



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities Sixteenth session

Summary record of the 271st meeting

Held at the Palais Wilson, Geneva, on Tuesday, 16 August 2016, at 3 p.m.

Chair: Ms. Cisternas Reyes

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by parties to the Convention under article 35

(continued)

Initial report of Ethiopia (CRPD/C/ETH/1; CRPD/C/ETH/Q/1 and Add.1)

1. *At the invitation of the Chair, the delegation of Ethiopia took places at the Committee table.*
2. **Mr. Hojelle** (Ethiopia), introducing his country's initial report (CRPD/C/ETH/1), said that, since ratifying the Convention on the Rights of Persons with Disabilities in 2010, Ethiopia had taken steps to build capacity to meet its reporting obligations, including fostering closer cooperation with relevant local and international institutions. The process of preparing the State party report had been both comprehensive and participatory. As the focal point, the Ministry of Labour and Social Affairs had been responsible for data collection and coordination among the various institutions involved. A range of government agencies, civil society organizations and organizations of persons with disabilities had provided useful input on the final draft report.
3. The Ethiopian Human Rights Commission and the Ethiopian Institution of the Ombudsman were actively engaged in advising on and monitoring issues related to persons with disabilities in accordance with the Convention. Progress had been made in raising public awareness of disability issues and in implementing the Convention. All people, including persons with disabilities, enjoyed constitutionally guaranteed rights without any form of discrimination or distinction. The Constitution contained a number of important provisions related directly or indirectly to the rights of persons with disabilities under the Convention. The Government paid particular attention to persons with disabilities in promoting its inclusive development agenda. Various sectoral policies, laws and strategies were implemented in such areas as food security, health, education and justice to enable persons with disabilities to benefit from equal opportunities and full participation. Ethiopia was undertaking a range of activities to comply with its obligations under the Convention, including awareness-raising campaigns and publication of the Convention in various languages and in Braille. The accessibility of buildings, transport, roads, education and health-care services had been improved.
4. The Government's commitment to fundamental human rights for all, including persons with disabilities, was gaining wider recognition internationally. Ethiopia was currently a member of the Human Rights Council and, at the most recent session, had supported various resolutions that would have a direct impact on the rights of persons with disabilities. During the second cycle of the universal periodic review, Ethiopia had accepted, and was currently in the process of implementing, 188 recommendations that directly or indirectly addressed the rights of persons with disabilities.
5. Ethiopia faced numerous challenges in its efforts to fully realize the rights enshrined in the Convention. A lack of awareness and the necessary skills and technology were significant hurdles, but the Government believed that the challenges could be met with continued educational and capacity-building efforts. Assistance, cooperation and understanding were indispensable to the success of the endeavour.
6. **Mr. Babu** (Country Rapporteur) noted with satisfaction that, under the Constitution, international agreements ratified by Ethiopia — including the Convention — formed an integral part of the law of the land and that it was the responsibility of all branches of Government to respect and ensure the fundamental rights and freedoms of all the people of Ethiopia, including persons with disabilities. Ethiopia was to be commended on the adoption of a number of national policies and strategies aimed at poverty reduction, economic development and political transformation. The Committee also wished, however,

to draw the delegation's attention to a number of areas of concern. It was mentioned in the replies to the list of issues (CRPD/C/ETH/Q/1/Add.1) that the definition of disability in the National Plan of Action for Persons with Disabilities was consistent with the Convention and that the country was moving from a medical model of disability to a social model. However, it was stated elsewhere that persons with disabilities were given priority in the provision of services by charities and societies, giving the impression that they were perceived merely as objects of charity. He would welcome the delegation's comments on the inconsistency. He also wished to know how charities understood their role, what services they provided and how many organizations of persons with disabilities in Ethiopia were supported by the State.

7. He would be interested to hear more about how the National Plan of Action on Human Rights specifically addressed issues affecting persons with disabilities. He had been surprised that the groups in need of special protection mentioned in the report submitted by Ethiopia under the universal periodic review process did not include persons with disabilities. He wondered how that omission could be reconciled with the affirmation that the Ethiopian Human Rights Commission promoted the protection of the rights of persons with disabilities. The State party report regrettably provided little information on persons with disabilities in the education system, such as the percentage of learners with disabilities or the number who enjoyed access to the 113 inclusive resource centres. He wondered to what extent learners with disabilities were taken into account in the State's education strategy. He also wished to know how the new comprehensive and integrated disaster risk management system addressed the needs of persons with disabilities. Lastly, it was regrettable that the Committee had not been able to have a briefing with representatives of civil society and organizations of persons with disabilities prior to the dialogue with the State party delegation, as was its usual practice.

