

# Consolidated Disability Findings from the 2010 U.S. State Department Country Reports on Human Rights Practices

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## Western Hemisphere

### **Introduction to the State Department Report on Disability Human Rights**

The State Department's 2010 Country Reports on Human Rights Practices, released April 2011, represent the culmination of the U.S. State Department's review of the human rights records and situation in 194 countries around the world. The reports are supplied to Congress in accordance with law to assist in matters of foreign affairs.

USICD has consolidated the disability references from the 194 Country Reports into a 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. overlap with the section on children, 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 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 perspectives 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**

#### **Persons with Disabilities**

There was no reported discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. Although the constitution contains antidiscrimination provisions, no specific laws prohibit discrimination against, or mandate accessibility for, persons with disabilities.

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## **The Convention on the Rights of Persons with Disabilities**

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

### **Argentina**

#### **Constitution and Laws**

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

#### **Persons with Disabilities**

The constitution and laws prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services. A specific law also mandates access to buildings for persons with disabilities. While the federal government has protective laws, many states have not adopted the laws and have no mechanisms to ensure enforcement. While the government does not restrict the right of persons with disabilities to vote or participate in civic affairs, access to a voting location is often not possible for those with disabilities, and the required accommodations are often not met. There are accounts of persons with mental health conditions being denied the right to vote by election officials.

On June 1, the Supreme Court declared unconstitutional an article of a law putting certain limits on the right to travel on buses free of charge between home and places of work, assistance, education, or other social integration. The ruling effectively widened access to public transportation for persons with disabilities.

On November 3, congress unanimously passed a law requiring all government entities to respect international Web site design standards, facilitating equal access to Web information for persons with disabilities. The law gives entities two years to comply with design standards.

On November 25, congress passed the Mental Health Act, which broadens the number of treatment alternatives for persons with mental health conditions. It prohibits the creation of new psychiatric asylums, promotes medical care at general hospitals, and incorporates issues related to addiction into the mental health field. A 2007 CELS report indicated that 25,000 persons were confined to psychiatric asylums and that 80 percent of those persons were confined for more than one year.

An estimated 82 percent of persons with disabilities lacked employment. Due to lengthy procedures for obtaining a certificate of disability, a key document to access services including rehabilitation, only 15 percent of unemployed persons with disabilities received a certificate of disability.

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.

The government took a number of actions to improve respect for the rights of persons with disabilities. Santa Fe Province passed a law that mandates provincial tax forms in Braille be provided upon request to persons with visual disabilities. Chaco Province established a free hotline offering persons with disabilities information regarding their rights and benefits and general assistance.

The government responded to civil society requests to improve respect for the rights of persons with disabilities in education. In Neuquen approximately 1,000 students received approval from the Provincial Education Council to leave a special education school and enter the general public school system upon request of their parents. The National University of Cordoba, in response to requests from blind students, digitized 20,000 pages of text in five different fields of study to make them accessible to the visually impaired.

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The government's Secretariat of University Policies signed an agreement in June at the Ministry of Education to finance renovations to make university buildings accessible to persons with disabilities seeking to ensure that the buildings and grounds of all national universities are safe and accessible for all users.

### **The Convention on the Rights of Persons with Disabilities**

Argentina signed the Convention and Optional Protocol on 30/3/2007. Argentina ratified the Convention and the Optional Protocol on 2/9/2008.

## **Bahamas, The**

### **Persons with Disabilities**

There is no specific law protecting persons with physical or mental disabilities from discrimination in employment, education, access to health care, or in the provision of other state services. However, provisions in other legislation address the rights of persons with disabilities, including a prohibition of discrimination on the basis of disability. Although the law mandates access for persons with physical disabilities in new public buildings, the authorities rarely enforced this requirement, and very few buildings and public facilities were accessible to persons with disabilities. Advocates for persons with disabilities complained of widespread job discrimination and general apathy on the part of private employers and political leaders toward the need for training and equal opportunity.

In its attempt to counter all forms of discrimination against persons with disabilities the government, through its Disability Affairs Division, engaged in several outreach efforts. The division collaborated with disability-related NGOs and the community of persons with disabilities in the formulation of national antidiscrimination legislation, which was in its final stages of preparation. The division also established a national registry for persons with disabilities in order to obtain statistical data that provides the kind of information needed for the creation of inclusive policies and support services necessary for equal participation in all aspects of society. Daily sign language interpretation for national evening news broadcasts was provided.

New measures were taken to provide training, education, and job placement services for adults and children with disabilities. The government provided financial assistance for computer classes and technical skills training at the Bahamas Technical Vocational Institute. A disability allowance was provided to children with disabilities under the age of 16 to assist with caring for a child with special needs. Monthly self-esteem building support groups were held for men and women with disabilities. Free Braille classes were provided for individuals with vision loss as well as free sign language interpretation for individuals with hearing loss. Adaptive technology was provided for children with multiple disabilities at the Bahamas Association for the Physically Disabled (a school for children with multiple disabilities).

In June media reports indicated a patient died, possibly due to neglect, at the Sandilands Psychiatric Hospital. The government conducted a comprehensive investigation which included detailed accounts from medical and support personnel, as well as the submission of closed circuit television footage. The government found that there was no evidence of negligence on the part of staff in this matter.

The Social Development Ministry's Disability Affairs Unit worked with the Bahamas National Council for Disability, an umbrella organization of nongovernmental organizations that offered services for persons with disabilities, to provide a coordinated public and private sector approach to the needs of such persons. A mix of government and private residential and nonresidential institutions provided education, training, counseling, and job placement services for adults and children with both physical and mental disabilities.

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## **Other Relevant References**

The Department of Social Services is responsible for abandoned children up to 18 years of age but had very limited resources at its disposal. The government found foster homes for some children, and the government hospital housed abandoned children with physical disabilities when foster homes could not be found.

## **The Convention on the Rights of Persons with Disabilities**

The Bahamas has not signed the Convention.

## **Barbados**

### **Persons with Disabilities**

There are no laws that 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. In practice persons with disabilities faced some 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.

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 special sanitary facilities for such persons.

The government's National 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. In April the unit, along with the Barbados Fire Service, launched a program to install fire detectors in the homes of persons with disabilities.

### **The Convention on the Rights of Persons with Disabilities**

Barbados signed the Convention on 19/7/2007.

