December 2014 and continuing sporadically thereafter, persons with visual disabilities held protests against the lack of jobs, which were in short supply despite the legal quota. Families cared for most individuals with physical and mental disabilities.

Organizations that did not wish to hire persons with disabilities could instead pay a fine to a disability assistance fund. Authorities rarely enforced this obligation. The National Council for the Rehabilitation of the Disabled provided job placement and loan facilities, as well as subsistence funding. There were no legal restrictions on the rights of persons with disabilities to vote or participate in civil affairs. Voting was challenging for persons with disabilities, however, because of severe difficulties in obtaining transportation and access to polling stations.

Section 7. Worker Rights

d. Discrimination with Respect to Employment or Occupation

While regulations prohibit discrimination in employment and occupation 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 those laws and regulations.

Discrimination with respect to employment and occupation based on these factors persisted. The nature of penalties for violations was insufficient to deter violations.

Convention on the Rights of Persons with Disabilities

Pakistan signed the CRPD on 25 Sep 2008. Pakistan ratified the CRPD on 5 Jul 2011.

Sri Lanka

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, sex, gender, disability, language, or social status, and the government generally respected these rights in practice. The constitution also has provisions that prohibit discrimination regarding religion, caste, political opinion, and place of birth. There were instances, however, in which gender, religious, disability and ethnic-based discrimination occurred.

Persons with Disabilities

The law forbids discrimination against any person with physical, sensory, intellectual, or mental disabilities in employment, education, air travel, other public transportation, and access to health care. In practice, however, discrimination occurred in employment, education, and provision of state services, including public transportation. Authorities generally permitted children with disabilities to attend mainstream schools, but due to societal stigma against persons with disabilities, many parents of children with disabilities chose to keep their children out of school. There were regulations on accessibility, but accommodation for access to buildings and public transportation for persons with disabilities was rare. The government supported participation by persons with disabilities in civic affairs.

Persons with disabilities faced difficulties due to negative attitudes and societal discrimination. In some rural areas, the belief of many residents that physical and mental disabilities were contagious led to long-term isolation of persons with disabilities, some of whom rarely or never left their homes.

Section 7. Worker Rights

d. Discrimination with Respect to Employment or Occupation

The constitution has provisions that prohibit discrimination regarding race, religion, language, caste, sex, political opinion, place of birth, or any one of such grounds. These are considered fundamental rights and justiciable in the Supreme Court. Such conditions, however, would not prevent special provisions being made by law for the advancement of women, children, or persons with disabilities. In addition the penal code provides for protection from sexual harassment in the workplace; it could apply equally to male or female employees. The Protection of Disabled Persons Law addresses the protection of workers with disabilities in the workplace.

Convention on the Rights of Persons with Disabilities

Sri Lanka signed the CRPD on 30 Mar 2007. Sri Lanka ratified the CRPD on 8 Feb 2016.

Tajikistan

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law provides for the rights and freedoms of every person regardless of race, gender, disability, language, or social status, but there was discrimination against women and persons with disabilities. Trafficking in persons for sexual and labor exploitation remained a problem.

Persons with Disabilities

The law on social protection of persons with disabilities applies to individuals having physical or mental disabilities, including sensory and developmental disabilities. The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and provision of other state services, but public and private institutions generally did not commit resources to implement the law. The law requires government buildings, schools, hospitals, and transportation, including air travel, to be accessible to persons with disabilities, but the government did not enforce these provisions.

Many children with disabilities were not able to attend school because doctors did not deem them “medically fit.” Children deemed medically unfit could attend special state-run schools specifically for persons with physical and mental disabilities. Observers noted that the capacity of these institutions probably did not meet demand. Mainstream schools and state-run schools for persons with physical and mental disabilities used the same curriculum. Doctors decided which subjects students were capable of studying, and directors of state-run schools could change the requirements for students to pass to the next grade at their discretion. Some children with Down syndrome and autism were allowed to attend mainstream schools. Up to 10 percent of families kept children with disabilities at home and provided home education or tutors.

The government charges the Commission on Fulfillment of International Human Rights, the Society of Invalids, and local and regional governmental structures with protecting the rights of persons with disabilities. Although the government maintained group living and medical facilities for persons with disabilities, funding was limited, and facilities were in poor condition.

Section 7. Worker Rights

d. Discrimination with Respect to Employment or Occupation

The law prohibits discrimination with respect to employment and occupation on the basis of race, sex, gender, disability, language, sexual orientation, gender identity, HIV-positive status, other communicable diseases, or social status. The law does not expressly prohibit worker discrimination on the basis of color, religion, political opinion, national origin or citizenship, or age. There were no official complaints of such discrimination with respect to employment and occupation. Nevertheless, employers discriminated against individuals based on sexual orientation and HIV-positive status, and police generally did not enforce these laws. LGBTI persons and HIV-positive individuals opted not to file complaints due to fear of harassment from law enforcement and the belief that police would not take action

Convention on the Rights of Persons with Disabilities

Tajikistan has not signed or ratified the CRPD or the Optional Protocol.

Turkmenistan

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Although the law prohibits discrimination based on race, gender, disability, language, ethnic minority status, or social status, discrimination continued to be a problem, as did violence against women.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and the provision of state services in other areas. Despite the law persons with disabilities encountered discrimination and denial of work, education, and access to health care and other state services because of strong cultural biases (see section 7.d.).

The government provided subsidies and pensions for persons with disabilities, but the assistance was inadequate to meet basic needs. The government considered persons with disabilities who received subsidies as being employed and therefore ineligible to compete for jobs in the government, the country's largest employer.

