

# DISABILITY LESOTHO



## Editor's note

Dear Partners, I am happy to inform you that the Persons with Disability Equity Bill which was passed by the Parliament in November 2020 has been turned into an Act of Parliament last week by getting royal assent from his Majesty king Letsie III. The turning into law of this much awaited bill marks a new dawn for the disability movement and government of Lesotho and its partners.

The final step is the publication of the commencement of the law by notice in the gazette which is expected to happen very soon so that the law will be operationalized.

It is realized that one of the first provisions of this law to be implemented will be social grants for deserving persons with disabilities because government through Ministry of Social Development is silently and secretly arranging for the provision of the grants. I am saying that because persons with disabilities are not participating in the design of these grants despite the requirement of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) to the effect that persons with disabilities through their representative organisations should participate on the decisions which are affecting persons with disabilities.

LNFOOD congratulates government of Lesotho for fulfilling its obligation of protecting persons with disabilities through an Act of Parliament. LNFOOD extends its sincere gratitude to its partners,

Diakonie Act Austria, United Nations agencies, Lesotho's Civil society organisations for supporting LNFOOD to advocate for this Act throughout. We are calling upon development partners, civil society organisations to support the implementation of this Act so that it may benefit persons with disabilities living in Lesotho.

Persons with disabilities still face attitudinal and environmental barriers which hinder them from fully participating in life and LNFOOD strongly believes that the enactment of this law will strengthen advocacy on inclusion and participation of persons with disabilities.

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](mailto:pletsau@gmail.com)

If missed any edition please visit [www.lnfod.org.ls](http://www.lnfod.org.ls) We welcome any feedback that may improve the quality and content of this free service.



## DIRECTOR'S CORNER

### EMERGING DISABILITY INCLUSIVE SOCIAL PROTECTION FOR PERSONS WITH DISABILITIES IN LESOTHO

By Nkhasi Sefuthi

This article examines the state of the social protection for persons with disabilities in Lesotho through review of several government policies and strategies implemented by the Ministry of Social Development. It seeks to determine whether the social protection initiatives undertaken by government in Lesotho promote full and effective participation of persons with disabilities as required by the United Nations Conventions on the Rights of Persons with Disabilities (UNCRPD).

The recommendations and conclusions will be made arguing that the current social protection system of Lesotho does not promote the full and effective participation of persons with disabilities. The social protection system of Lesotho does not take into consideration the views and concerns, and experiences of persons with disabilities in the design of the systems.

Social protection programmes can play a crucial role in alleviating and preventing poverty and vulnerability to securing peoples' wellbeing. They can also increase productivity, employability and economic development of people by creating better income opportunities for them.

There is increasing evidence confirming that persons with disabilities are more exposed to the risk of poverty due to a number of barriers including: lack of access to education, employment healthcare and lack of access to support services and disability related costs.

It is widely acknowledged that, inclusive social protection services can be a driver for social inclusion of persons with disabilities in society.

In attempting to create inclusive social protection for the Basotho with disabilities engaged in a number of social development systems including the national information system (NISA) which is a

database for the vulnerable households.

However, Lesotho Situational analysis study of the Ministry of Social Development completed in 2018 indicates that NISA does not cover disability in a comprehensive manner due to lack of appropriate data disaggregation based on disability. This has been accepted by the Ministry in several social protection consultative meetings of the same ministry.

There are persons with disabilities who receive the public assistance fund from the Ministry of Social Development not because of their disability but, due to the poverty. Meaning that the government through the Ministry of Social Development has not yet considered disability as a sufficient ground upon which a person can get a grant. It is worth noting that persons with disabilities encounter extra cost in their lives because of the disability related cost which they should incur in their lives including requirement of personal assistance needed by the majority of persons with disabilities to perform their daily functions.

In 2014, government adopted Social Protection strategy which among other groups considered persons with disabilities as beneficiaries and outlined that disability grant will be implemented in that year. However, the Social Protection strategy was fully implemented except the provisions relating to persons with disabilities. Government is now working on a new Social Protection strategy in which persons with disabilities have been participating once again and LNFOD will be monitoring the implementation of the new social protection strategy.

In addition, government has pronounced itself on the provision of the disability grant through the 2021-2022 budget speech made in February that, they will be providing disability grant.

