

DISABILITY LESOTHO



Editor's note

Dear Partners, I informed you about Persons with Disability Equity Bill which was passed by the Parliament in November 2020, that has been turned into an Act of Parliament last time whereby was waiting for the royal assent from his Majesty king Letsie III.

Today, on behalf of the disabled community of Lesotho, Disability Lesotho welcomes the newly enacted Persons with Disabilities Equity Act of 2021. We really appreciate the Minister of Social Development and the staff particularly the Legal Department, the two houses of parliament, disabled people organization, national human rights NGO, other government ministries, media houses as well as other stakeholders who contributed towards the enactment of this law. We appeal to everyone to grab their the copy from the government printing and know about what is entailed in it.

Again on behalf of Disability Lesotho would like to thank Diakonie Act Austria, United Nations agencies, for supporting LNFOD 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 we 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

If missed any edition please visit www.lnfod.org.ls
We welcome any feedback that may improve the quality and content of this free service.



DIRECTOR'S CORNER

LESOTHO DISABILITY MAINSTREAMING PROJECT

By Nkhasi Sefuthi

This article assesses the impact of the Lesotho Disability Mainstreaming project from the 1st March 2020 to date when it phases out.

It highlights the lessons learned and the importance of the partnership between government and civil society in advancing disability inclusion in the public service delivery.

The article argues that it is still challenging for NGOS, particularly organisations of persons with disabilities (OPDS) to partner with government in implementing projects since government takes time to run and implement its own activities.

Lesotho Disability Mainstreaming Project is a joint initiative between Lesotho National Federation of Organisations of the Disabled (LNFOD) and the Ministry of Social Development aiming at strengthening coordination of disability specific and inclusive services in Lesotho through disability mainstreaming approach. Disability mainstreaming is the strategy for incorporating Experiences and concerns of persons with disabilities as an integral part of the design, monitoring, implementation, and evaluation of programmes and services run by the public and private sector.

The programme was designed, and implemented by the two above mentioned parties in order to address the barriers which hinder persons with disabilities to access public and private services on an equal basis with others through training of government personnel and identification of the government officials who can facilitate the effective implementation of the disability mainstreaming project within different government ministries.

The project is said to be successful if 12 government ministries have appointed Disability Focal persons who are able to influence effective disability mainstreaming from within their ministries through the implementation of the National Disability Mainstreaming Plan which has been revised in 2020 to suit the current needs

and challenges regarding the inclusion of persons with disabilities.

To date the Ministry of Social Development through this project has been successful in appointing 17 focal points from different ministries and their capacity on disability mainstreaming has been built in order to ensure that focal points fully understand their role and responsibilities in the disability mainstreaming journey more than 40 government officials from the Quthing, Mafeteng, and Berea have been trained on disability mainstreaming and focal points have been established for sustainability and continuity of this project beyond LNFOD support provided by the United Nations Department of Economic and Social Affairs under the United Nations voluntary fund on disability.

The expectation is that the training on disability mainstreaming given to the government officials should help them to include persons with disabilities in their planning, and implementation and the training should help them to make their programmes and services accessible to persons with disabilities who have been excluded from benefiting in the development over the years.

The outcome of the disability mainstreaming trainings conducted to date is that government officials understood the social, economic and political barriers they have been causing and imposing on persons with disabilities and are now willing to change for the better inclusion of persons with disabilities. The trainings are targeting Heads of departments in the districts so that accountability of the implementation of the National Disability Mainstreaming plan is put on them. However, at the national level, the meeting of the Principal secretaries which was to introduce

the plan has not been held yet delaying the process of ensuring accountability of the principal secretaries. This is one of the first activities of the project but it will be the last to be implemented because it is the responsibility of the MOSD to do it. This has to some extent caused lack of leadership and accountability of the Principal Secretaries since they have just been asked to appoint disability focal persons without being involved fully in terms of leadership and accountability.

However, it is noted with great appreciation that the partnership has been functioning from the beginning up to the end with some exceptions here and there.

The great challenges regarding this project have been timing which was negatively impacted by the disruptions caused by COVID-19 which led into government officials going to work by shifts.

