

Disability Lesotho Newsletter



LNFOOD

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Editor's Note



Dear Valued Reader,

Welcome to another issue of our Disability Lesotho monthly newsletter. In this issue we talk to MCA-Lesotho II CEO Mrs. 'Mannana Phalatse on the readiness of MCA towards disability inclusion in programming for the upcoming project that will kickstart in March 2024.

We also talk to the the Principal Gender Officer Ms. Motena Letsie from the Ministry of Gender, Youth, Sports, Arts , Culture and Social Development on the preparations of the 16 days of activism .

Our Director's Advocate Nkhasi Sefuthi takes us through the journey towards gender and disability mainstreaming in the disability sector under the Gender and Disability in Practice (GADIP) project.

Enjoy,

T. Khofu

Get in touch with us; we'd love to hear from you:



Lesotho National Federation for Organisations of the Disabled



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Naleli Opposite Maria 'Mabasotho Catholic Church

Encouraging an accepting atmosphere at MCA-Lesotho II: An inside look at MCA preparedness for inclusion.



MCA-Lesotho II CEO Mrs. 'Mannana Phalatse

By Teboho Khofu

Disability inclusion is involving people with disabilities in daily activities and pushing them to play roles that are comparable to those of their peers without disabilities. This calls for more than just encouraging individuals; it calls for ensuring that a community or organisation has the proper policies and procedures in place. This accurately represents the goals that MCA-Lesotho II through LMDA is working towards in light of the impending \$322.5 million Health and Horticulture compact, which will take effect in March 2024 and last for five years. By doing this, the social barriers that increase the likelihood of poverty, violence, poor health outcomes, social marginalisation, and restricted access to jobs and education for individuals with disabilities will be lessened.

Disability inclusion, according to MCA-Lesotho II CEO Mrs. 'Mannana Phalatse, is all about ensuring that everyone has equal opportunities to participate in every aspect of life to the best of their abilities and desires, as well as understanding the relationship between people's functioning and how they participate in society. According to her, MCA-Lesotho II gave careful consideration to how to involve individuals with disabilities in the upcoming project, beginning with the board of directors. According to Mrs. Phalatse, the presence of a representative of organizations of people with disabilities in the MCA-Lesotho II board of directors is a glaring indication that MCA intentionally seeks to represent individuals with disabilities. "We will employ selection criteria in all of our projects and programmes that mandate contractors and other service providers we are going to work with to take people with disabilities into account when developing their human resource policies. We are working with a consultant right now to try and address the concerns of those that we think were compromised in our first project", Phalatse said.

Phalatse further indicated that the consultant is currently busy with a gender capacity assessment and also inspecting certain government departments to examine inclusion readiness. She said this will help MCA-Lesotho II and the involved government departments now and going forward. Aside from that, we are developing a policy that will affirm that individuals with disabilities are accepted and will receive support. This demonstrates that MCA-Lesotho II is willing to hire anyone with the necessary skills for any position, regardless of whether or not they have a disability.

MCA is prepared to make a reasonable workplace accommodation for individuals with disabilities.

Mrs Phalatse, the newly appointed CEO of MCA-Lesotho II, has the difficult task of guiding the organisation towards achieving its goal, which comprises completing the \$322.5 million Health and Horticulture compact over a five-year period beginning in March 2024. The goals of this compact are to enhance access to high-quality healthcare, support equitable business development opportunities, invest in high-value crop production, and boost formal employment opportunities and profits for women's and young people's owned businesses. The three projects that comprise the Compact are Market-Driven Irrigated Horticulture, Strengthening Health Systems, and Business Environment Technical Assistance.

As an autonomous body under the Lesotho government, MCA-Lesotho II strives to reduce poverty by promoting equitable and sustainable economic development. It is supported by a \$3 million grant from the Millennium Challenge Corporation (MCC) of the US government.

Preparing for 16 days of activism campaign: Lesotho's Ministry of Gender and Youth, Sports and Recreation.