## **Belize**

### **Constitution and Laws**

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

### **Persons with Disabilities**

Although the law does not expressly prohibit discrimination against persons with physical and mental disabilities, the constitution provides for the protection of all citizens from any type of discrimination. The law does not provide for accessibility for persons with disabilities. There were two schools (the Cayo Deaf Institute in Central Farm and the Stella Maris School for disabled children in Belize City) and four special education centers (located in Corozal, Punta Gorda, Orange Walk, and Dangriga) for children with disabilities.

Informal government-organized committees for persons with disabilities were tasked with public education and enforcing protection. Private companies and NGOs, such as the Parents Association for Children with Special Needs and the Belize Council for the Visually Impaired, provided services to persons with disabilities. The Ministry of Education maintained an educational unit offering limited special education programs within the regular school system.

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During the year Kim Simplis-Barrow, the prime minister's wife, was named the official spokesperson for persons with disabilities. She launched public announcements, participated in numerous advocacy campaigns on behalf of persons with disabilities, and partnered with CARE-Belize to promote schools that made positive efforts to create inclusive environments for persons with disabilities.

### **The Convention on the Rights of Persons with Disabilities**

Belize signed the Convention on 9/5/2011 and ratified the Convention on 2/6/2011.

## **Bolivia**

### **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities and identifies the rights and benefits afforded them. There was no official discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. The government did not effectively enforce these provisions, however, and societal discrimination kept many persons with disabilities at home from an early age, limiting their integration into society. The Law on Disabilities requires wheelchair access to all public and private buildings, duty-free import of orthopedic devices, a 50 percent reduction in public transportation fares, and expanded teaching of sign language and Braille.

The National Committee for Handicapped Persons was responsible for protecting the rights of persons with disabilities.

### **The Convention on the Rights of Persons with Disabilities**

Bolivia signed the Convention and Optional Protocol on 13/8/2007. Bolivia ratified the Convention and the Optional Protocol on 16/11/2009.

## **Brazil**

### **Constitution and Laws**

Although the law prohibits and penalizes discrimination on the basis of race, gender, disability, or social status, discrimination against women, Afro-Brazilians, gays and lesbians, and indigenous persons continued.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, and access to health care, and the federal government effectively enforced these provisions. However, state governments failed to meet legally mandated targets for educational opportunities and work placement. While federal and state laws have provisions ensuring access to buildings for persons with disabilities, states did not have programs to enforce them effectively. For instance, while the Sao Paulo State labor code requires that meeting places for more than 100 persons or other facilities for 600 persons or more provide modified entrances and other accommodations for persons with disabilities, such persons had continued difficulty in securing necessary accommodations.

Federal laws establish the basic rights to accessibility and access to information for persons with disabilities. According to the IBGE, 30 million citizens had some form of disability. The 2010 census included improved reporting techniques identifying persons with disabilities for the purpose of creating reliable statistics to be used for the creation of future public policy. The National Council for the Rights of Handicapped Persons and the National Council for the Rights of the Elderly, both within the SEDH, have primary responsibility for promoting the rights of persons with disabilities. According to the Secretariat of Human Rights, specific challenges included the short supply of affordable orthotics and prosthetics for those who could benefit from them but could not afford them; availability of affordable housing with special adaptations to those with special needs; accessibility to public transport able to

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accommodate the needs of physically disabled persons, (for example, by adapting bus and subway terminals with handicap ramps, elevators); accessibility to schools with facilities (restrooms, classrooms, sidewalks, ramps) for physically challenged persons; combating social exclusion; and raising awareness of the rights of persons with disabilities through the advancement of Internet access and media campaigns.

### **The Convention on the Rights of Persons with Disabilities**

Brazil signed the Convention and Optional Protocol on 30/3/2007. Brazil ratified the Convention and the Optional Protocol on 1/8/2008.

## **Canada**

### **Constitution and Laws**

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

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual and mental disabilities in employment, education, access to health care, or the provision of other state services or in other areas, and the government effectively enforced these prohibitions. The government effectively implemented laws and programs mandating access to buildings, information, and communications for persons with disabilities.

The federal, provincial, and territorial governments share responsibility for protecting the rights of persons with disabilities. The Office for Disability Issues, the federal government's focal point, funded a range of programs, including programs to enable participation of persons with disabilities in the workforce, to improve physical accessibility infrastructure, to build the capacity of the voluntary sector, and to raise public education and awareness of disability issues.

On July 28, an Ontario court accepted a class-action lawsuit by former residents of the Huronia Regional Centre, a former facility operated by the province of Ontario for persons with developmental disabilities. Former residents and their family members alleged systemic neglect and abuse at the institution over a prolonged period before it closed in 2009. The suit is the first against a government-run residential institution for the developmentally disabled in Ontario.

### **Other Relevant References**

The Charter of the French Language in Quebec makes French the official language of the province; requires the use of French in commerce, the workplace, education, and government; and protects minority language rights. The charter also restricts access to publicly funded English-language education to children who have received or are receiving elementary or secondary instruction in English and whose parents are citizens, and to students who are temporary residents in the province or have serious learning disabilities and who have obtained a waiver.

### **The Convention on the Rights of Persons with Disabilities**

Canada signed the Convention on 30/3/2007. Canada ratified the Convention on 11/3/2010.

## **Chile**

### **Constitution and Laws**

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government enforced these prohibitions. However, such discrimination continued to occur.

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## **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and access to state services, and the government effectively enforced these provisions. However, such persons suffered forms of de facto discrimination. In 2008 the New Faces Foundation, an NGO that provides attention to impoverished adults with mental or psychological disabilities, reported an estimated 60,000 persons suffered from moderate or severe mental disability, nearly half of whom received no mental health attention. Approximately 100,000 persons under the age of 27 with disabilities did not receive any special care or education.

The government did not effectively implement laws and programs to ensure that persons with disabilities have access to buildings, information, and communications. A majority of public buildings did not comply with legal accessibility mandates. An improved transportation system in Santiago provided additional, but still limited, accessibility for persons with disabilities. Public transportation outside of the capital remained problematic.

The National Fund for Persons with Disabilities under the jurisdiction of the Ministry of Planning has responsibility for protecting the rights of persons with disabilities and for creating programs to promote their better integration into society.