Articles 1-10

8. **Mr. Al-Tarawneh** asked what measures the State party had taken towards the conduct of a comprehensive legislative and policy review that would pave the way for the introduction and enforcement of a ban on disability-based discrimination and facilitate the full transition to a rights-based model of disability. He wished to know more about media campaigns and national awareness-raising strategies to promote the Convention and the rights of Ethiopians with disabilities. He would also be interested to hear about efforts to draw up a national accessibility plan and the specific steps taken to make public transportation accessible.

9. **Mr. Lovász**, noting that the Employment of Persons with Disabilities Proclamation contained a clear definition of disability and outlawed any form of discrimination in the workplace, including denial of reasonable accommodation, asked what kind of incentives, financial or otherwise, were available to employers to hire persons with disabilities and whether the principle of reasonable accommodation had been widely applied in other areas of life. He would be grateful for information on ongoing and closed cases related to discrimination against persons with disabilities.

10. **Ms. Degener** asked whether there were any plans to repeal the Charities and Societies Proclamation, which continued to adversely affect several organizations of persons with disabilities in Ethiopia, including the National Association of the Blind, the National Association of the Deaf and the National Development Association of Persons with Physical Disabilities. According to the State party report, a pregnancy could be terminated if the woman or her foetus had an impairment. That was clearly discriminatory and implied that women with disabilities were unfit to raise children and that life with impairment was not worth living. Elsewhere it was stated that forced abortion and sterilization were not practised. However, the Committee had received reports of

widespread sexual violence against women and girls with disabilities, an issue that unfortunately was not addressed in the State party report. If such claims were true, it seemed hard to believe, on the basis of experience in other countries, that forced abortions or sterilizations would not be carried out. Regrettably, little information had been provided in the report on children with disabilities. She invited the delegation to comment on the issue of corporal punishment and reports that infanticide of children with disabilities was practised in remote tribal areas and that children with disabilities were often not sent to school but hidden at home.

11. **Mr. Tatić** said it was regrettable that the Committee had not been able to engage in a dialogue with the country's organizations of persons with disabilities. He welcomed the State party's frank acknowledgement of the failure to provide reasonable accommodation outside the field of employment. If a lack of awareness was the primary cause, he wondered what was being done to inform service providers, private businesses and public authorities of their duty to provide reasonable accommodation to persons with disabilities. He would be interested to hear the outcome of the 45 disability-based discrimination cases dealt with previously by the Ethiopian Institution of the Ombudsman and about any new cases that had been brought. He asked how the implementation of accessibility standards was monitored and what sanctions were in place for construction companies that violated them. He would welcome information on the services available to wheelchair users at the airport in Addis Ababa and the accessibility of public transportation, hotels and government buildings in the capital as well as efforts to make accessibility a reality in other parts of the country.

12. **Mr. Basharu** asked whether the State party had any plans to expand the concepts of reasonable accommodation and universal design, as defined in article 2 of the Convention, to areas besides employment and buildings. He enquired whether the State party would consider amending its Constitution to include disability as a prohibited ground of discrimination. Lastly, he requested more information on awareness-raising campaigns conducted through the media and the impact of such campaigns on the attitudes of the public.

13. **Ms. Quan-Chang** asked what the State party was doing to tackle the problem of violence against women and girls with disabilities and to prevent harmful practices such as female genital mutilation. Given that children with disabilities were known to suffer various kinds of human rights abuses, including abandonment and even infanticide, she wished to know what the State party was doing to assist families who lived in extreme poverty or in remote or isolated areas.

14. **Mr. Ruskus** asked how the new definition of disability in the National Plan of Action for Persons with Disabilities had been incorporated into primary and secondary legislation on disability issues and how it was reflected in disability support mechanisms. He would also like to know whether the pejorative terms contained in the Civil Code, mentioned in paragraph 65 of the State party report, had been removed and, if not, how the Government planned to bring the language used in the Code into line with the Convention.

15. **Mr. Langvad** asked whether a lack of funding had prevented organizations of persons with disabilities from attending the dialogue with the Committee, and how the Government was helping such organizations to participate in international forums so that they could increase their knowledge and experience of disability politics. He also wished to know what permanent consultative mechanisms existed to ensure that persons with disabilities were involved in developing policy, legislation, training and awareness-raising campaigns across all sectors and at all administrative levels. Lastly, he asked how the Government was using public procurement policies to promote standards on accessibility.