Principal Gender Officer Ms. Motena Letsie

By Teboho Khofu

Every year on November 25th, a global campaign known as the 16 Days of Activism against gender-based violence (GBV) gets underway and ends on December 10th. After the Montreal Massacre in Canada on December 6, 1989, in which Marc Lépine entered the École Polytechnique engineering school and shot and killed a number of female engineering students before taking his own life, activists at the first Women's Global Leadership Institute launched the campaign in 1991.

Later, Lépine declared that he was against feminism because he detested it and that female engineering students were feminists

because they believed that women were capable of doing anything that men could. Initiating this global campaign to not only remember the victims of the Montreal massacre but also to raise awareness, encourage advocacy efforts, and share knowledge and innovations for fighting violence against women and children, women's movements from all over the world saw this massacre as one of the most extreme forms of violence against women.

It is against this background that Lesotho through its Ministry of Gender and Youth, Sports and Recreation will join the rest of the world in observing the 16 Days of Activism Against Women and Children from Monday the 25th of November with a theme yet to be determined by the ministry, which will be informed by the popularization of Counter Domestic Violence Act of 2022.

The Principal Gender Officer Ms. Motena Letsie, has indicated that this year their major goal is to organize this day with the participation of all stakeholders, including LNFOD and Social Development. "We are going to use this joint planning to find out if our stakeholders have any suggestions for the 16 Day of Activism. In an effort to successfully popularize the Counter Domestic Violence Act of 2022, we will not only be focusing on gender-based violence but violence in general.

We are currently organising a meeting to help us avoid repeating the work of activity planning and to identify potential areas of cooperation in advance of the official launch.

Letsie indicated that among the ideas they put forth, despite the fact that their funders have not approved of them, are campaigns to raise awareness of the Violence Act, let people know it exists, and outline its provisions.

One of the most pervasive and ongoing violations of human rights in our modern world is violence against women and girls, with woman and girls with disabilities being the most violated. Intimate partner abuse, sexual assault, harassment, human trafficking, and child marriage are just a few examples of the various ways that gender-based violence affects victims and prevents them from realizing their full potential.

Director's Corner

Gender equality and disability mainstreaming.



LNFOD, Executive Director, Adv. Nkhasi Sefuthi.

By Nkhasi Sefuthi

This article is aimed at discussing the journey on gender equality and disability mainstreaming which the Lesotho National Federation of Organisations of the Disabled (LNFOD) undertook with its partners, Diakonie Act Austria (DAA) and National Union of the Disabled Persons in Uganda (NUDIPU) from the 1st January 2020 to date.

It highlights successes and challenges encountered by LNFOD in promoting gender equality not only within itself but within the organisations of persons with disabilities who are members of LNFOD.

With the financial support from the Austrian Development Agency, (ADA) through FDAALNFOD has achieved significant strides in promoting

gender equality within organisations of persons with disabilities and disability mainstreaming in 5 other women rights associations so that such associations can be confident enough to address the rights of persons with disabilities especially women and girls in the prevention of gender based violence, gender equality and disability mainstreaming. This includes: WLSA, FIDA, Solidarity Centre, LCN ETC. The project was implemented in five (5) districts, Berea, Leribe, Maseru rural, Mafeteng and Mohale's Hoek.

Prior to the implementation of this initiative, LNFOD undertook a gender analysis study to determine the extent to which gender is considered at LNFOD and within its member organisations in the development of policies, design and implementation of programmes. The study also covers issues on gender based violence against persons with disabilities with the particular focus on women and girls with disabilities; economic empowerment of women and girls with disabilities and gender sensitive disability inclusive education. The study report served as the baseline for the effective implementation of a 4 year project on

gender and disability which started in the beginning of 2020.

The gender analysis highlights several gaps in LNFOD advocacy and its DPOS including, lack of awareness on the intersection between gender and disability; consideration of gender and disability as separate issues, multiple discrimination suffered by women with disabilities because of gender and disability; limited participation of women with disabilities in the income generation and economic empowerment activities which could take them out of poverty.