## **Other Relevant References**

Prisoners with HIV/AIDS and mental disabilities failed to receive adequate medical attention in some prisons.

## **The Convention on the Rights of Persons with Disabilities**

Chile signed the Convention and Optional Protocol on 30/3/2007. Chile ratified the Convention and the Optional Protocol on 29/7/2008.

## **Colombia**

### **Constitution and Laws**

Although the law specifically prohibits discrimination based on race, gender, disability, language, or social status, many of these prohibitions were not enforced in practice.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services, and the government sought to enforce these prohibitions. No law mandates access to public buildings, information, and telecommunications for persons with disabilities, thus limiting the power of the government to penalize those schools or offices without access, but both national and local governments addressed this with programs aimed at improving access. The law provides persons with physical disabilities access to voting stations. The Presidential Program for Human Rights is responsible for protecting the rights of persons with disabilities.

### **Other Relevant References**

In 2004 the Constitutional Court initially found the government's response to displacement an "unconstitutional state of affairs" and ordered the government to reformulate its IDP programs and policies, including improving the IDP registration system. In following years, the court also ordered the government to implement specific protection and assistance programs for displaced indigenous people, Afro-Colombians, women and children, disabled persons, and IDP community leaders. In its July 1 report to the Constitutional Court, Accion Social cited improvements in institutional and territorial coordination, enhanced registration systems, involvement of IDP and community authorities and

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associations, increased IDP policy and program budget, and improved monitoring and evaluation of assistance and rights.

### **The Convention on the Rights of Persons with Disabilities**

Colombia signed the Convention on 30/3/2007 and ratified on 10/5/2011.

## **Costa Rica**

### **Constitution and Laws**

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

### **Persons with Disabilities**

The constitution prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, health care access, or other state services. There were no reports of such discriminatory practices in education or in the provision of other state services. However, the Ombudsman's Office reported that, although there were some institutional efforts to improve the situation, there were isolated instances where a lack of interagency coordination prevented the implementation of comprehensive strategies to protect the fundamental rights of persons with disabilities. The Ombudsman's Office reported problems in access to employment for persons with disabilities.

Although the law mandates access to buildings for persons with disabilities, the government did not enforce this provision in practice, and many buildings remained inaccessible to persons with disabilities. In 2009 the Supreme Court's Constitutional Chamber upheld an appeal in favor of the right of persons with disabilities to gain access to state-owned or private facilities open to the public. Public transportation services improved access slightly for persons using wheelchairs. During the year the Ombudsman's Office received and investigated 29 complaints about violations of the law that protects equal opportunities for persons with disabilities.

The TSE, with the assistance of the National Council on Disability (CNREE), implemented a program to facilitate the right of persons with disabilities to vote and participate in electoral activities. The TSE provided voting equipment (a Braille template) which enabled blind voters to vote independently and privately.

The Ministry of Education continued to operate a program for persons with disabilities, including a national resource center that provided parents, students, and teachers with advanced counseling, training, and information services. There were 24 special education centers exclusively to assist special education students and those with disabilities, two more inside state hospitals, and an additional institute for the blind. In addition, 2,129 schools had programs to provide some support to students with disabilities, and the ministry provided special education to 14,815 students who registered in 2009.

The CNREE is responsible for protecting the rights of persons with disabilities and for coordinating all organizations working on issues related to persons with disabilities.

A political party, Accessibility without Exclusion, represented the interests of persons with disabilities and held four seats in the Legislative Assembly. In addition, a member of this party was elected mayor of the city of Liberia.

### **The Convention on the Rights of Persons with Disabilities**

Costa Rica signed the Convention and Optional Protocol on 30/3/2007. Costa Rica ratified the Convention and the Optional Protocol on 1/10/2008.

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## **Cuba**

### **Constitution and Laws**

The constitution prohibits discrimination based on race, gender, disability, or social status; however, racial discrimination occurred frequently.

### **Persons with Disabilities**

There was no known law prohibiting official discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. However, a Ministry of Labor and Social Security resolution gives persons with disabilities the right to equal employment opportunities and to equal pay for equal work. There was no official discrimination against persons with disabilities. There are no laws mandating accessibility to buildings, communications facilities or information for persons with disabilities, and in practice facilities and services were rarely accessible to persons with disabilities.

The Special Education Division of the Ministry of Education is responsible for the education and training of children with disabilities. The Ministry of Labor and Social Security is in charge of the Job Program for the Handicapped.

In January at least 26 patients died at the government-run "Mazorra" Pyschiatric Hospital in Havana when temperatures dropped to near freezing. Havana residents familiar with the hospital alleged that the deaths were due to negligence, and reported that the patients, many of them elderly, suffered from severe malnutrition, lived in unheated rooms with broken windows, and lacked jackets or blankets. On January 16, the Ministry of Public Health acknowledged the deaths, cited "deficiencies" in the hospital's administration, and stated that responsible officials would face criminal charges. On July 22, President Castro replaced the minister of public health. Unofficial reports at the end of the year indicated that the government was preparing charges against several people involved in the case.

### **The Convention on the Rights of Persons with Disabilities**

Cuba signed the Convention on 26/4/2007. Cuba ratified the Convention on 6/9/2007.

## **Dominica**

### **Persons with Disabilities**

Although the law does not specifically prohibit discrimination against persons with disabilities, there was no reported formal discrimination against them in employment, education, access to health care, or the provision of other state services. However, many employers refused to hire persons with disabilities, and unemployment among them was very high.

There is no legal requirement mandating access to buildings for persons with disabilities.

The government funded a special school for the hearing impaired and partially assisted two other schools for vision impaired and mentally challenged children. One of the public schools also had a program for autistic children. However, the education of children with disabilities remained a serious challenge, as many of the disabled children were in rural areas.

### **Other Relevant References**

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. In practice such persons were generally paid more than the minimum, and the labor commissioner had not authorized subminimum wages for the last few years.

There were no government restrictions on the formation of local human rights organizations, although no such groups existed. Several advocacy groups, such as the Association of Disabled People, the

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Dominica National Council of Women (DNCW), and a women's and children's self-help organization, operated freely and without government interference.

### **The Convention on the Rights of Persons with Disabilities**

Dominica signed the Convention on 30/3/2007.

