

DISABILITY LESOTHO



From the Editor

Dear Partner,

Welcome once again to the edition of Disability Lesotho, the monthly email newsletter from Lesotho National Federation of the Disabled. The edition will cover news for the month of February 2015

This e-newsletter is a platform whereby partners in the disability sector share the good work they do and learn from the work of others. This includes news, events, updates, activities and all issues affecting people with disability in Lesotho. We therefore welcome contributions of any nature from all organizations working to improve the lives of people in Lesotho, including those with disability.

I would like to congratulate people with disabilities by participating in politics this year. Some of you participated in observing elections, others in elections educations while some became contestants in the Lesotho 2015 elections. This real shows development in disability movements in Lesotho.

The work done by LNFOD and its member affiliates is huge to teach people with disabilities about elections. The problem that faced by Voter Educators in relations to disability issues was that; most PWDs did not register as voters, so it was too late for them to prepare to cast their

votes. People with disabilities have been denied to access to information. In this matter they did not know that it is necessary that a person reaching 18 years in this country to register as a voter. The worse part of this is that there are some charges if someone is not obeying the law. The lesson learnt with this education is that there is lack of information to people with disabilities about elections and politics.

In this manner let everyone of us stand up educate our members so that they access information in different sectors of life.

If you would like to contribute to the next issue or have received this newsletter from a third party and wish to be included on the mailing list please contact Pascalina Letsau on (+266) 5905 5406 or pletsau@gmail.com

If missed any edition please visit www.infod.org.ls

We welcome any feedback that may improve the quality and content of this free service.

Best regards,



The Editor

DIRECTOR'S CORNER

National Assembly General Elections 2015 in Lesotho:

By Nkhasi Sefuthi

Lesotho underwent snap general elections on the 28 February 2015. In the process of preparing for these elections, LNFOD and its DPOS held several meetings with the Independent electoral commission in order to ensure that, people with disabilities are not left behind in terms of access to the elections in various ways. In fact, the DPOS advocated for the disability inclusive general elections where people with disabilities will be provided with the accessible and inclusive electoral environment in which they can exercise their right to vote on an equal basis with others.

In these advocacy efforts, LNFOD entered into partnership with IEC in which LNFOD was assigned to provide electoral education to people with disabilities and their families with the aim of encouraging them to participate in the elections.

The electoral educators of whom the majority were people with disabilities were stationed in five districts to impart knowledge on elections to people with disabilities living in about 26 constituencies. In this regard, LNFOD reached more than sixteen thousand people with disabilities over the period of two months which commenced on the 1st January and ended on the 21st February.

We extend our special thanks to the team of electoral educators who ensured that people with disabilities received quality electoral education whose purpose was to enable them to make informed decisions about the politicians they were voting for on the 28 February.

Most importantly, the independent electoral commission for the first time ever provided visually impaired voters with Braille ballots, which enabled them to make their choice independently.

Although, the Braille ballots were not available in all the polling stations, but, they were made available in some of the polling stations especially in Maseru. The recommendation is therefore that, in the next elections, Braille ballots should be made available across the country because visually impaired voters are not only living in Maseru. On a different note, Deaf people were not provided with the sign language interpreting services during the elections. However, we saw several attempts to include the deaf in the educational activities held before the elections.

The main challenge in terms of access to general elections remains with people with intellectual disabilities because our electoral act prohibits them from participating in the election on the basis of their disability. This occurs despite the fact that article 12 of the CRPD general comment makes it clear that "unsoundness of mind" and other Discriminatory labels are not legitimate reasons for the denial of legal capacity (both legal standing and legal agency). Under article 12 of the Convention

Perceived or actual deficits in mental capacity must not be used as justification for denying legal capacity. In this regard, Lesotho is obliged by the CRPD to review the National assembly electoral amendment act 2011 to include people with intellectual disabilities.

Secondly, the issue of physical access should be reconsidered because most of our polling stations were inaccessible for people with physical disabilities especially the wheelchair users.

The situation of people with disabilities with regard to the elections should be improved in partnership with the key stakeholders so that people with disabilities may enjoy fundamental human rights on an equal basis with others.

GENERAL NEWS

Dialogue with political parties on inclusion of disability issues in their manifestos for 2015 general elections

By: Pascalina Letsau

Maseru on the 24th February, four days before general elections people with disabilities had a dialogue at Maseru Sun hotel. The aim of the dialogue was to hear from politicians what is included in the manifestos related to disability issues. Again, to present before the politicians the concerns of PWDs about laws that are discriminating people with disabilities.