Some students with disabilities were unable to obtain education because there were no qualified teachers, and facilities were not accessible for persons with disabilities. Although the law requires universities to provide specialized entrance exams to applicants with disabilities, students with disabilities experienced difficulties in gaining admission to universities. The government placed children with disabilities, including those with mental disabilities, in boarding schools where they were to receive education and, if able to work, employment. In practice, however, the schools provided neither. Special schools for those with sensory disabilities existed in the larger cities. Boarding schools with rehabilitation centers for persons with disabilities existed in each province and in Ashgabat. The government operated six combined education and rehabilitation centers, one in each of the five provinces and one in the capital. Each center was designed to serve 420 students with disabilities.

Although the law requires new construction projects to include facilities that allow access by persons with disabilities, compliance was inconsistent and older buildings remained inaccessible. A lack of consistent accessibility standards resulted in some new buildings with inappropriately designed access ramps. The Ministry of Social Welfare is responsible for protecting the rights of persons with disabilities. The ministry provided venues and organizational support for activities conducted by NGOs that assist persons with disabilities. The law provides for the right to vote for all, including for persons with disabilities.

Section 7. Worker Rights

d. Discrimination with Respect to Employment or Occupation

The law prohibits discrimination regarding nationality, race, gender, origin, language, religion, disability, HIV status or other communicable diseases, political beliefs, and social status. The law does not prohibit discrimination on the basis of color, sex, sexual orientation or gender identity. The government did not always successfully enforce the law; certain government positions required language exams and a family background check going back three generations.

Discrimination in employment and occupation occurred with respect to gender, language, and disability (see section 6). There was no information on discrimination against internal migrant workers.

e. Acceptable Conditions of Work

The minimum monthly wage for all sectors was 535 manat (\$153). An official estimate of the poverty-level income was not available. The standard legal workweek is 40 hours with weekends off. The law states that overtime or holiday pay should be double the regular wage. Maximum overtime in a year is 120 hours and may not exceed four hours in two consecutive days. The law prohibits pregnant women, women with children up to age three, women with disabled children under age 16, and single parents with two or more children from working overtime.

Convention on the Rights of Persons with Disabilities Turkmenistan ratified the CRPD on 4 September 2008. Turkmenistan ratified the Optional Protocol on 10 November 2010.

Convention on the Rights of Persons with Disabilities

Turkmenistan ratified the CRPD on 10 Nov 2010 and the Optional Protocol on 4 Sep 2008.

Uzbekistan

EXECUTIVE SUMMARY

Section 1. Respect for the Integrity of the Person, Including Freedom from:

d. Arbitrary Arrest or Detention

ARREST PROCEDURES AND TREATMENT OF DETAINEES

Amnesty: In November 2014 the Senate approved the annual prisoner amnesty. According to its terms, women, underage offenders, men over 60, foreign citizens, and persons with disabilities

or documented serious illnesses are eligible for amnesty. The bill also renders eligible first-time offenders convicted of participation in banned organizations and the commission of crimes against peace or public security who “have firmly stood on the path to recovery.” With some exceptions, the amnesty reduces sentences by one-third for all convicts sentenced to up to 10 years’ imprisonment and by one-fourth for those sentenced to more than 10 years. The amnesty excludes persons sentenced to life and “lengthy” terms in prison, repeat offenders, and those who “systemically have violated the terms of incarceration.” Amnesty options include release from prison and transfer to a work camp. Courts were also permitted to dismiss criminal cases at the pretrial or trial stage.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law and constitution prohibit discrimination on the basis of race, gender, disability, language, and social status. Nonetheless, societal discrimination against women and persons with disabilities existed, and child abuse persisted.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, but societal discrimination on the basis of disability occurred.

The government continued efforts to confirm the disability levels of citizens who received government disability benefits, claiming it did so to ensure the legitimacy of disability payments. Unconfirmed reports suggested, however, that authorities unfairly reduced benefits to some individuals in the process.

The law allows for fines if buildings, including private shops and restaurants, are not accessible, and activists reported that authorities fined individuals or organizations in approximately 2,500 cases during the year. A 2013 law reduced the fine for failing to create the necessary conditions for persons with disabilities from 6.4 to 9.2 million soum (\$2,415 to \$3,470) to 2.2 million soum (\$830). Disability activists reported that accessibility remained inadequate, noting, for example, that many of the high schools constructed in recent years had exterior ramps but no interior modifications to facilitate access by wheelchair users.

The Ministry of Health controlled access to health care for persons with disabilities, and the Ministry of Labor and Social Protection facilitated employment of persons with disabilities. No information was available regarding patterns of abuse in educational and mental health facilities. The labor law states that all citizens enjoy equal employment rights, but disability rights activists reported that discrimination occurred (see section 7.d.) and estimated that 90 percent of persons with disabilities were unemployed. The government indicated 17,000 jobs were set aside for persons with disabilities. There were no government programs to ensure access to buildings, information, and communications, and activists reported particular difficulties with access. Activists also reported instances in which persons with disabilities were not provided sign language interpreters during police investigations and court hearings.

According to the government, of the children under 16 with disabilities in the country, 30,122 attended public schools, 6,225 attended specialized schools, and 9,499 were home schooled.

Students studied braille books published during Soviet times. There were computers adapted for people with vision disabilities.

Convention on the Rights of Persons with Disabilities

Uzbekistan signed the CRPD on 27 Feb 2009.