## **Dominican Republic**

### **Constitution and Laws**

Although the new constitution prohibits discrimination based on race, gender, disability, language, and social status, such discrimination existed, and the government seldom acknowledged its existence or made efforts to combat it.

### **Persons with Disabilities**

Although the law prohibits discrimination against persons with 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, but the authorities did not enforce this provision. The Dominican Association for Rehabilitation, which had 23 branches around the country, received a large subsidy from the Secretariat of Public Health and from the Presidency to provide rehabilitation assistance to persons with physical and learning disabilities. The association cited the lack of accessible public transportation for persons with disabilities as a major impediment. The 2000 disability law states that the government should ensure that people with disabilities have access to the labor market and cultural, recreational, and religious activities.

Discrimination against persons with mental illness was common across all public and private sectors, and there were few resources dedicated to the mentally ill.

### **The Convention on the Rights of Persons with Disabilities**

The Dominican Republic signed the Convention and Optional Protocol on 30/3/2007. The Dominican Republic ratified the Convention and the Optional Protocol on 18/8/2009.

## **Ecuador**

### **Constitution and Laws**

Although the new constitution prohibits discrimination based on race, gender, disability, language, and social status, such discrimination existed, and the government seldom acknowledged its existence or made efforts to combat it.

### **Persons with Disabilities**

The constitution prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and the provision of other state services. The interagency National Council on Disabilities oversees government policies regarding persons with disabilities.

Although the law mandates access to buildings and public transportation for persons with disabilities, the government did not fully enforce it.

The constitution extends benefits to persons with disabilities, particularly in the areas of education, employment, and access to social security. The law requires that percent of employees in all public and private enterprises with more than 25 employees be persons with disabilities. On May 8, Vice President Lenin Moreno stated that government agencies were fully compliant with the law and that private companies would face stiff fines for noncompliance. According to government information, only 35 percent of the 1,532 audited companies complied with this law. Through the beginning of June, nine companies were fined a total of \$600,000 for not complying with the law.

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An initiative called Ecuador without Barriers, led by the vice president, helped create an unspecified number of jobs for persons with disabilities, provided funding to more than 200 municipalities to improve access to public buildings, and opened training and rehabilitation centers. The initiative also created a record to show the degree of compliance by companies that hire persons with disabilities. In addition to this program, the government was building centers for those considered intellectually disabled.

The vice president also led an initiative to conduct a census, registry, and survey of living conditions of persons with disabilities. As of early December, the initiative had registered 294,166 persons with disabilities nationwide. In addition, the caregivers of persons with severe disabilities received a government subsidy equivalent to the minimum monthly wage. In 2009 the municipality of Guayaquil, the country's largest city, passed a regulation requiring all businesses and public institutions to improve access for the disabled and the elderly. Also in 2009, seven municipalities located in areas of high risk of natural disasters finished developing guidelines for the rescue and assistance of persons with disabilities during and following a disaster.

### **The Convention on the Rights of Persons with Disabilities**

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

## **El Salvador**

### **Constitution and Laws**

Although the constitution and the legal code provide that all persons are equal before the law and prohibit discrimination regardless of race, gender, disability, language, or social status, in practice the government did not effectively enforce these prohibitions. There was discrimination against women; persons with disabilities; lesbian, gay, bisexual, and transgender persons, and indigenous people. The Secretariat for Social Inclusion, created in June 2009 by President Funes, who named the first lady Vanda Pignato as secretary, made efforts to overcome traditional bias in all these areas.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services. According to the National Council for Disabled Persons (CONAIPD), the government did not allocate sufficient resources to enforce these prohibitions effectively, particularly in education, employment, and transportation, and did not effectively enforce legal requirements for access to buildings, information and communications for persons with disabilities. There are almost no access ramps in the country, nor are provisions made for the mobility of persons with sight and hearing disabilities.

Several public and private organizations promoted the rights of persons with disabilities. CONAIPD is the government agency responsible for protecting those rights. There were no reported patterns of abuse in prisons or in educational or mental health facilities, although CONAIPD reported isolated incidents, including sexual abuse, in such facilities. There are no statistics or formal mechanisms for complaint for abuse of persons with disabilities.

CONAIPD reported that persons were fired after becoming disabled, that persons with disabilities were not considered for work they were qualified for, and that 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.

CONAIPD conducted awareness campaigns, provided sensitivity training to 1,173 persons in 15 institutions from the public and private sectors, promoted the hiring of persons with disabilities, and trained doctors and teachers about the rights of the disabled. The government's Fund for the Protection

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of Persons with Disabilities assisted financially individuals who were wounded or had a disability as a result of the civil war but had not yet paid some obligations through 2009. President Funes stated the government would pay owed pensions. The Rehabilitation Foundation, in cooperation with the Salvadoran Institute for the Rehabilitation of the Disabled (ISRI), continued to operate a treatment center for persons with disabilities. However, CONAIPD reported that the government provided minimal funding for ISRI. The vast majority of persons with disabilities received care at home by relatives with little or no government support or supervision.

### **Other Relevant References**

The penalty for rape is six to 10 years' imprisonment, but the law provides for a maximum sentence of 20 years for rape of certain classes of victims, including children and persons with disabilities.

### **The Convention on the Rights of Persons with Disabilities**

El Salvador signed the Convention and Optional Protocol on 30/3/2007. El Salvador ratified the Convention and the Optional Protocol on 14/12/2007.

## **Grenada**

### **Persons with Disabilities**

The constitution and law do not protect job seekers with disabilities from discrimination in employment. Although the law does not mandate access to public buildings or services, building owners increasingly incorporated disabled access into new construction and premises renovation. Although public schools accepted special needs children and sought to meet their needs, many parents chose to send their children to three special education schools operating in the country. Persons with disabilities had full access to the health care system and other public services, faced no discrimination in access to information and communication, and suffered no restrictions on the right to vote or to participate fully in civic affairs. The government and NGOs continued to provide training and work opportunities for such persons. The Ministry of Social Services includes an office responsible for looking after persons with disabilities, as well as the Council for the Disabled, which reviews disability-related issues.

### **The Convention on the Rights of Persons with Disabilities**

Grenada signed the Convention on 12/7/2010.