In terms of sustainability of the project, LNFOD hands over the project to government in which the MOSD will continue to coordinate this work and



ensure that persons with disabilities are included through the implementation of the plan.

MOSD will continue to hold quarterly monitoring visits for all government ministries to ensure that the NDMP is implemented accordingly.

LNFOD will continue to advocate for the effective implementation of NDMP through allocation of budget and continuous capacity building of government disability focal persons.



GENERAL NEWS

The Plight of Caregivers of Girls with Mental Disabilities who are Victims of Gender Based Violence, A mother Pours Out Her Heart.

By: Lerato M Ramoholi

Access to justice is a fundamental human right which every person is entitled to without any discrimination including that based on disability. This right is entrenched in the International Convention on the Rights of Persons with Disabilities (UNCPRD) and is further reiterated in the Persons with Disabilities Equity Act 2021 which has attempted to domesticate the Convention locally. However, in Lesotho access to justice for persons with disabilities remains a myth, especially for persons with mental disability. Left with no options but to obtain justice on behalf of her 21-year-old daughter with intellectual disability who was sexually abused by a neighbor, Mrs Matlale Khabo, the mother, desperately reached out to LNFOD for help. This came after her daughter was impregnated after being sexually abused and was later committed to a mental hospital (Mohlomi) for assessment of disability.



The mother was close to tears when she stated that if LNFOD had not intervened, her daughter would still be in a mental hospital for two weeks awaiting such an assessment. According to the mother it had been close to two weeks since her daughter was committed to hospital during which time, she was not allowed to visit her due to COVID 19 regulations.

Her mother bitterly stated: "Over my dead body! I am not prepared to raise a child of rape especially whose father is my neighbor, who knew very well that my child has mental disability and knowingly took advantage of her because of her condition." She vehemently stated that justice would only be served if the perpetrator is put behind bars and her daughter is allowed to terminate the unwanted pregnancy. Under Section 45(c) of the Penal Code Act 2010 termination of pregnancy is allowed where the impregnated female is the victim of rape. She reported that this was one of the many incidents of rape against her daughter but that she always failed to obtain justice.

Unfortunately, in cases where the witness is a victim with has mental disability (and normally a she), she is usually viewed with suspicion simply because it is said the onus of proof rests with the prosecution. As a result, the perpetrator was left to walk scot-free while the police and the prosecutor single handedly referred the witness for medical assessment over and above intense interrogation they put her through. According to the Persons with Disabilities Act 2021, intellectual disability differs from mental illness and the Act deals with the former. The question then arises, does Mohlomi have capacity to assess intellectual disability or mental illness or

both. The Mohlomi assessment is more inclined towards the medical model of disability and does not sufficiently address the modern social model required by the UNCRPD. For example, employing other means no testing such as social and familial history, educational history, testing of adaptive function, interviews with primary caregivers, interview with teachers as well as social and behavioral observations. These alternative means are hardly adopted in our system leading to absurdity especially where those with intellectual disability are concerned increasing the risk of misdiagnosis. The question is does Mohlomi have the necessary capacity to access intellectual disability? This is a move that has left many cases involving persons with intellectual disability under- addressed. Therefore, the police officer handling this

case with the support from LNFOD has compiled all the evidence including that from the chief, the school and other community members in proof of intellectual disability.

LNFOD urges the Ministry of Health, department of mental health and the justice system to take necessary measures to ensure access to justice for women and girls with disabilities and their families. This would go a long way correct the flawed procedure that renders many women and girls with disabilities susceptible to further abuse over and above unplanned pregnancies without any legal recourse due to bureaucratic obstacles that hinder access to legal abortion and access to justice.

GENERAL NEWS

Agriculture is a solution to the National Association of the Deaf Lesotho (NADL) during this time of COVID-19

By: Bongiwe Buzi

NADL did not hesitate to grow maize at the site it got in August 2020 at Thaba-Bosiu, Qiloane community council.