However, this was not for the first time that government committed to provide the grant to Basotho with disabilities. the same message was delivered by the Minister of Finance in 2019-2020 budget speech. However, it did not materialize and there was no reasonable explanation given by government to persons with disabilities relating to why it was not provided for as indicated.

Lesotho has recently enacted a Persons with Disability Equity Bill into law. The Persons with Disability Equity Act seeks to provide for the social protection to persons with disabilities by establishing three types of social grants specific for persons with disabilities.

These are Disability grant eligible to persons with severe disability, Care dependency grant for children with disabilities and grant – in – aid which will be paid to all persons with disabilities who are in need of care.

Nevertheless, the formulation of these grants are widely criticized by persons with disabilities in which they argue that, they are not inclusive in terms of coverage as they only cover persons with disabilities who require high support to the exclusion of others who may be seriously affected by the social and economic conditions under which they are living.

One major criticism from the representative organisations of persons with disabilities is that the grant is based on medical model in which the impairment of an individual is considered as the one which hinders such a person from participating in society rather than the social, economic, cultural and attitudinal barriers which are the ones preventing a person with disability to fully and effectively participate in society.



Although government is commended for acceding to the CRPD in 2008 and domesticating the CRPD through a parliamentary legislation, Nevertheless, persons with disabilities are not participating in the formulation of the specific grants for persons with disabilities. Government through the Ministry of Social Development is currently preparing for the establishment of the grant yet persons with disabilities through representative organisations are not participating in this process. This practice is in violation of the CRPD which requires government to ensure full and effective participation of persons with disabilities in the decisions affecting their lives.

It has been made clear throughout this article that persons with disabilities have not been included in the design and formulation of the grant. Meaning that they will just become the recipients of the grant which will be decided by government alone.

In conclusion, it is highly recommended that, persons with disabilities are the experts of their lives and should be consulted and participate in the design, and implementation of the social interventions made for them. Participation of persons with disabilities in decisions such as this one is a legal requirement imposed on government by the international law.

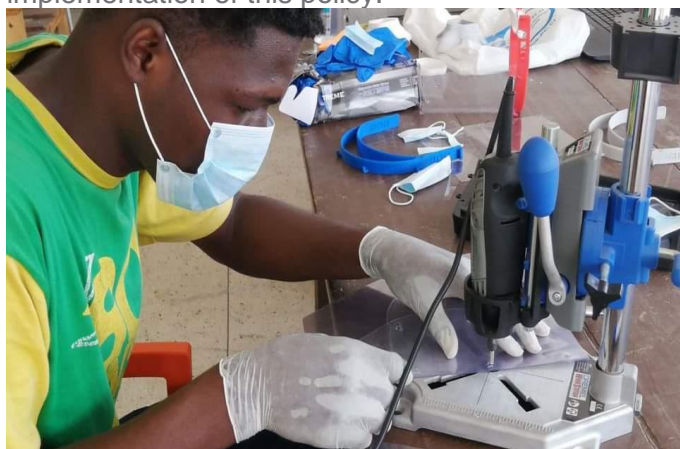


## GENERAL NEWS

### Incorporating inclusive education in the technical and vocational education training (TVET)

By: Puleng Mosili

For the longest time 'Inclusive education' has been associated with basic education in Lesotho, but not very popular in the higher education including the technical and vocational education training in Lesotho. The implementation of the Lesotho Inclusive Education Policy has been quite unhurried due to insufficient funding. The corona virus pandemic has in addition exacerbated the leisurely implementation of this policy.



Objective 3.2 of the Lesotho inclusive education policy speak to the issue of strengthening capacity of education providers in supporting learners with special educational needs through, facilitating programme review at TVET institutions to integrate inclusive education and ease improvement of the existing TVET programmes and the expansion thereof. This calls for collaboration of two departments in the ministry of education and training, namely: the special education unit and the technical and vocational department.

With the aid of funds from UNICEF Lesotho, the Lesotho National Federation of Organisations of the Disabled (LNFOD) is advocating for the effective implementation of the Inclusive Education policy adopted by the Ministry of Education and Training in 2018. To ensure inclusive, equitable and quality education for all including learners with disabilities,

LNFOD is advocating for the enrollment and learning of the young adolescents with disabilities in the special and mainstream vocational schools of Lesotho.