## **Guatemala**

### **Constitution and Laws**

The constitution and the law prohibit discrimination based on race, gender, disability, language, or social status. In practice the government frequently did not enforce these provisions due to inadequate resources, corruption, and a dysfunctional judicial system.

### **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 or other areas. The law, however, mandates equal access to public facilities and provides some other legal protections. In many cases, persons with physical and mental disabilities did not enjoy these rights, 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.

There were minimal educational resources for persons with special needs, and the majority of universities did not have accessibility facilities for persons with disabilities. The National Hospital for Mental Health, the principal health provider for persons with mental illness, lacked basic supplies, equipment, hygienic living conditions, and adequate professional staffing. The National Council for the

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Disabled, composed of representatives of relevant government ministries and agencies, is the principal government organ responsible for protecting the rights of persons with disabilities. It met regularly to discuss initiatives and had a budget of five million quetzales (\$625,000).

### **The Convention on the Rights of Persons with Disabilities**

Guatemala signed the Convention and Optional Protocol on 30/3/2007. Guatemala ratified the Convention and the Optional Protocol on 7/4/2009.

## **Guyana**

### **Constitution and Laws**

While the constitution prohibits discrimination based on race, gender, disability, language, social status, religion, or national origin, the government did not always effectively enforce these prohibitions.

### **Persons with Disabilities**

The constitution mandates the state to "take legislative and other measures" designed to protect disadvantaged persons and persons with disabilities. On November 2, President Jagdeo signed the Persons with Disabilities Act, which provides for equal protection under the law. The act stipulates that the National Commission on Disabilities shall comprise 12 members appointed by the president; it charges the commission with advising the government, coordinating actions on issues affecting persons with disabilities, and addressing implementation and monitoring of the act's provisions. Regardless, lack of appropriate infrastructure to provide access to both public and private facilities made it difficult for persons with disabilities to be employed outside their homes. The Open Door Center offered assistance and training to persons with disabilities throughout the year.

### **Other Relevant References**

On May 24, the president signed into law a Sexual Offenses Bill that broadened the definition of rape to include spousal rape, coercion, new child-sex offenses, and the creation of offenses for vulnerable adults with a learning disability or mental disorder.

### **The Convention on the Rights of Persons with Disabilities**

Guyana signed the Convention on 11/4/2007.

## **Haiti**

### **Constitution and Laws**

The law does not specifically prohibit discrimination on the grounds of race, gender, disability, language, or social status. It does provide for equal working conditions regardless of gender, beliefs, or marital status. However, no effective governmental mechanism administered or enforced these provisions.

### **Persons with Disabilities**

The constitution and laws do not explicitly prohibit discrimination against persons with physical and mental disabilities, and there were no reports of discrimination by the government against persons with disabilities in employment, education, access to health care, or the provision of other state services. However, because of widespread and chronic poverty, a shortage of public services, and limited educational opportunities, persons with disabilities were severely disadvantaged. According to the National Network for the Defense of Human Rights (RNDDH), approximately 805,000 persons lived with a physical disability during the year. The earthquake exacerbated the difficulties faced by persons with disabilities, with the RNDDH reporting that 6,000 persons were left with an amputated limb as a result of the earthquake. Only 3 percent of children with disabilities have access to schools.

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The Secretariat of State for the Integration of Handicapped Persons (SEIPH) is the lead government agency responsible for providing assistance to and ensuring that the concerns of the disabled are taken into account, especially during the reconstruction phase. SEIPH worked with the UN Health Cluster to coordinate the Injury, Rehabilitation, and Disability working group, which coordinated all activity concerning the rehabilitation of injured persons, the fitting of orthopedic devices, and the provision of assistance to persons with disabilities. SEIPH also signed an agreement with foreign donors to enable the construction in the coming year of a rehabilitation center for persons with disabilities. The center will train teachers and technicians and will provide prostheses and hearing aids. SEIPH's broader mandate is to improve the living conditions of persons with disabilities, raise public awareness on national and international disability issues, strengthen the response capacity of associations or institutions that work on disability issues, and to establish a legal framework for persons with disabilities.

There were no reports of abuse in mental health facilities.

### **The Convention on the Rights of Persons with Disabilities**

Haiti ratified the Convention and the Optional Protocol on 23/7/2009.

## **Honduras**

### **Constitution and Laws**

The law prohibits discrimination based on race, gender, disability, language, or social status; however, in practice it was not effectively enforced. Political, military, and social elites generally enjoyed impunity under the legal system.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services, but the government did not adequately enforce these provisions. Statutory provisions make it illegal for an employer to discriminate against a worker based on disability. There were no verifiable reports of discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. The law requires access to buildings for persons with disabilities. In practice few buildings were accessible, and the government did not effectively implement laws or programs to ensure such access. The Honduran National Federation of Organizations for Persons with Disabilities stated that the national library contained the nation's only copy of the constitution in Braille. One publicly available National Educational Television program used sign language interpretation to familiarize viewers with the constitution.

The government created a disabilities unit in the Ministry of Social Development and a Secretariat of the Presidency Special Commissioner for Disabilities. The National Congress Committee on Human Rights established an internal committee to act as congressional liaison for disabilities. The Directorate General for the Development of Persons with Disabilities expressed concern that disability issues had not been incorporated into the government's National Development Plan.

A trial was scheduled for September 17 in relation to the March 2009 arrest of former principal Melvin Alvarado Diaz for allegedly sexually molesting 16 students at Pilar Salinas School for the Blind. At year's end Alvarado was on temporary release pending trial.

### **Other Relevant References**

The Ministry of Labor did not investigate alleged violations of occupational health and safety laws and other labor rights problems relating to the approximately 3,000 lobster divers, many from the Misquito indigenous and other ethnic minority groups in Gracias a Dios Department. Since 2003 approximately

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365 lobster divers have died and at least 2,000 became disabled due to the dangerous nature of their work.

### **The Convention on the Rights of Persons with Disabilities**

Honduras signed the Convention on 30/3/2007 and Optional Protocol on 23/8/2007. Honduras ratified the Convention on 14/4/2008 and the Optional Protocol on 16/8/2010.

## **Jamaica**

### **Persons with Disabilities**

There are no laws prohibiting discrimination against persons with disabilities or mandating accessibility for persons with disabilities, and such persons encountered discrimination in employment and denial of access to schools. Health care and other state services were reported to be universally available.