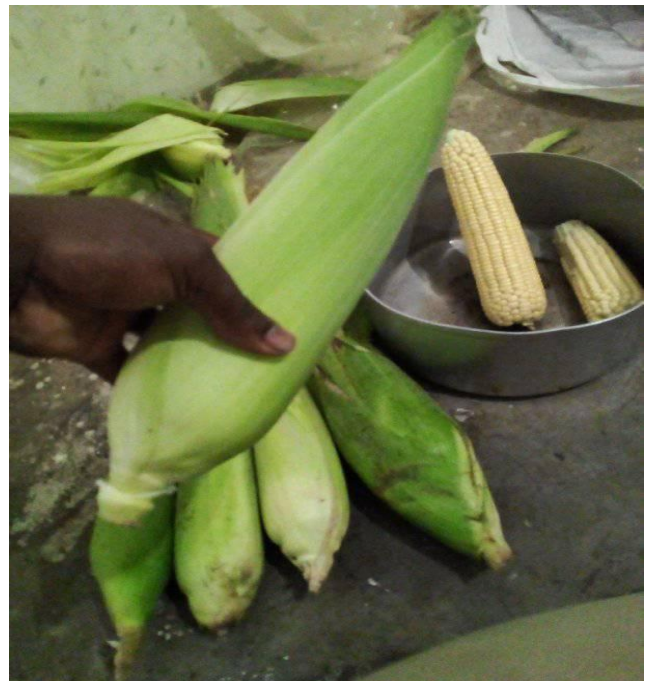
National Association of the deaf Lesotho (NADL), one of its main objective is to advocate for the right of Deaf people in Lesotho. The brunt brought by Covid-19 within the entire World, leaves NADL with no choice but to hustle. The struggle, hunger and sickness caused by this pandemic may not stop NADL to continue with its daily activities. Covid-19 brought about huge adverse effects on world's economy and worse still, it has put a strain and struggle to Persons with disabilities.

Due to high level of unemployment it emerged on the association that unless it indulges in commercial farming, it will be very challenging and more difficult to earn a living. With not much subvention the association it gets from the government, NADL resolved to buy a site at Thaba- Bosiu fully being aware that its members from that place and around are living in abject poverty.

The intention of this site is to assist Deaf community to be empowered and capacitated both economically and socially.

Therefore, NADL makes a special appeal to the public to come and offer a supporting hand during this strenuous time, there is a large quantity and of a high quality maize which will be ready to be sold around the end of this month.

The association would like to highly thank you all in advance for your support.



GENERAL NEWS

Importance of Early intervention

By: Puleng Mosili

Joan Harwell in her book complete learning disability handbook describes the first five years of childhood as “the formative years” whereby learning takes place.

Learners with disabilities are usually considered either at primary or early secondary when they are unable to meet the curricula objectives due to variety of barriers including but not limited to lack of resources and accessible learning materials to enable their effective learning. Particularly in Lesotho, learners with different impairments are usually identified in mainstream schools mostly to refer them to special schools not necessarily to address their challenges so that they are able to learn along with their peers without disabilities.

Some writers describe early intervention to refer to the recognition of [impairments] at their earliest stages, through observing and examining children's behavior as early as possible and providing a specific diagnosis or impairment at that point.

“When children do not get the necessary quantity and quality of help needed until third of fourth grade, they are to develop symptoms of emotional including feelings of being incompetent or different, loss of self-esteem and loss of interest in learning and school, (Harwell, 2001).

LNFOD and its affiliates has in this regard collaborated with the ministry of education by the aid of funds from UNICEF Lesotho conducted a two-day workshop for Early childhood care and development teachers. The workshops sought to equip teachers with inclusive education skills so that they are able to identify, assess, refer and provide appropriate intervention for children with disabilities at an early stage. The workshop was for selected Quthing, Mafeteng, Maseru, Berea and Leribe districts respectively.

Enjoyed Canning Food From the Garden

By: Malebohang Malakane

'M'e 'Masechaba Ts'ehla at Ha Lenkoane has successfully advocated for 12 people with disabilities to be included in the list of Social grantees (7 males) and (5 females) in the year 2020. She also works with the community council to hold the council identification of persons with disabilities as well as coordinating and ensuring that they are included in community council activities, as she is the Disability Focal Person at Tebe-Tebe community council in the Berea District. All Disability Focal Persons work warmly with community council and the office of Social Development. Mme Masechaba has also advocated for three males with disabilities to be included among people who received food packages during Covid-19 lockdown.