16. **Ms. Kingston** asked whether there was a lack of recognition of multiple and intersectional discrimination, including discrimination against refugee and internally displaced women with disabilities as had been highlighted in the concluding observations of the Committee on the Elimination of Discrimination against Women on the State party's combined sixth and seventh periodic reports (CEDAW/C/ETH/CO/6-7, para. 38). The Committee on Economic, Social and Cultural Rights too had noted a lack of recognition of discrimination against persons with disabilities, including those who identified as lesbian, gay, bisexual or transgender (E/C.12/ETH/CO/1-3, para. 8). Given that, during the universal periodic review in 2014, Ethiopia had accepted a recommendation to combat stigma and discrimination against persons with disabilities, she wondered what progress the State party had made in that respect over the past few years. It was important to tackle harmful stereotypes as they could lead to violations of human rights.

17. **Ms. Pavey** requested the State party to provide more statistics on harmful traditional practices and infanticide. She asked whether the State party had any targeted plans to address those phenomena and whether any successful campaigns to eradicate them had been carried out.

18. **Mr. Buntan** asked what steps the Government had taken to help organizations representing persons with disabilities to participate in policymaking and in monitoring the implementation of the Convention, and whether Ethiopia had adopted internationally recognized standards on accessibility in the area of information and communication technology.

19. **Mr. Pyaneandee** asked whether the State party would accept that it was violating article 5, whether it would review all policies and measures that were in violation of articles 1 to 10 and, if so, within what time frame that review would take place.

20. **Mr. You Liang**, noting that economic and social development played an important role in safeguarding the rights of persons with disabilities, asked to what extent disability issues were included in the State party's economic and social development programme. He requested more information on poverty reduction programmes aimed at persons with disabilities, especially women and girls.

21. **The Chair** asked what steps the State party had taken towards ratification of the Optional Protocol to the Convention against Torture and the Optional Protocol to the Convention on the Rights of Persons with Disabilities. Given that human rights could not be seen in isolation from the 2030 Agenda for Sustainable Development and the Sustainable Development Goals, she wished to know what steps the State party had taken to implement the 2030 Agenda, particularly the goals on health and well-being, gender equality, reducing inequality, and sustainable cities and communities.

The meeting was suspended at 4.05 p.m. and resumed at 4.45 p.m.

22. **Mr. Weldeyohannes** (Ethiopia) said that Ethiopia had been moving away from a charity-based model of disability towards a social model since it had begun implementing the Convention. The references to charities and societies in the legal framework were not indicative of attitudes towards persons with disabilities.

23. Services to persons with disabilities were diverse and delivered by a range of providers. Every ministry had been made responsible for mainstreaming disability issues into its work and taking appropriate action to address them. Monitoring and evaluation of such efforts was performed by the Social Standing Committee of the House of Peoples Representatives, which ensured that all sectors produced reports on the implementation of measures concerning persons with disabilities and also carried out field visits.

24. Persons with disabilities were one of the groups targeted by the national social protection policy and benefited from various safety nets, while children with disabilities

were a focus of the policies on education for all. Data from the Ministry of Education on the number of children attending special needs classes in high schools indicated a steady increase, although a comprehensive picture could only be gained from a broader survey. Such surveys tended to be cost-prohibitive, however.

25. Regarding the participation of organizations of persons with disabilities, it had not been the State party's intention not to invite such organizations to take part in the Committee's work but simply an oversight from which the State party would take lessons for the future. There was no prohibition on civil society participation in the work of such bodies if invited, nor could they be excluded for lack of financial resources.

26. The country had taken a number of legislative steps to promote the rights of persons with disabilities. The Constitution and various proclamations on labour, employment for persons with disabilities and other issues contained provisions on non-discrimination, including on the ground of disability. For the purposes of public and private social security provision, the age of majority for survivors of persons with disabilities had been raised from 18 to 21. Under the country's electoral law, persons with disabilities had the right to vote and be elected, as well as to report any violations of those or other rights in the election process. Legislation also governed the depiction of persons with disabilities in advertising and the media. Awareness-raising campaigns in newspapers and on national and regional radio and television channels helped to promote the rights of persons with disabilities.

27. As explained in paragraph 45 of the replies to the list of issues, there were some discrepancies between the Amharic and English versions of the Family Code. The Code contained many provisions on the rights of women and children, who had been particularly vulnerable prior to its adoption in 2000. Those provisions were designed, *inter alia*, to ensure smooth succession after death, divorce or other similar events. Various regulations on taxation provided incentives for companies to employ persons with disabilities. There were plans to carry out a comprehensive review of the Civil Code to eliminate derogatory language. Persons with disabilities fulfilling certain criteria were exempt from paying import tax on vehicles.