The Ministry of Labor has responsibility for the Jamaica Council for Persons with Disabilities (JCPD), which had a budget of J\$48 million (\$560,000) in 2009-10. The JCPD distributes Economic Empowerment Grants of up to J\$50,000 (\$580) 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. These economic empowerment grants are significantly larger than the maximum sum of J\$15,000 (\$174) that persons with disabilities occasionally received in the form of rehabilitation grants ostensibly for the same 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.

### **The Convention on the Rights of Persons with Disabilities**

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

## **Mexico**

### **Constitution and Laws**

The law prohibits discrimination based on race, gender, disability, language, or social status. While the government continued to make progress enforcing these provisions, significant problems, particularly violence against women, persisted.

### **Persons with Disabilities**

Although the law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and the provision of other services, the government did not effectively enforce all these stipulations. Public buildings and facilities in Mexico City did not comply with the law requiring access for persons with disabilities, although the federal government stated that entrances, exits, and hallways in all of its offices were accessible to persons with disabilities. The education system provided special education for approximately 341,000 of an estimated two million students with disabilities; only 45 percent of the country's municipalities provided special education.

In the 2000 census, 1.8 percent of the population reported having a disability, 72.6 percent of whom lived in urban areas. According to the National Commission for Persons with Disabilities, of children with disabilities between the ages of six and 14, 62.6 percent attended school, compared with 91.3 percent for those in the same age range without disabilities. Only 3.6 percent of the overall population with disabilities had finished university; 95.2 percent of all persons with disabilities had access to public or private health care. CNDH received 21 complaints of discrimination against persons with physical disabilities and three complaints of discrimination against persons with mental disabilities

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The secretary of health collaborated with the secretaries of social development, labor, and public education, as well as with the Integral Development of the Family (DIF) and the Office for the Promotion and Social Integration of the Disabled, to protect the rights of persons with disabilities. The government established offices and programs for the social integration of persons with disabilities, including a program to enhance job opportunities and launch an online portal to disseminate information and assistance. One popular and well-known program, spearheaded by the Humanitarian Foundation for Aid for the Handicapped, employed approximately 70 wheelchair users in the Mexico City airport. The program proved highly successful and was expanding across the country.

Nevertheless, in a 2010 study, Disability Rights International found widespread human rights abuses in mental institutions across the country, including lack of access to justice, the use of physical and chemical restraints and lobotomies on patients, and trafficking of children with mental disabilities. According to the Latin American Network of NGOs for Disabled Individuals and their Families, 14 percent of workers with disabilities did not receive a salary and 22.6 percent earned below the minimum wage.

### **The Convention on the Rights of Persons with Disabilities**

Mexico signed the Convention and Optional Protocol on 30/3/2007. Mexico ratified the Convention and the 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. In practice the government often did not enforce these legal prohibitions, and aggrieved persons filed few discrimination suits or formal complaints.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical and mental disabilities, but in practice such discrimination was widespread in employment, education, access to health care, and the provision of state services. Laws related to persons with disabilities did not stipulate penalties for companies noncompliant with its provisions, although penalties may be issued under the general labor inspection code. MiFamilia is responsible for the protection and advancement of rights for persons with disabilities. The government did not effectively enforce the law with regard to the protection of such individuals, did not mandate accessibility to buildings for them, and did not make information available on efforts to improve respect for their rights. The PDDH reported that less than 1 percent of public sector employees were persons with disabilities and that public institutions lacked coordination with the Ministry of Labor (MITRAB) regarding rights for persons with disabilities.

On November 13, representatives of several organizations of citizens with disabilities demonstrated in front of the Managua mayor's office and called for implementation of the budget for accessible public works projects. The demonstrators lamented the lack of government attention to such problems, but at year's end there was no reported execution of projects to create or improve accessibility for persons with disabilities.

Government clinics and hospitals provided care for veterans and other persons with disabilities, but the quality of care was generally poor.

At year's end there was no information available, and none was expected, on the remaining three cases from 2007 regarding abuse of children with disabilities.

### **Other Relevant References**

Trials are public, and the law provides that defendants can choose a jury trial. Defendants have the right to legal counsel and are presumed innocent until proven guilty. Defendants also have the right of access

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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. The law provides public defenders to represent indigent defendants. Defendants can confront and question witnesses who testify against them and also have the right to appeal a conviction. The law extends these rights to all citizens regardless of gender, ethnicity, disability, or other status.

### **The Convention on the Rights of Persons with Disabilities**

Nicaragua signed the Convention on 30/3/2007 and Optional Protocol on 21/10/2008. Nicaragua ratified the Convention on 7/12/2007 and the Optional Protocol on 2/2/2010.

## **Panama**

### **Constitution and Laws**

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

### **Persons with Disabilities**

The law prohibits discrimination based on physical or mental disability; however, 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 special needs. In practice persons with disabilities experienced substantial discrimination in employment, education, access to health care, and the provision of other state services. Some public schools admitted children with mental and physical disabilities, but most did not have adequate facilities for children with special needs. The government installed ramps in some schools and mainstreamed some children with disabilities. Few private schools admitted children with special needs.

On August 2, the National Assembly passed a law mandating that the National Electoral Tribunal register citizen disabilities as well as blood type and allergies on the citizen identification card to be able to deal with situations in which an individual collapses or loses consciousness. The law also requires the National Transportation Authority to include the same information on individual driver's licenses.

The National Secretariat for the Social Integration of Persons with Disabilities is the government agency responsible for protecting the rights of persons with disabilities. The Ministry of Education and MIDES share responsibilities for educating and training minors with disabilities.

MIDES opened a new educational resource center for blind children--the first of its kind in the country--in September to provide access to books, maps, and other documents in Braille. In October the ministry also translated into Braille a guide to the Labor Code so that blind workers could read about their labor rights. The law provides that a minimum of 2 percent of workers at a given company should be persons with disabilities, with the Ministry of Labor and Labor Development (MITRADEL) responsible for placing workers with disabilities in suitable jobs; however, in practice placement remained difficult. During the period January to July, the Ombudsman's Office received 26 complaints of government violations involving the labor rights of persons with disabilities; information was not available on the resolution of those complaints.