During Nutrition Club she was among women who have been under the supervision and monitored by the Ministry of Agriculture on food preservation. They were selling those preserved food to Chinese. She is a hard worker and willing to help all Persons with disabilities who needs to know more on how to cane different types of food. She said, COVID-19 will not stop her proceed with her life. She said it was not easy but did her best to achieve what she is willing to do in order to help persons with disabilities.

GENERAL NEWS

A Right - Based Social issue that is fundamentally about breaking down many barriers in society

By: Mojalefa Ntlatlapa

Society has historically imposed environmental, institutional, attitudinal and economic barriers that subject persons with disabilities to lives of unjust dependency, segregation, isolation and exclusion. Says, Mojalefa Ntlatlapa, the Executive director of LNAPD, on Molisa ea Molemo FM, morning drive programme (named...) on Friday 05, March 2021.

The Director was part of the Lesotho National Association of the Physically Disabled (LNAPD) high profile delegation to the Radio programme. This included Ms Pascalina Letsau, the LNAPD Chair-person of the Board of Directors and her Deputy Mr Makotoko Matsolo.

While unpacking the barriers, faced by people with disabilities, the delegation emphasised that: Environmental barriers include inaccessible public and private buildings, such as schools, offices, factories, shops and transport while attitudinal barriers are characterized by beliefs and sentiments held by non-disabled persons about persons with disabilities.

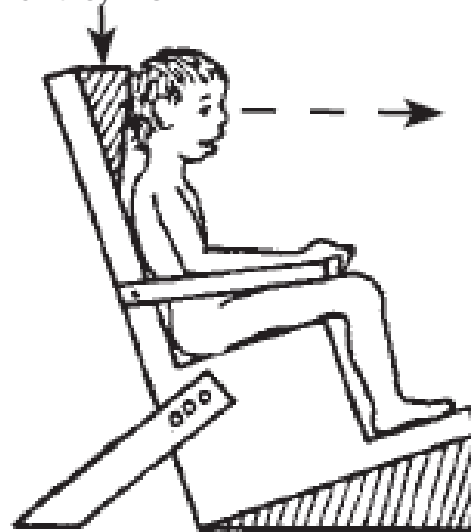
Institutional barriers, in turn were highlighted as those that include policies, practices and procedures, as well as, information and communication systems adopted by entities such as employers, businesses and public agencies. Whereas, economic barriers involve access to loans; land and property ownership; business ventures and employment avenues resulting in the majority of persons with disabilities living in abject poverty with no access to resources and income.

The team further indicated that, sometimes, these barriers are a result of deep seated prejudice. "These barriers, very often result from decisions to follow the "old paradigm" of considering people with disabilities as "defective" and in need of "fixing." At other times, these barriers could be a result of

thoughtlessness, indifference, or lack of understanding." Said, the LNAPD Chairperson Ms. Pascalina Letsau.

"It is often difficult, if not impossible, to ascertain precisely why the barriers exist. Disability itself is not the major obstacle. Rather, it is the environmental, institutional, attitudinal and economic barriers that pre-empt persons with disabilities from exercising their right to participate fully in mainstream societal activities." Mr Makotoko Matsolo reiterated.

Mr. Ntlatlapa continued to aver that these societal barriers are the one that cause disability as they put people with disabilities in a position where they remain systematically excluded from enjoying the same basic human rights and fundamental freedoms as their non disabled peers in the same mainstream society within which they live.



The team acknowledged that Government of Lesotho has done well by signing the United Nations Convention of the Rights of Person with Disabilities (UNCPRD) and endorsing the National Disability and Rehabilitation Policy (NDRP) 2011, as guiding instruments towards the redressing of the problem of disablement.