28. A range of public policies was in place in various spheres to promote the rights of persons with disabilities. The first and second Growth and Transformation Plans addressed disability issues, while memoranda of understanding had been signed with several ministries with the aim of making services, such as education, transport and information technology, more accessible. A national procurement supply chain for pharmaceutical products was planned to avoid duplication of effort and ensure that high-quality products were available. Most such activities were financed from the State budget. State funding was provided to organizations of persons with disabilities for capacity-building and the like.

29. Research had been undertaken to inform policies and strategies, identifying gaps and allowing targeted awareness-raising campaigns to be designed. Although there was no discrimination in law, in practice lack of awareness remained an obstacle. A new registration system had been established to ensure that everyone was registered, which should help in the collection of data on the number of persons, particularly children, with disabilities. It was not the Government's intention to exclude or discriminate against children with disabilities. Better data collection would enable services to be provided more effectively. The Ministry of Education was taking steps to make schools accessible and inclusive. As part of disaster risk reduction activities, measures were being taken to ensure that persons with disabilities had proper access to information in the event of disasters and that their rights were respected. Domestic violence against persons with disabilities was not a widespread problem but should nonetheless be tackled. Individual cases would be dealt with through the courts.

30. Efforts were under way to ensure that reasonable accommodation was made for persons with disabilities outside the workplace, but the number of actors involved made the process a logistical challenge. The Government was encouraging private enterprises, such as hotels, to consider the market benefits of improving their services for persons with disabilities. Legislation on designing accessible buildings and facilities was already in place. There were plans to conduct an accessibility audit of the planning process with a view to identifying shortcomings and providing incentives, but in an emerging economy such changes took time. To improve transport services, accessible buses were being manufactured and accessibility at airports was being enhanced. The Government was taking steps to expand the provision of physical rehabilitation services, including by building new centres to serve rural areas and training prosthetic, orthotic and other specialists.

31. Some traditional practices harmful to persons with disabilities persisted, and the Government would welcome evidence of cases of violence. It was important to tackle the root causes of such practices and to raise awareness among communities. If inequality was to be reduced, children with disabilities must attend school so that they could enter the labour market, thereby also increasing the country's human capital. Despite the constraints it faced, the Government was working to that end, involving organizations of persons with disabilities in the activities of the ministries concerned at all stages of the process.

32. **Mr. Hojelle** (Ethiopia) said that, while there remained some old-fashioned legal provisions that needed to be updated, his country had already taken legislative and policy initiatives on disability to guarantee the rights contained in the Convention. Non-discrimination and equality were enshrined in policies and legislation. The Constitution emphasized and laid the foundations for protecting the welfare and well-being of all citizens, including persons with disabilities. Article 41 of the Constitution was an example of a legislative measure in line with article 4 of the Convention. The right of persons with disabilities to employment was recognized in various legal provisions, including new specific legislation on the subject. Provision was made for practical measures to accommodate persons with disabilities in the labour market. Under the Federal Civil Servants Proclamation No. 515/2007, preference was to be given in recruitment, promotion and deployment to candidates with disabilities having suitable qualifications. Regulations on value added tax and customs tariffs provided exemptions for equipment being used by persons with disabilities, and tax incentives had been introduced to encourage recruitment of persons with disabilities. Such examples demonstrated that the Government's actions were consistent with the principles and substance of the Convention.

33. **Mr. Wakene** (Ethiopia) said that his country's Constitution had recognized the rights of persons with disabilities even before the Convention had been ratified; however, further implementation of the Convention was needed. The country was moving firmly towards a rights-based model, no longer viewing persons with disabilities as requiring charity. Disability had been defined in different ways over the years; since it was an evolving concept, the definition would be reviewed as society developed. The current definition was fully in line with the Convention. Equal treatment for persons with disabilities was a work in progress, but lack of infrastructure, particularly in rural areas, presented some problems. Organizations of persons with disabilities were given the chance to participate at all stages of the development and implementation of public policies. It was hoped that the situation would continue to improve over time.

Articles 11-20

34. **Mr. Tatić** said that he would be grateful for a response to his question on the outcome of the 45 complaints filed with the Ethiopian Institution of the Ombudsman, which would help him to understand the process by which persons with disabilities could seek redress. With regard to the planned accessibility audit, he would like to draw attention to

the Committee's general comment No. 2, which offered guidelines for the implementation of accessibility standards. It would be helpful to know whether disability awareness training was provided for officials tasked with responding to situations of risk, including firefighters, paramedics and police officers, and, if so, precisely what it entailed. He would also like further information on the support services available to persons with disabilities, particularly those with significant needs.