Mr. Nkhasi Sefuthi stated before the politicians that Lesotho is the signatory of the UNCPRD. Amongst all articles he talked about article 4 that says the State parties engages in the development and implementation of policies and administrative measures aimed at securing the rights of people with disabilities. These will help state parties and abolish laws, regulations, customs and practices that constitute the discrimination of people with disabilities.

The political parties that were presented were;

1. All Basotho Convention (ABC) represented by Samonyane Ntsekele – Secretary General
2. Marematlou Freedom Party (MFP) represented by Mr. Mokube
3. Progressive Demograts (PD) – Mr. Mophato Monyake – party leader
4. White Horse Party (Thabure) represented by Mr. Francis Thakaso the party leader
5. Tsebe Social Demogratic (TSD) by Mr. Molibeli

He touched these laws;

1. **The Lesotho Constitution 1993** under the principles of State Policy in section 33 for the rehabilitation, training and social relocation of persons with disabilities. In addition the provision calls upon the government of Lesotho to design policies that will promote the placement of people with disabilities at workplace for their wellbeing.

2. **Section 18 of Constitution of Lesotho** – does not mention disability as the prohibited ground of discrimination

3. **Section 57 of the constitution of Lesotho** – provides that people who cannot speak are not eligible to be appointed as Senator. Measuring that a Deaf person is constitutionally prohibited from being appointed in the upper house (Parliament) solely based on disability.

4. **The National Assembly Electoral Amendment Act of 2011** provides for the category of people who are legally prohibited from participating in the general elections due to their social status. People with intellectual disabilities falls within the scope of the section of our society who are denied a right to vote based on disability.



5. **The National Assembly Electoral Amendment Act of 2011** – extends very vague protection in terms of participation of people with disabilities in the party policies. It simply says that, political parties shall ensure that people with disabilities participate in the political field. The section does not elaborate how the participation of people with disabilities will be guaranteed.

6. **Penal Code Act 2010** – permits abortion if the pregnant person should be giving birth to a seriously physically and mentally disabled child subject to the consensus of more than one medical practitioners Section 45(C) creates discriminatory exception against children with disabilities to be born as it permits the pregnant person to abort the child simply because the child is disabled.

7. **Education Act of 2010** – learners with disabilities still face various challenges. Learners

with disabilities are not provided with required and reasonable accommodation and support necessary to maximize and social and academic development within general the education system. Access to education for persons with disabilities is still lower than access for non-disabled and the medical approach to disability, which includes amongst other things the establishment of special schools still persists. to education for persons with disabilities, is persist.

These laws were not the only ones quoted but many. After the presentation, political parties presented their manifestos and then followed by the questions from people with disabilities. There was a question from Mr. Sefuthi saying how they will do to change their manifestos into policies of the government because it has been difficult to previous government to do so. These are making things difficult especially looking into issues relating to disabilities. It is clear that all parties are talking about disabilities and have included people with disabilities in their PR lists but when coming to implementation things will not be same as talking.

The representative of ABC Mr. Ntsekele said; "We as ABC will review the Lesotho constitution so that it accommodates people with disabilities. We are aware that we have to work in collaboration with other people to know their issues."

"We accepted the invitation realizing that you are representing many people with different disabilities. We cannot allow laws that will drop off dignity of every creature, all laws that are discriminatory will be abolished as we are all creatures of God" said Mr. Thakaso from White Horse Party. We promise to work together with people that are affected by a certain vulnerability.

In the democracy, we think that everything begins from the people. We will have to look for needs from different people including people with disabilities. We would like to be assisted by people with disabilities so that we can do better in relation to disability.

"It is very unfortunate that we are being highlighted with these important issues at the last moments that we have already done our manifestos but it is not that too late. Some of us

are going to be members of parliament and we will have to work hard to include issues of disabilities. I am very disappointed to hear that people who are always interpreting sign language in our National Television do not paid only doing the job voluntarily. This is very sad indeed to Basotho children that are paying tax." said Mr. Mophato Monyake

There followed the recommendations from people with disabilities that members of political parties will have to take it forward to the parliament. They were as follows;

1. Domestication of the UN Convention on the Rights of People with Disabilities
2. Enact the Disability Equity bill 2014 into law
3. Remove remaining discriminatory provisions in laws for harmonization with UNCRPD
4. Implement the National Social Protection Strategy
5. Provide for the inclusive education for all learners with disability
6. Promote the employment for persons with disabilities by requiring employers across all sectors to provide for reasonable accommodation for persons with disabilities.