The analysis further reveals that even though there are women's rights organisations in Lesotho, However they did not have the capacity to deal with the rights of women with disabilities effectively as most of their interventions are not disability inclusive. Other hand, organisations of persons with disabilities did not adequately address gender equality within their organisations as the focus has only been on disability. This situation created gender and disability inequalities within and amongst people with disabilities as they did not participate equally in the socio economic activities and decision making processes within the organisations. Males were found to be dominating in all aspects of development whilst women were lacking behind.

To address these barriers, LNFOD developed and implemented a gender and disability strategy to capacitate LNFOD staff and DPOS on gender and disability including socio-economic interventions for women with disabilities.

The outstanding outcome for disability mainstreaming amongst women's rights associations has been awareness creation on gender and disability whilst DPOS benefited greatly from learning from the women's rights organisations through the networking forum created by this project to facilitate partnership and knowledge sharing on gender equality amongst the local partners. It is therefore expected that the new project will strengthen the network and create new avenues for strengthening capacities of the organisations of persons with disabilities on gender equality and disability mainstreaming within women's rights organisations.

Most importantly, LNFOD has developed and revised its policies to be gender and disability inclusive including gender equality policy, human resource policy to promote equal access to job opportunities at LNFOD.

LNFOD engaged a gender focal person to guide all LNFOD gender related programmes to ensure gender equality

And advise LNFOD and its members on gender issue. This has not only enabled LNFOD to implement this effectively, but it has provided LNFOD with the capacity to integrate gender in all its programme.

Beyond Wheelchairs and White Canes: Disability as a Development Issue in Lesotho



During LNFOD knowledge exchange visit in Uganda at RAP-CD, an inclusive education school in Kadupeli.

By Lerato Makananelo Ramoholi

During the month of October 2023, Lesotho National Federation of Organizations of the Disabled (LNFOD) carried out countrywide sensitization workshops for grassroots disability rights activists at the community level in support of its member organizations; Lesotho National Association of the Physically Disabled (LNAPD), National Association of the Deaf Lesotho (NADL), Lesotho National League of the Visually Impaired Persons (LNLVIP) and Intellectual Disability and Autism Lesotho (IDAL). The objective was to raise awareness on the Persons with Disabilities Equity Act 2021 to empower them on their rights so that they can legally claim them. LNFOD amongst others noted with concern that persons with disabilities do not regard socio-economic rights as basic human rights that they are equally entitled to without discrimination like any other citizen of the country without disability.

Taking into account the foundation laid by the Constitution of Lesotho 1993 which dichotomizes rights, as first-generation and second-generation rights, it is not surprising that an ordinary Mosotho only thinks of the right to life as the only right in the discussion of rights protected by law. We all know that without second-generation rights, first generation rights like the right to life cannot stand due to the indivisibility and interdependence of rights. Can one survive without food? Can one have food without decent work and income? Can one land decent work without access to quality education? No. yet the supreme law of the country characterises all these othersocio-economic rights under chapter III as secondary and therefore not enforceable (non-justiciable) before the courts of law of Lesotho. This position was further re-enforced by the High Court of Lesotho sitting as the Constitutional Court in the precedential court case of **Khathang Tema Baitsikoli and Another v Maseru City Council and Others CA (Civ) CONST/C/1/2004**. The highly celebrated Education Act 2010 that introduces compulsory and free education in primary education further rubberstamps this absurdity by providing that absence from school by reason of disability is a justifiable ground under the Act. What does this say to child with disability in Lesotho where inclusive education is an exception than a norm? Claiming the right to education and the right to livelihood for marginalized groups- especially for persons with disability has been a no-go area legally.

The Persons with Disability Equity Act undoubtedly seeks to deal with this absurdity in the law as seen above. Through subjecting the socio-economic rights of persons with disabilities to resource argument (that is, realization only possible if there are resources), the country does not only compromise the rights of persons with disability in totality, but endorses the charity model of disability. Without the right to quality education and the right to livelihood amongst others, the fundamental human rights of persons with disability are significantly hampered.