In October the Social Security Administration announced a new system enabling deaf patients to make medical appointments via the Internet. The government operated the Family Businesses Project, which assisted low income families with members with disabilities to open microbusinesses. The government disbursed 50 balboas (\$50) monthly and donated rehabilitation equipment to low-income persons with disabilities.

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## **Other Relevant References**

Human rights problems included [...] substantial discrimination against individuals with disabilities [...].

## **The Convention on the Rights of Persons with Disabilities**

Panama signed the Convention and Optional Protocol on 30/3/2007. Panama ratified the Convention and the Optional Protocol on 7/8/2007.

## **Paraguay**

### **Constitution and Laws**

While the law prohibits discrimination based on race, gender, disability, language, or social status, certain groups faced discrimination in practice.

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, or the provision of other state services. The law does not mandate accessibility for persons with disabilities, and most of the country's buildings were inaccessible. Many persons with disabilities faced significant discrimination in employment; others were unable to seek employment because of a lack of accessible public transportation.

The Ministry of Education estimated that at least half of all children with disabilities did not attend school because public buses could not accommodate them. The National Institute for the Protection of Exceptional People (INPRO) is responsible for legally confirming disability status. On October 15, authorities issued regulations granting blind persons free passage on public transport.

Although the law requires that persons with disabilities fill 5 percent of all public sector jobs, as of April they constituted less than 1 percent of public-sector employees. During the year the Secretariat for Personnel Management conducted training and outreach sessions for human resources offices within the government.

### **The Convention on the Rights of Persons with Disabilities**

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

## **Peru**

### **Constitution and Laws**

The law prohibits discrimination based on race, gender, disability, language, or social status, but enforcement lagged and discrimination persisted.

### **Persons with Disabilities**

The constitution addresses social security, health, education, and employment matters for persons with disabilities as well as their right to engage in business, trade, and industry. 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 prohibits discrimination against persons with disabilities and establishes infractions and sanctions for noncompliance with specified norms.

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However, the government devoted limited resources to enforcement and training, and many persons with physical disabilities remained economically and socially marginalized. Government at the national, regional, and local levels made little effort to ensure access to public buildings. There were no interpreters for the deaf in government offices and no access to recordings or Braille for the blind. The majority of government Web sites remained inaccessible to persons with disabilities, and only the congressional television channel offered sign language interpretation.

A report during the year by the Ibero-American Federation of Ombudsmen, a group headed by the country's ombudswoman, Beatriz Merino, highlighted the gap between policy and implementation and pointed out measures not taken since the 2007 ratification of the UN Convention on the Rights of Persons with Disabilities.

The report also pointed out the lack of enforcement of accessibility standards in buildings and public transport and noted that mainstream schools were not prepared to incorporate students with disabilities, despite being encouraged to do so by the government.

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's Office reported in 2009 that the government did not adequately protect the rights of persons with mental illnesses, inhumanely treated institutionalized patients, discriminated in the provision of health and social services, and failed to ensure informed consent.

The Ombudsman's Office tracked instances of abuse of persons with disabilities in educational facilities. A 2000 report identified 38 cases of mistreatment of students with disabilities in special-education facilities, but there was no statistic for mainstream schools. A 2007 report stated that 15.6 percent of teachers and 15.7 percent of students reported cases of abuse of children with disabilities in their mainstream schools.

The MIMDES National Council for the Integration of Persons with Disabilities

(CONADIS) is responsible for protecting the rights of such persons. CONADIS continued to work with the NGO Sense International to provide educational, vocational, and training services to meet the needs of hearing- and sight-impaired persons, integrate them into society, and foster increased public awareness. CONADIS, in collaboration with the Ministry of Economy and Finance, established during the year a Strategic Program Design in which municipalities were authorized, but not mandated, to use 0.05 percent of their budget for construction, repairs, or modifications that would improve accessibility to urban infrastructure, including municipal buildings. CONADIS also released suggestions for the incorporation of resources and expenses to address the rights of persons with disabilities during the planning and budgeting process of government agencies.

In 2009 MIMDES developed an Equal Opportunity for Disabled Persons Plan for

2009-18, meant to be a strategic plan across various government agencies, to promote the rights of persons with disabilities based on four fundamental pillars: health, employment, education, and social development. A multisectoral commission was created by executive decree to monitor and evaluate progress.

According to comments by the Ombudsman's Office in December, the plan was insufficiently strategic, only involved four of the seven-plus targeted agencies, lacked a budget, and did not specify indicators for measuring progress. The monitoring and evaluation commission did not include representatives from organizations for persons with disabilities.

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## **Other Relevant References**

There was also some discrimination against racial- and ethnic-minority individuals; indigenous persons, lesbian, gay, bisexual, and transgender (LGBT) persons; individuals with disabilities; and persons with HIV/AIDS as well as a lack of labor-law enforcement and the exploitation of child labor, particularly in the informal sector.

Congressional committees included the Justice and Human Rights Committee and a committee for health, population, family, and persons with disabilities. They made no reports and had limited policy impact; credible NGOs did not consider them valuable beyond their legislative functions.

## **The Convention on the Rights of Persons with Disabilities**

Peru signed the Convention and Optional Protocol on 30/3/2007. Peru ratified the Convention and the Optional Protocol on 30/1/2008.

## **Saint Kitts and Nevis**

### **Persons with Disabilities**

While the law prohibits discrimination, it does not specifically cite discrimination against persons with disabilities. There was no reported discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services. The law does not mandate access to buildings for persons with disabilities.

Persons who are mentally ill and deemed a menace to society can be incarcerated for life; there were five such persons in the prison. Ministry of Health nurses in the various district health centers deal with persons with mental illness, and the General Hospital has a wing dedicated to caring for patients with mental illness.

### **The Convention on the Rights of Persons with Disabilities**

Saint Kitts and Nevis has not signed the Convention.

## **Saint Lucia**

### **Constitution and Laws**

The constitution prohibits discrimination, but there was no specific legislation addressing discrimination in employment or against persons with disabilities. However, government policy was nondiscriminatory in the areas of housing, jobs, education, and opportunity for advancement.

### **Persons with Disabilities**

No specific legislation protects the rights of persons with disabilities or mandates provision of government services for them. The government is obliged to provide disabled access to all public buildings, but only a few government buildings had ramps to provide access. There was no rehabilitation facility for persons with physical disabilities, although the Health Ministry operated a community-based rehabilitation program in residents' homes. There were schools for the deaf and the blind up to the secondary level. There were isolated cases of persons with disabilities holding jobs, including one blind bank teller, but a recent blind graduate from the local community college was not able to secure employment.