"It is our hope that if things can be on the way people are talking especially politicians Lesotho will be able to accommodate issues of disabilities. We would like to thank you all for accepting our invitation. Please we would like to plea to everybody who would be the member of the parliament to raise the voice of people with disabilities. It is with your help that our voice could be heard, as it is not going to be easy to invite all of you especially during this hard of time. We wish you all the best in the elections". concluded Mr. Nkhasi Sefuthi

GENERAL NEWS

“Access to Justice for All,” can come real at ‘Nqoe Community Council



On the 16th February, LNFOD and the University of Lesotho introduced the Legal Aid Clinic to people with disabilities at ‘Nqoe Community Council in the Butha-Buthe district.

It is with a long time that people with disabilities are denied right to access to justice. Due to vulnerability of people with disabilities to this right, there is a gap and there is need to influence policy change or develop strategies of legal education to the public including people with disabilities.

People with disabilities have been abused in many different ways either by physical, emotional, spiritual, sexually and trafficking but most cases are not reported, if reported there are no conclusion to these cases. There are reasons that are leading these cases not being taken in consideration by magistrates or judges. Some of people with disabilities are not able to report cases. Parents do not understand that it is their role to support their members with disabilities in the family. Poverty is another way that limits access to justice to people with disabilities.

In Lesotho reports shows that most people with disabilities cannot afford basic commodities like food, electricity and water to live with. This is where they accept bribery from perpetrators so that cases could be cancelled from courts of law.

Legal Aid Clinic is to help to take their cases forward with a little amount.

The Legal Aid Clinic is going to stand for everyone not able to pay fees for cases in court. There are some measures to be taken; if someone is reporting a case to the Legal Aid Clinic, the students will advice then the lectures will hold the case to court.

People who will qualify;

1. The clinic will be working under lectures and other advocates who are already in practice. People who are earning less than M3, 000 monthly will get a service from Legal Aid Clinic.
2. The clinic will assist students with the provision of legal services to various indigent clients under supervision of qualified legal practitioners as well as their lectures
3. There will be some charges to put in place before could get help, these will includes stamps, transport to take people to and from court.

Legal Aid Clinic has sign the agreement with other NGOS like LNFOD in order to protect rights of People with disabilities, as it is part of our job. Cases for marginalized group are cases for the Majesty King, so the case should be taken further. Our role also is to assist families to understand how court work and the requirements needed.

The advice given to people with disabilities during the introduction was that people with disabilities should report cases either at homes, village chiefs and neighbors. It is illegal to hide abuses, remember if you are not reporting the abuse you are part of that abuse.

GENERAL NEWS

“My ballot, my authority”

By: ‘Mahlopheho Janki

January and February, people have been trained on elections. It was a good move that has been taken by LNFOD and DPOs in this country. There are voter educators from the Independent Electoral Commission that are holding public gatherings in the villages of Lesotho. Some people with disabilities do attend those gatherings while others are not able to due to negative attitudes towards PWDs by the communities.

Members of DPOs started going out to help with the information they would need for 2015 coming elections in Lesotho. Most people with disabilities did not know that it is illegal not to register as a voter in Lesotho if reached the age of 18 and above. The National Assembly Electoral Act, 2011 under enforcement says a person who fails to register as an elector as required under section 4 or fails to comply with section 8(1) without reasonable excuse commits an offense.

The problem is that; if people with disabilities are not getting the information, it is clear that they commit an offense. This was new information to them. Most people with disabilities wanted to exercise their right of voting. Some obstacles in front of them are not allowing them to do so.

Complications were;

1. Not registered as electors of Lesotho due to lack of information
2. Electoral polling stations are far from villages so people with disabilities cannot reach them
3. Inaccessible routes, people with disabilities are not able to use, some places have to cross-rivers and mountains.
4. People with disabilities are hardly getting assistive devices especially in the rural areas, so the mobility is very difficult.
5. People with disabilities complaint a lot about being



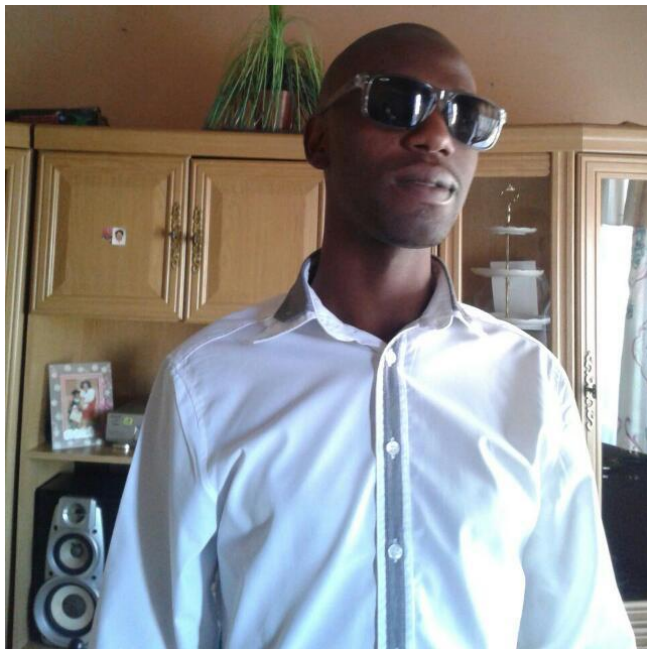
“Some of us have been electing even could become disabled but until today, I do not see any success brought by the elections’. said the visually impaired person Mr. Sekhabe Masuoane