The rights of persons with disabilities have therefore been relegated to a mere needs and wants argument squarely focusing on impairments not barriers and using these as the basis for denial of basic humanrights. There is a misconception among service providers and a majority of persons with disability on the ground that once food packages, wheelchairs, white canes and crutches are handed out, then their rights are met.

Interestingly, the Persons with Disabilities Equity Act introduces the right to education, the right to employment and the right to access justice among others. Over and above not being able to access socio-economic rights that other people enjoy, persons with disabilities could not sue due to disability related barriers which were further endorsed by the laws and the court procedures. In fulfilment of the right to access justice, the country has further adopted the Disability Equity (Procedure) Rules 2023 to introduce accommodations in the court processes. This means that if implemented, persons with disabilities can sue and be sued without discrimination, meaning they will can claim their rights legally in the courts of law.

Through advocacy initiatives at the national level, LNFOD continues to adopt a rights-based approach to disability influencing law makers and service providers to include disability in the development agenda and demanding accountability on disability mainstreaming. It further supports community or local level advocacy through building the capacity of member organizations so that they can empower their members who are persons with disabilities, on their fundamental human rights. This is because participation of persons with disabilities in all areas whether social, political and economic spheres is key to achieve overall sustainable development. There is undoubtedly a huge shift introduced by the Disability Act, however it still remains to be seen whether there is political will towards implementation through institutional reforms to give effect to this progressive law.

Workshop on the Rights of Women in Africa.



**AIL WORKSHOP ON THE RIGHTS OF WOMEN IN AFRICA
19 - 21 OCTOBER 2023 ARUSHA TANZANIA**



By 'Masenono Letsie.

Twenty Years of the Maputo Protocol:
Where are We Now?

In commemoration of twenty-years of existence of the Maputo Protocol on the Rights of Women in Africa, the African Institute of International Law held a workshop for women from all African states that have ratified the Maputo Protocol. The workshop commenced on the 19th October and ended on the 21st October 2023. It was held in Arusha Tanzania.

Maputo Protocol was, adopted by the African Union in 2003 and reflects African nations' commitment to gender equality, human rights, and social justice. The protocol addresses the unique challenges faced by African women, eliminating discrimination and violence while ensuring access to healthcare, and economic opportunities.

The objectives of the workshop were:

- To reflect back on the impact and progress that the state parties can record in realizing protection and full enjoyment of rights of women in Africa.
- To discuss the next steps needed to actualise the promises of the Maputo Protocol to the African women and girls.

- Facilitate exchange of ideas and best practices to meet the diverse needs of women.

Women in Africa have come a long way in building universal acceptance that women's rights and equality are necessary for development and stability of the African continent. While acknowledging that significant progress has been made towards creating awareness and acceptance on the importance of promoting rights of women and girls in Africa, women still face multiple challenges in navigating male dominated spaces in Africa.

When delivering her presentation on **Article 23** of the Protocol, LNFOD Gender Officer highlighted that although Maputo Protocol remains a crucial instrument in recognizing, promoting and safeguarding the fundamental human rights of women and girls across Africa, women with disabilities still face multiple barriers that hinder their full participation in economic, political and social activities. Lesotho thus not have a legal framework that promotes inclusion of women and girls with disabilities in economic opportunities despite ratification of regional and international legal frameworks which advance protection and enjoyment of rights of women and girls with disabilities. She narrated that unlike their counter parts without disabilities and men with disabilities, women and girls with disabilities live in extreme poverty and are still subjected to various forms of gender-based violence and discrimination.

Participants in this forum urged state parties to implement the following:

- Mainstream disability in all gender equality advocacy initiatives or programmes, because disability and gender are two cross-cutting issues which cannot be addressed separately.

- Empower women with disabilities to effectively participate in key decision-making positions through laws and policies.
 - Raise awareness about the laws and policies that specifically protect the rights of women and girls with disabilities in Africa.
 - Women's rights groups to build alliances with organisations of persons with disabilities in order to promote inclusion.
 - Adopt disability inclusive and specific GBV prevention and response initiatives.
 - Engage to CHAMPION GBV prevention and response strategies so that they can protect women and girls with disabilities.
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GADIP Project: The journey towards gender and disability mainstreaming in the disability sector.