LNFOD and its affiliates in collaboration with the Ministry of education (SEU and TVD) will therefore hold a one-day lobby meeting to share with the technical and vocational institutions ways in which they can create an inclusive setting so as to accommodate learners with disabilities especially in the institutions that don't already do so. Institutions will in this meeting share their requirements for people to enroll in their institutions including their programs and funding means.

A discussion will be held on what barriers that are there or may arise in enrolling learners with disabilities and ideas on how these barriers may be removed will be explored. This activity is aimed at ensuring that more youth with disability enroll in technical and vocational training education.

## GENERAL NEWS

### Sexual and Reproduction Health Rights and Gender Based Violence of Women and Girls with Mental Disabilities, Where Do we Draw a Line?

By: Makananelo L. Ramoholi

The ongoing implementation of the Gender and Disability in Practice Project continues to reveal a sad reality for women and girls with mental disabilities in various community councils under the project. Lack of comprehensive information on sexual and reproductive health and rights especially in the context of persons with disabilities does not only fuel gender-based violence but constitutes a grave violation of the fundamental human rights and freedoms particularly for women and girls with mental disabilities who are usually prone to sexual abuse.

The continued ignorance about the sexual and reproductive health rights of women and girls with disabilities has led to forced contraception, forced abortion and forced sterilization against these vulnerable category women and girls. Unlike women and girls without disabilities, women and girls with disabilities are considered to lack the capacity to consent and exercise free and informed choice both in theory and practice in relation to whether they want to use contraception or have comprehensive knowledge of contraception in all its forms.

The weak protection of the rights of women and girls with disabilities against gender-based violence marked by continued exclusion from national gender-based violence interventions targeting women and girls without disabilities has made the situation worse. Confronted with the dilemma of imminent unplanned pregnancy over and above the fact that women with mental disabilities are regarded as unfit mothers who impose more burden of child-rearing on the care givers, forced contraception is regarded as the only solution. Is this choice in the best interest of women and girls with disabilities? What about the sexual abuse that confronts these women? The impending risk of sexual gender-based violence has been down played to cover the risk of unplanned pregnancy. This gives license for sexual abuse with impunity since the fear of unintended pregnancy would be allayed. What about the victim's right to freely consent to sexual relations or to have an intimate partner? What about the associated risk of contracting sexually transmitted



diseases? What about the prosecution of the perpetrators? The fact that no one dares to question this practice does not only strip off women and girls with mental disability the right to dignity and integrity, but subjects them to continued acts of sex slavery.

According to the report of Mrs Mathabo Nts'ekalle from Kholenya Council at Mekaling, two girls with mental disabilities were subjected forced contraception, the mother of a girl with mental disability in one case was fearful to live her daughter alone while she went away to find means to sustain her family due to the high risk of unplanned pregnancy. She girl usually walked around the community alone or would sometimes be left alone at home. As a result, "it was agreed that the girl be taken for contraception so that she would not conceive should she be raped." In another case, the plan is also to take the girl for contraception for fear of rape. It is high time the rights of women and girls with disabilities are upheld by the nation to eliminate gender-based violence by the roots. There can never be justification for gender-based violence and in a similar way, contraception should not be a leeway for crime commission. The nation must be educated about the human rights of women with disability and the government must ensure that women and girls with disabilities are afforded equal protection of the law.

## GENERAL NEWS

### “Decreasing dependency is what we want to do.....”

By: Pascalina Letsau

Once visited Ha Teko in the Maseru district Whereby needed to meet women with different disability and have discussion about the project the think can have in order to reduce poverty amongst themselves. The idea came from the project of Disability and Gender that LNFOD is now implementing.



Women with disabilities gathered there were; 'Masephara Ntlhane, Ntsoaki Khoba, Lerato Pitso and her personal assistance 'Mathabiso Pitso, Kamohelo Lenkoane and Maletsie Kompi and were highlighted by Disability and Gender programme.

After understanding about the programme, they were very delighted and said it is very good for the benefit of PWDs. They indicated that they are willing to start the project. “We would like to start the Poultry project that were are hoping to end as Farm for the production of eggs and meat, but wold like to start with eggs project.”said Kamohelo Lenkoane.