There also was a school for persons with mental disabilities; however, children with disabilities faced barriers in education, and there were few opportunities for such persons when they became adults.

A new foreign-built mental health facility, completed in October 2009, was placed in operation during the year. There were no other mental health facilities on the island, and mentally ill persons were not

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generally provided much care. The government's four mental health social workers had an average of more than 100 cases each.

### **The Convention on the Rights of Persons with Disabilities**

Saint Lucia signed the Convention on 22/9/2011.

## **Saint Vincent and the Grenadines**

### **Persons with Disabilities**

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and the provision of other state services, and the government generally observed these prohibitions in practice. The law does not mandate access to buildings for persons with disabilities, and access for such persons generally was difficult. Communications were available for persons with disabilities, but the government did not have any programs to facilitate communication through technology. There were no restrictions on voting or other civic participation. The government partially supported a school for persons with disabilities. A separate rehabilitation center treated approximately 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.

### **The Convention on the Rights of Persons with Disabilities**

Saint Vincent and the Grenadines ratified the Convention and the Optional Protocol on 29/10/2010.

## **Suriname**

### **Constitution and Laws**

The law prohibits discrimination based on race and ethnicity but does not address discrimination based on disability, language, or social status. Although the law does not specifically prohibit gender discrimination, it provides for protection of women's rights to equal access to education, employment, and property. In practice various sectors of the population, such as women; Maroons; Amerindians; persons with HIV/AIDS; and lesbian, gay, bisexual, and transgender (LGBT) persons, suffered forms of discrimination.

### **Persons with Disabilities**

There are no laws prohibiting discrimination against persons with physical or mental disabilities in employment, education, access to health care, or the provision of state services. In practice persons with disabilities suffered from discrimination when applying for jobs and services. Some training programs were provided for the persons with visual disability and others with nonvisual disabilities. There are no laws or programs to ensure that persons with disabilities have access to buildings. A judge may rule that a person with a cognitive disability be denied the right to vote, take part in business transactions, or sign legal agreements. Persons with disabilities had equal access to information and communications. There were no reports of abuse in educational facilities for persons with disabilities. A Ministry of Social Affairs working group remained responsible for protecting the rights of persons with disabilities, but it made limited progress during the year.

### **The Convention on the Rights of Persons with Disabilities**

Suriname signed the Convention on 30/3/2007.

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## **Trinidad and Tobago**

### **Persons with Disabilities**

There are no statutes either prohibiting discrimination on the basis of disability or mandating equal access for persons with disabilities to the political process, employment, education, transportation, housing, health care, or other citizen services. The minister of the people and social development publicly called upon employers both in the private and public sectors to end discriminatory practices against persons with disabilities and to create inclusive work environments.

In practice persons with disabilities (an estimated 16 percent of the population) faced discrimination and denial of opportunities in the form of architectural barriers, employer reluctance to make necessary accommodations that would enable otherwise qualified job candidates to work, an absence of support services to assist children with special needs to study, lowered expectations of the abilities of persons with disabilities, condescending attitudes, and disrespect. Transportation was a particular concern, with only five handicap-accessible buses (only one of which was in service) for a special on-call transportation service. A majority of bus stops were located on high sidewalks without ramps. Most government buildings and public places were not accessible. There were no restrictions on access to information, communications, the right to vote, or to participate in civic affairs. The court system and the Elections and Boundary Commission communicated the openness of the courts and voting to all citizens. The government provided some funding to NGOs such as Disabled Peoples International. In August the government installed the first elevator on a raised pedestrian walkway to allow citizens with disabilities to cross a busy highway.

### **The Convention on the Rights of Persons with Disabilities**

Trinidad and Tobago signed the Convention on 27/9/2007.

## **Uruguay**

### **Constitution and Laws**

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions effectively, although societal discrimination against some groups persisted.

The Commission Against Racism, Xenophobia, and All Forms of Discrimination, headed by the Ministry of Education and Culture's director of human rights and including government, religious, and civil society representatives, proposes policies and specific measures to prevent and combat racism, xenophobia, and discrimination. Since its creation in 2007, the commission investigated 70 claims from Afro-Uruguayans, persons with disabilities, and lesbian, gay, bisexual, and transgender (LGBT) persons. There were five cases brought to the commission's attention during the year, only one of which it referred for legal action. The commission considered the other cases not valid for its action or handled them through mediation or other means.

### **Persons with Disabilities**

The law prohibits discrimination against persons with disabilities, but the government did not effectively enforce these provisions. Local entities did not devote resources to provide appropriate accommodations. Persons with disabilities reported discrimination in employment despite government efforts to assist in individual cases. The government did not discriminate against persons with disabilities but did not provide sufficient services such as transportation, which inhibited some persons from accessing these services.

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The Uruguayan Institute for Educational Psychology reported that schoolage children with disabilities, such as blindness or Down's syndrome, received specially adapted laptops under Plan Ceibal (one laptop per child).

A national disabilities commission oversees implementation of a law on the rights of persons with disabilities. The law mandating accessibility for persons with disabilities to new buildings or public services was not consistently enforced. The law reserves 4 percent of public sector jobs for persons with physical and mental disabilities, but the quota went unfilled.

### **The Convention on the Rights of Persons with Disabilities**

Uruguay signed the Convention on 3/4/2007. Uruguay ratified the Convention on 11/2/2009.

## **Venezuela**

### **Constitution and Laws**

The law prohibits discrimination based on race, gender, sexual orientation, disability, language, or social status; however, discrimination against women, persons with disabilities, and indigenous persons and discrimination based on sexual orientation were problems.

### **Persons with Disabilities**

The constitution prohibits discrimination against persons with physical and mental disabilities in education, employment, health care, and the provision of other state services. Persons with disabilities had minimal access to public transportation, and ramps were practically nonexistent. The law requires that all newly constructed or renovated public parks and buildings provide access and prohibits discrimination in employment practices and in the provision of public services; however, 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. Online resources and access to information were generally available to persons with disabilities.

### **The Convention on the Rights of Persons with Disabilities**

Venezuela has not signed the Convention.