LNFOD, Executive Director, Adv. Nkhasi Sefuthi.

By Teboho Khofu

Following the LNFOD's implementation of a four-year project called the Gender and Disability in Practice (GADIP) which focused on supporting a Gender and Disability approach in development work with the aim to create a gender and disability sensitive interventions to address the intersectionality of discrimination as one of the major causes of exclusion and poverty, LNFOD's director Advocate Nkhasi Sefuthi indicates that women and persons with disabilities continue to be systematically discriminated and have less power across economic, political and social spheres. Advocate Sefuthi indicates that women and persons with disabilities have fewer resources, less say in decision making processes, and are more often affected by violence including physical, sexual and psychological harm, especially women and girls.

Adv. Sefuthi says gender and disability remain one of the most fundamental sources of inequality and exclusion in the world. "This project has been running from 2020 and it ends this year in December. GADIP's primary goal is to improve LNFOD's implementation of gender-related issues and to help LNFOD support other organisations on working on issues related to gender," Nkhasi said.

Lessons learned:

Advocate Sefuthi indicates that before this project, they did not include gender issues in their work, but now they understand that, although gender and disability are two socially constructed concepts that have been addressed separately, they are actually inextricably linked. According to Nkhasi, disability issues should be taken into account when advocating for gender equality and the rights of men and women with disabilities.

Recommendations:

The primary recommendation made by LNFOD is that both LNFOD and the organisations they collaborated with on the GADIP project have a well-thought-out plan in place for how they will incorporate gender issues into their initiatives.

Way forward:

The lives of men, women, boys, girls, and vulnerable youth should all be improved, but especially those of people with disabilities, as this will support their civic duty and help them hold the authorities responsible for providing services accountable. In order to achieve meaningful inclusion, a more sustainable strategy for bridging societal disparities that ensure no one is left behind must be used. Adopting a holistic and gender-appropriate approach to issues like GBV, education, and employment will make a big difference.

Teacher's skills refreshed on the use of technological assistive devices.



LNFOD'S teacher refresher training in Maseru, Durham Link.

By Puleng Mosili

With the help of funds from UNICEF Lesotho, LNFOD in collaboration with ministry of education and training through the special education unit organized a teacher refresher training that was conducted by Edit Micro (the producers and distributors of technological assistive devices). The refresher training was the result of findings in the monitoring exercise that LNFOD and MoET carried out to determine the use of the technological assistive devices that were bought for the 18 schools that accommodate learners with disabilities. The 18 schools include 3 mainstream high schools, 10 mainstream primary schools and 5 special schools. In addition to the use of Smart panel teachers' knowledge was revitalised on devices such as the Hovercam Ultra 8 which will assist schools in cases of limited resources, Dynamo math which will help resolve learners' challenges in Math, Braille-one Safari for the visually impaired learners, clicker 8 which assist the academically

challenged learners to mention a few of devices and software the schools have.

Unlike in the first training that was provided to the teachers, their participation in the refresher training was more impressive probably because they are now making use of the technology though at a very basic level, however they were able to appreciate the wonders that could be done by the devices especially for learners with disability whom according to the monitoring exercise executed by LNFOD and MoET were minimally benefiting from the devices.

Teachers declared that, although the devices are very helpful in ensuring inclusion of children with disabilities in classrooms, they have not entirely solved their problems or removed barriers that children with disabilities are facing in schools as teachers still lack skills to support and include meaningful children with disabilities.

The training was conducted for 125 teachers for 4 days including 5 special education officers and on the fifth day ECCD teachers, NECDOL staff and an NTT explored the use of technology for the benefit of children with disabilities in ECD.



Braille-one Safari for the visually impaired learners.

LNFOOD Partners in Advocacy:



**Brot
für die Welt**



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