



## Convention on the Rights of Persons with Disabilities

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### Committee on the Rights of Persons with Disabilities

#### List of issues in relation to the initial report of the Dominican Republic\*

##### A. Purpose and general obligations (arts. 1–4)

###### Purpose (art. 1)

1. Please explain the measures taken to modify the terminology and concepts relating to persons with disability to bring them into line with the Convention, and to eliminate the use of stigmatizing terminology in legislation, such as “imbecility”, “madness” and “mental unfitness”.

###### General obligations (art. 4)

2. Please update information on progress in the adoption of the draft law on the national development strategy, END 2030 (CRPD/C/DOM/1, para. 16). Please inform the Committee about the establishment of inclusion indicators for persons with disabilities in all areas of participation prioritized in the lines of action.

3. Please indicate whether the State party has started the process to bring its national legislation into line with the provisions of the Convention, in particular the laws mentioned in the report (CRPD/C/DOM/1, para. 31).

4. Please indicate the measures taken to adopt implementing bylaw Act 05-13 and provide information on progress to comply with standards set therein.

##### B. Specific rights

###### Equality and non-discrimination (art. 5)

5. Please provide information about measures adopted to prevent, eliminate and punish all forms of disability-based discrimination, including multiple and intersectional discrimination. Please also provide information on the number of prosecutions and convictions carried out under article 336 of the Criminal Code in cases of discrimination against persons with disabilities and on redress mechanisms for victims. Please explain how the provision of reasonable accommodation is regulated and in what areas.

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\* Adopted by the pre-sessional working group at its second session (7–10 October 2014).



**Women with disabilities (art. 6)**

6. Please describe the existing mechanisms for the protection of the rights of women with disabilities and how those mechanisms have been included in general policies on equal opportunities for women in relation to men. In particular, explain how women with disabilities have been included in the programmes of the Ministry for Women and in the National Plan for Gender Equality and Equity 2007-2011.

**Children with disabilities (art. 7)**

7. Please describe the specific mechanisms for the protection of the rights of boys, girls and adolescents with disabilities, explain how their access to justice is ensured and in what ways the State party ensures that their opinions are considered in matters concerning them.

8. Please provide information on the homes for children with disabilities who have been abandoned or mistreated, including the population in those homes, the supervising entity and the measures implemented.

**Awareness-raising (art. 8)**

9. Please report on awareness-raising strategies and programmes on the rights of persons with disabilities in the public mass media.

**Accessibility (art. 9)**

10. Please inform the Committee about national, regional and local accessibility plans and whether those plans include mechanisms for monitoring accessibility in all areas covered by the Convention.

**Situations of risk and humanitarian emergencies (art. 11)**

11. Please explain how persons with disabilities have been included in disaster risk reduction and rescue protocols in the event of natural disasters, such as hurricanes and earthquakes.

**Equal recognition before the law (art. 12)**

12. Please inform the Committee whether the State party has plans to amend the Civil Code to replace substitute decision-making with supported decision-making regimes, in conformity with article 12 of the Convention and the Committee's general comment No. 1 (2014) on equal recognition before the law.

13. Please provide information on the number of persons with disabilities who have been placed under guardianship regimes and what plans the State party has adopted to fully restore their legal capacity.

14. Please inform the Committee about the measures taken to ensure that persons with disabilities have an equal right to financial autonomy and equal access to bank loans and other banking services, in line with article 12, paragraph 5, of the Convention.

**Access to justice (art. 13)**

15. Please explain what measures have been implemented in the justice system to ensure that persons with disabilities have full and effective access to actions, functions or stages of the process. Please provide information on capacity-building programmes for the judiciary on the rights of persons with disabilities, reasonable accommodations and adaptation of the judicial process.

**Liberty and security of the person (art. 14)**

16. Please provide information on the existence of homes and hospitals where persons with disabilities are institutionalized for long periods of time or permanently, and whether such institutionalization is done with the free and informed consent of the person concerned. Please explain if there is an independent authority supervising those institutions.

**Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)**

17. Please provide information on whether the State party implements measures to control private entities or clinics which offer “curative treatments” that use stem cells or “miracle mineral solution” to cure children with autism, with the purpose of preventing medical or scientific experimentation that may put the lives of those children at risk.