“I do not want to vote then after that nobody cares about me. The government of Lesotho is ignorant towards our issues, we are aware that elder people are getting money every month but we are getting nothing. Today we told to go and elect. Whom are we going to elect? What is he /she going to do for us? People with disabilities are crawling in our villages nobody cares. I do not think it is a good idea to elect as PWDs until we hear from the contestants what are they going to do for us.” said Matseliso Mphake. Who is physically disabled. During these trainings, people with disabilities complaint a lot about not getting services as PWDs in this country. After being convinced about importance of election they promised to go and elect if they could get assistive devices. It is true that people with disabilities are suffering and things towards them are going slow.

It is our wish that the upcoming government could think clearly and advice themselves to domesticate the UNCRPD and enact the Disability Bill 2014 into law. People with disabilities are taxpayers in this country but not budgeted for. They do not access education, information, legal protection and employment. They are living under poverty line, they are poorer than everyone who is poor in this country. We congratulate Basotho as they had peaceful elections.

SPOTLIGHT

My disability 'versus' my love life – Thabiso Masenyetse



Disability according to me is a mere condition where a person has some or any part of the body not being able to perform the intended functions, and yet not ill. For example, my eyes are visually impaired but not sick. While love life is a real situation, in which people choose to partner with each other with the aim of marriage or preparation of such.

However, there is still huge preclusion when it comes to my case probably due to my disability. The hypothesis of this paper is that most of the non disabled people still discriminate, stigmatize and of course don't understand disability.

Hahaha! Dear readers these are all my love challenges and you are requested to come up with solutions.

Like any other man with good responsibility I usually get attracted to beautiful women which I across; in the same way some of them happen to love me back. However, it is only after realizing that I am visually that an abrupt change drops into their minds and they finally fall out of terms with me.

My pathetic perception is that my impairment throws me into a very unfair competition; for if it may happen that a mere herd man from the veld and I bead for a certain woman, apparently he is going to win against me by the virtue of his eyesight. She chooses him regardless of whether I had all she need. Dear please think about this, I am a man who is relatively financially stable and I use apparels of fashion, and these are some of the considerable factors when women nowadays choose partners, but for me all these do not count just because I am blind. They would count in any other case not this one.

More importantly, my disability does not hinder me from doing all these would help me but they seem to have been overshadowed by visually impairment.

Hahahaha! However, those who are at list able to maintain better relationships with me are those who were heartbroken in their previous relationships. This comes now with the notion that I cannot do the same because I am sacred / Godly, as a result I do not hurt and do not cheat since I cannot see surroundings. Here is the comment from some of them even if he cannot watch or take me to the movies at list I am expecting real love.

In concussion, all these disheartens me they make me feel isolated and misused. This competition is unfairly tough on me. I have love, I love being loved, dear reader what can I do?????

Contact me: tmasenyetse@gmail.com

UPCOMING EVENTS

Introduction to self-help groups formations, Thaba – Mokhele on the 13 March

For more information please conduct LNFOD office; +266 22320345

Or

Mr. Rabasotho Moeletsi; +266 58700925

Email; moeletsi@Infod.org.ls

Advocacy campaign in Phuthiatsana Community Council on the 23rd March

For more information please conduct LNFOD office; +266 22320345

Or

Mr. Rabasotho moeletsi; +266 58700925

Email; moeletsi@Infod.org.ls

Advocacy campaign in Khoelenya Community Council on the 20th March

For more information please conduct LNFOD office; +266 22320345

Or

Mr. Rabasotho Moeletsi; +266 58700925

Email; moeletsi@Infod.org.ls

NEWS IN PICTURE



NUL students from Law faculty introducing Legal Aid clinic at 'Nqoe Community council to PWDs



Mr. Nkhasi listening to Politicians during the political dialogue



Political parties presenting their manifestos before people with disabilities



'Mathabang Maqoacha during the public gathering on electoral education at Hololo # 2 Constituency



Places PWDs have to travel to electoral polling stations



Challenges that we met during electoral education at Motete #3 Constituency

FEB, 2015

ISSUE 3 VOL 2

ADVOCACY WORK



LNFOD

PARTNERS in Advocacy Work

