**Questionnaire of the Special Rapporteur on the rights of persons with disabilities**

**on the rights of persons with disabilities to the highest attainable standard of health**

**The Cyprus Commissioner’s for Administration and Human Rights Protection Replies (2018)**

1. In respect to the realization of the right to health of persons with disabilities, no specialized legislation has been implemented in Cyprus so far. From our experience, it can be said that no coherent effort has been made to establish a health system that takes into account the disability dimension. It must be also noted that the situation of health services in Cyprus has deteriorated after the economic crisis of 2013 (shortage of staff, medication and consumables, long waiting lists etc) and as a result persons with disabilities, who need to access the health care system because of an acute or chronic health condition, frequently encounter numerous types of barriers with regard to curative, rehabilitative and preventive medicine and care services. In addition, there is no nationwide network of comprehensive and accessible outpatient medical services available to persons with disabilities.

The only existing policy, that takes into account some types of disability, is to be found in the new regulations that came into force on August 1, 2013 regarding the provision of healthcare in public hospitals. In particular, according to the regulations, irrespective of income and other criteria applied, medical card is issued to persons suffering from a chronic disease, including paraplegics, quadriplegics and underage autistics and persons with mental disabilities, as well as public assistance recipients. Medical card holders of this limited category of people with disability are considered as health beneficiaries and are obliged to pay only the sum of €3,00 for a visit to a General Practitioner and the sum of €6,00 for a visit to a Specialist. . In addition, they pay a fee of €0,50 for each prescribed pharmaceutical product and €0,50 for each laboratory test with a maximum charge of €10,00 per medicine prescription or per laboratory test prescription form respectively. However, they are exempted from the general fee of € 10,00 for the Accident and Emergency Departments of public hospitals.

It should be noted that, the Committee on the Rights of Persons with Disabilities in its Concluding observations on the initial report of Cyprus (May 8, 2017), as regards the right to health (article 25) has observes that:

*“The Committee is concerned about the insufficient accessibility to health-care services by persons with disabilities (…). Furthermore, the Committee is concerned that relevant legislation does not systematically apply a human rights-based approach to disability. (…)*

*The Committee recommends that the State party strengthen and implement mechanisms to combat discrimination and stereotyping in line with general comment No. 3 (2016) and targets 3.7, 3.8 and 5.6 of the Sustainable Development Goals in the field of access to health services. Furthermore, the Committee recommends that the State party apply a human rights-based approach to disability in the provision of health services to persons with disabilities.”*

1. My Office is not aware of any surveys, studies or statistical data related to the exercise of the right to health of persons with disabilities.

For further information you may refer your question to the competent Ministry ([www.moh.gov.cy/Moh/MOH.nsf/contact\_en/contact\_en?OpenDocument](https://www.moh.gov.cy/Moh/MOH.nsf/contact_en/contact_en?OpenDocument)) or to the Cyprus Confederation of Organizations of the Disabled (CCOD - [www.kysoa.org.cy/kysoa/page.php?pageID=19&mpath=/18](http://www.kysoa.org.cy/kysoa/page.php?pageID=19&mpath=/18)).

1. My Office has not so far received any complaints regarding discrimination against persons with disabilities in the provision of healthcare, health insurance and/or life insurance by service providers. For further information you may refer your question to the CCOD ([www.kysoa.org.cy/kysoa/page.php?pageID=19&mpath=/18](http://www.kysoa.org.cy/kysoa/page.php?pageID=19&mpath=/18)).
2. My Office has not so far received any complaints concerning the observance of the right to free and informed consent of persons with disabilities regarding healthcare, including sexual and reproductive health.

However, it should be noted that, the Committee on the Rights of Persons with Disabilities in its Concluding observations on the initial report of Cyprus (May 8, 2017), as regards the right to health (article 25) has observed that:

*“The Committee (…) notes with concern that information regarding sexual and reproductive health is insufficiently accessible and that women and girls with disabilities are subjected to discrimination and stereotyping in this field. (…) The Committee recommends that the State party, in close collaboration with representative organizations of persons with disabilities with a special focus on the collaboration with women and girls with disabilities, and in line with article 4 (3) of the Convention, ensure accessibility to health services and facilities, and to information and communication regarding sexual and reproductive health rights and services on an equal basis with others, and that the health personnel be educated and trained on the rights of persons with disabilities. The Committee also recommends that the State party strengthen and implement mechanisms to combat discrimination and stereotyping in line with general comment No. 3 (2016) and targets 3.7, 3.8 and 5.6 of the Sustainable Development Goals in the field of access to health services.”*

1. The CCOD has been designated by Law (L. 143(I)/2006) as the State’s social partner on issues relating to persons with disabilities. Under this capacity, the CCOD should be invited to express its opinion during the stakeholders’ consultation that takes place in the context of the formulation of new legislation. Other organizations or associations representing persons with disabilities, which are not members of the CCOD, may also be invited to participate in consultations. However, our experience has shown that representative organizations are not systemically or adequately involved, by the competent state authorities, in decision-making processes concerning issues relating to persons with disabilities.

In addition to the above, it should be noted that following the signature and ratification of the by Cyprus of the UN Convention on the Rights of Persons with Disabilities (CRPD) and the Optional Protocol, the necessary mechanisms for the implementation and monitoring of the CRPD were set up, and, as a result, eight Thematic Technical Committees were composed to work for the preparation of the First National Disability Action Plan (2013-2015), including one on the Right to Health. Even though the CCOD had representatives in each Committee, it has reported that their recommendations for concrete actions to be included in the FNDAP were not taken into account and some of them were even rejected.

Furthermore, the Pancyprian Alliance for Disability, which was founded in December 2015, with the purpose of participating in the review of the State Report on the implementation of the CRPD in Cyprus, has reported that Cyprus was not complied with close consultation or active involvement of organizations representing persons with disabilities.

However, in the recent National Disability Strategy (2018-2018) and Second National Disability Action Plan (2018-2028), consultation with representative organizations is explicitly recognized amongst the means of achieving strategic goals and objectives.