**Freedom from exploitation, violence and abuse (art. 16)**

18. Please provide data on women with disabilities, boys and girls with disabilities and older persons with disabilities, particularly intellectual and/or psychosocial disabilities, who have been victims of violence, abuse or exploitation, and the existing safeguards to protect them from those types of violations to their human rights. Please explain whether shelters for women who have been victims of violence are accessible and whether protection institutions provide sign language interpretation.

19. Please inform the Committee about the measures taken to prevent and punish trafficking in persons with disabilities who are forced to beg in public settings.

**Protecting the integrity of the person (art. 17)**

20. Please provide information about the measures implemented by the State party to prevent forced sterilization and forced medical treatment, in particular, forced psychiatric treatment. Please also provide information about the existing mechanisms to ensure the free and informed consent of the person concerned to any type of medical treatment.

**Living independently and being included in the community (art. 19)**

21. Please inform the Committee about the support provided to persons with disabilities and plans to develop community-based services aimed at enabling them to live independently.

22. Please inform the Committee about the plans to de-institutionalize persons with disabilities, in particular children with disabilities.

**Freedom of expression and access to information and communication (art. 21)**

23. Please indicate if Dominican sign language is recognized as an official language. Please also inform the Committee about the existence of a career for sign language interpreters and the number of certified sign language interpreters in the State party.

**Education (art. 24)**

24. Please provide disaggregated data on children and young persons with disabilities registered in the national inclusive education system at all levels of education. Please provide the same data for special education schools. Please explain if there are plans for children and adults with disabilities in special schools to transition to the inclusive education system and how reasonable accommodation is provided in mainstream education. Please also inform the Committee about the percentage of accessible mainstream educational facilities.

**Health (art. 25)**

25. Please provide information about policies and measures taken to ensure that persons with disabilities have access to health services, in particular, community-based health services. Please indicate the number of gynaecological clinics with accessible examination facilities and sign language interpreters, and explain whether sexual and reproductive health services, including HIV/AIDS services, are available and accessible.

26. Please explain how the State party ensures that persons with disabilities have access to medication and auxiliary aids related to their disability, in particular the high-priced ones.

**Habilitation and rehabilitation (art. 26)**

27. How does the State party ensure access to habilitation and rehabilitation services for all persons with disabilities, in particular those of Haitian descent and those living in rural and remote areas?

**Work and employment (art. 27)**

28. Please inform the Committee about the level of compliance with the employment quota for persons with disabilities in the public and private sectors, as well as about ensuring employment, regardless of the quota system.

**Adequate standard of living and social protection (art. 28)**

29. Please provide data on persons with disabilities living in poverty, and the measures taken to include them in poverty-reduction strategies. Please also provide information on the support provided to compensate the additional costs of living due to disability, such as disability subsidies.

30. Please inform the Committee whether the conditional cash transfers and nutritional supplements are provided taking into account the specific needs of children and adolescents with disabilities. Please also indicate the number of children and adolescents with disabilities who are benefitting from the “Comer es primero” (CEP) and the “Chispitas solidarias” components of the Solidarity programme.

**Participation in political and public life (art. 29)**

31. Please inform the Committee about accessibility compliance during elections, including accessibility to election-related information and to voting stations. Please indicate the number of persons with disabilities who have been elected to public office, including their level of participation in political organizations and in civil society organizations.

**Participation in cultural life, recreation, leisure and sport (art. 30)**

32. Please inform the Committee about the steps taken for the expeditious signing and ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. Please explain how accessibility measures have been implemented for touristic locations, historical monuments and other cultural sites.

## **C. Special obligations**

### **Statistics and data collection (art. 31)**

33. Please provide updated information on the results of the national census taken in 2010, disaggregated by sex, age, rural and urban areas, and on the current situation of the national statistics system on disability. Please also provide updated information on the national household survey (ENHOGAR) taken in 2013.

### **National implementation and monitoring (art. 33)**

34. Please inform the Committee about the measures taken to designate or establish an independent monitoring mechanism, in compliance with the Paris Principles and in line with article 33, paragraph 2, of the Convention, including measures to include the participation of organizations representing persons with disabilities.

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