“The idea is to have the best project with high standards to provide good products full

of health and hygiene.”Said Lerato Pitso laughing

“We would like to have a project that will supply the community with eggs. The project will also supply the nearest schools like; Ramorakane, Matukeng and Mohokare primary schools and Hlalele High school, our families also will benefit as will buy with staff price.”said 'Makompi Letsie

“If we can get funding it would be better if we start with 200 chickens. If those chickens are getting old, still can make money out of them by selling those chickens as meat (Lekakarane). We would like to thank LNFOD and DIAKONE and other partners in advance for the support they are hoping to assist us with. We hope if all can work hand in hand can change our lives. We should have trust to everyone of us, so that can work better and with transparency.”concluded Mathabiso Pitso



## GENERAL NEWS

### LNLVIP holds training on accessible books production

By: Kalello Fanana

Lesotho National League of the Visually Impaired Persons (LNLVIP) is an advocate organisation of the blind and partially sighted people of Lesotho. It was formed in the year 1986 with the objective of ensuring fair recognition and inclusion of the needs and rights of such people into all public services across all sectors. LNLVIP operates in all districts of Lesotho in a form of branches and sub branches.

For so many years lack of accessible books has been a great barrier for people with print disabilities in Lesotho in accessing inclusive education, therefore depriving them to live independent and productive lives. In April 2018, Lesotho ratified the Marrakesh VIP treaty, which gives access to published works for people with disabilities or otherwise disabled. Unfortunately, the provisions of the treaty have not yet been fully implemented and many are not aware of the barriers for accessing information for persons with print disabilities.

LNLVIP wrote a proposal to Accessible Books Consortium (ABC), which is a public-private partnership led by the World Intellectual Property Organization (WIPO). ABC and WIPO mainly provide capacity building and promotion of born accessible publications that are fully accessible to all readers; including persons with print disabilities. The project is a success and the first step the organisation took is to train 8 participants (1 from the Ministry of Education and Training, 1 from Office of the Registrar General, 1 from Resource Centre for the Blind and 5 from LNLVIP) on converting print books into accessible formats. The aim is to produce 60 books into braille, audio and digital formats which will be distributed to schools that have learners with print disabilities in the country.

The project will work together with local publishers and the National Curriculum Development Centre as LNLVIP is empowered to produce titles that are



part of the National Curriculum, thereby reducing barriers and inequalities faced by visually impaired students in Lesotho which will be used in high schools and primary level. Due to COVID-19 this capacity building course for the first time in the history of ABC was held online and all 8 participants successfully joined the training and now have skills to produce books as this is going to be the next step in the mentioned project.

Lesotho was declared the first country in Africa to first complete the training. LNLVIP is very excited about the project and the positive impact that it will bring in the lives of persons with print disabilities.

LNLVIP is willing to commence this journey in harmony with relevant institutions in order to ensure that accessibility in the education sector is no longer a barrier for learners with visual impairment. This project entails a tremendous change as LNLVIP with its advocacy skills will influence the implementation of the Marrakesh treaty for the everlasting benefit of learning independently and for Visually impaired persons to enjoy their freedoms to read their way!!

## UPCOMING EVENTS & ANNOUNCEMENT

**Capacity building on monitoring and evaluation tools for DPO Project officers**

For more information please contact Infod office on this number +266 22320345 or email: [moeletsi@Infod.org.ls](mailto:moeletsi@Infod.org.ls)

**Sensitisation sessions for councilors on inclusion of persons with disabilities in local community development**

For more information please contact Infod office on this number +266 22320345 or email: [moeletsi@Infod.org.ls](mailto:moeletsi@Infod.org.ls)

**LNAPD announces**



**Mr. Mojalefa Ntlatlapa as LNAPD Director**

For more information please contact this number +266 59055406 or email: [letsaup@gmail.com](mailto:letsaup@gmail.com)



FEB, 2021

ISSUE 3 VOL. 8



# LNFOD

PARTNERS in Advocacy Work

With funding from

 Austrian  
Development  
Cooperation

  
CHIESA VALDESE  
UNIONE DELLE CHIESE METODISTE E VALDESI

 **OSISA**  
Open Society Initiative  
for Southern Africa