35. **Mr. Basharu** said that he wished to know what measures had been taken to ensure the accessibility to persons with disabilities of judicial facilities, including police stations and prisons. On the subject of the accessibility of the judicial system, he would also like the delegation to inform him of the availability of documentation in Braille and the provision of sign language interpretation.

36. **Mr. Ruskus** said that he wished to know whether the rehabilitation centres mentioned in paragraph 74 of the report were compatible with the State party's obligations under articles 14 and 19 of the Convention and whether they admitted persons with intellectual or psychosocial disabilities. He also wished to know why, as indicated in paragraph 75, more men than women had participated in rehabilitation programmes for persons with disabilities. He would appreciate information on any specific measures taken to prevent the institutionalization of persons with intellectual or psychosocial disabilities. Lastly, it would be helpful to learn whether persons with disabilities and their representative organizations were involved in the development of rehabilitation programmes.

37. **Mr. Al-Tarawneh** asked what measures had been taken to ensure that those employed in the judicial system were aware of the rights of persons with disabilities, including their right to reasonable accommodation, to ensure the accessibility to persons with disabilities of judicial facilities and services, and to address the specific challenges faced by women with disabilities who reported incidents of violence.

38. **Ms. Degener** said that, while it was commendable that the special shelters provided for persons with disabilities, which, according to paragraph 74 of the State party report, had formerly resembled concentration camps, had now been converted into rehabilitation centres, it would be useful to know exactly how that had been accomplished. Specifically, she would like to know whether new members of staff had been recruited, whether a monitoring system had been put in place and whether organizations of persons with disabilities had been consulted at any stage. With regard to paragraphs 75 and 76, she asked what measures had been taken to ensure that persons with disabilities were not institutionalized or given medical treatment against their will.

39. **Mr. Lovász** said that he wished to know whether any progress had been made on the proposal to revise the Civil Code with a view to bringing its terminology into line with international standards. In that regard, he wondered what the official objective of the revision was, whether a time frame for the revision had been announced and whether any other legislative acts would be revised as part of the same process.

40. **Mr. Pyaneandee** said that it would be helpful, if possible, for the delegation to provide an example of a case in which the legal protections for persons with disabilities had been tested in the Federal Supreme Court. He would also like to know what efforts were being made to increase the representation of persons with disabilities in the judiciary and how many persons with disabilities were employed in the legal profession.

41. **Mr. Buntan** said that he would be grateful for a response to the question he had asked on accessibility standards. With regard to disaster risk reduction initiatives, he wished to know whether plans had been developed for persons with disabilities to play an active role in responding to disasters. Lastly, the delegation should inform the Committee

of any restrictions placed on the right of persons with disabilities to own or inherit property and control their own financial affairs.

42. **Ms. Kingston** said it was her understanding that persons with disabilities had been excluded from recent disaster risk reduction and community resilience initiatives. Had any plans been put in place to ensure their inclusion in such initiatives in the future? Given the absence of specialized facilities and services for prisoners and detainees with disabilities, which had been noted in the concluding observations of the Committee against Torture on the initial report of Ethiopia (CAT/C/ETH/CO/1, para. 26), she would like to know of any plans to introduce such facilities and services, including rehabilitation programmes, and to provide reasonable accommodation for the individuals concerned.

43. **Mr. Babu** said that the State party had long been a regional leader in many areas, including security and development. Were it to adopt the same role in promoting the rights enshrined in the Convention, it would do a great service to persons with disabilities all over the world.

44. **The Chair** said that she wished to be informed of any steps taken to amend chapters 3 and 4 of the Civil Code. She would like to know whether the definition of torture contained in the Criminal Code had been expanded, as had been recommended by the Committee against Torture in its concluding observations (CAT/C/ETH/CO/1, para. 6). In that connection, the delegation could explain how perpetrators of acts of torture and ill-treatment against persons with disabilities were prosecuted. She would also like to know what progress had been made with regard to the ratification of the Optional Protocol to the Convention.

45. **Ms. Rashid** (Ethiopian Institution of the Ombudsman) said that the Institution had been established by a proclamation of 2000. It included a separate directorate for children, women and persons with disabilities. Over the previous few years, six regional branches had been opened. The principal functions of the directorate were to scrutinize the work of the executive, conduct research and raise awareness of the rights of children, women and persons with disabilities. It had organized workshops on the rights of persons with disabilities for the staff of federal and regional organs. Its other major function was to investigate complaints. Ethiopia continued to face challenges in implementing the Convention, including deeply entrenched cultural attitudes towards disability, a widespread lack of awareness of the Convention, even among officials, and a lack of resources.

The meeting rose at 6.05 p.m.