They said, through this policy, the Government of

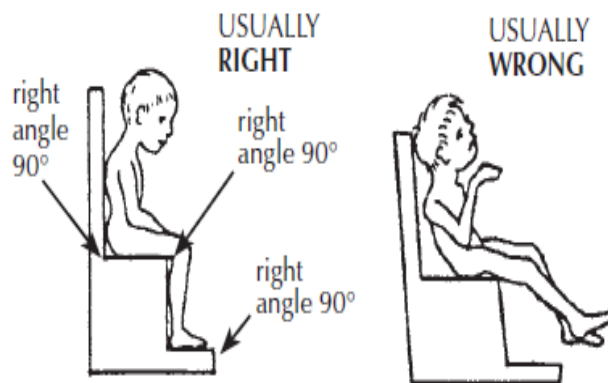
Lesotho has proposed mainstreaming as process through which development programmes are encouraged to redress disablement and work towards enablement. They also acknowledged that mainstreaming is not only new to Lesotho but throughout the globe. They urged all disability service providers, including the Ministry of Social Development to make sure that the good policies such as the NDRP, adopted by the Kingdom of Lesotho, are put into practice, professionally.

This can be achieved through networking and consultation with all concerned stakeholders prior to service provision in order to avoid the temptation of falling back to the Charity and/or Welfare models of disability. Lack of proper consultation often result in incidents such as one recent case at Matsieng, where a good gesture by the Minister of Social Development, turned out to be just a gesture of charity without considering the real rehabilitation needs and outcomes for the disabled individual assisted.

“Assistive Technological Aids are designed to meet specific needs of individual children and adults with various types of impairments, especially children with cerebral palsy. Remember that each child’s needs are different, and adaptations that are not carefully fitted to the needs of the child may do more harm than good” they team reiterated.

The team continued to advise that, before an assistive device is issued, a service provider is required to:

- Carefully consider the child’s specific needs before including any adaptation or special seating.



- After making an adaptation, evaluate how the child uses it.
- Check often to see if it continues to help the child.

An adaptation for a growing child may help her progress at one stage of development but hold her back a few weeks or months later. “We have talked about this a lot, but it is worth repeating: Most children who require special seating sit best with their hips, knees, and ankles at right angles (90° is usually right). A chair that is wrongly shaped may cause a child with spasticity to stiffen and straighten, or cause a severely paralyzed child to slip forward and slump” the insisted.

GENERAL NEWS

REHABILITATION FOR OLDER BLIND AND PARTIALLY SIGHTED PERSONS

By: Jeremane Teele

Lesotho National League of the Visually Impaired Persons (LNLVIP) as the proprietor of Mohloli-Oa-Bophelo Training and Rehabilitation Centre (MBTC) realised that persons who are becoming blind on older ages [above 60 years] who cannot stay at the MBTC because of their age should receive rehabilitation training at their respective homes. LNLVIP conducted the training of trainers in October 2020 to 11 blind and partially sighted, 5 males and 6 females from 11 branches of 10 districts of Lesotho. Each person has to train at list 5 visually impaired in his or her branch in a year. The trainers have shown the ability from all capacity trainings they are usually receiving throughout workshops LNLVIP provide to them. The intention of the organisation is to provide rehabilitation training which include among others; mobility and orientation, home economics [home cleaning, cooking, knitting and sowing], Braille training basic skills and basic counselling.

The training will commence from the beginning of April 2021 and the purpose of LNLVIP is to keep on having this kind of training in activity plan. The goal of LNLVIP is as well to guarantee that



all the categories of visually impaired receive education to all levels of education, from Early Childhood Care Development (ECCD), primary schools, high school, tertiary institutions and training and vocational school. The organisation is also optimistic that its affiliates should obtain distant learning from Lesotho Distance Training Centre (LDTC) in the near future.

DISABILITY LESOTHO

Minorities within minorities: LNFOD makes a few huge steps towards bridging gender equality gap among the disabled, why?

By: Makatleho Molotsi

For a long time, human rights approach to socio-economic and political issues have been regarded a solution to human injustices perpetrated against human kind especially the minority groups. To strengthen the effectiveness of human rights in this regard the international community has long identified the minority groups and have made treaties speaking specifically making provisions on how human rights apply to these minority groups eg Convention on the elimination on All forms of Discrimination Against Women, Convention on the rights of Indigenous groups aa well as Conventions on the Rights of Persons with Disabilities. As a result, blanket solutions at national levels to address the injustices against these groups to make sure that all people enjoy human rights on equal basis.

Little was known that there are some minorities with these recognized minorities. For an example, one person could suffer multiple discrimination because of the fact that one could be poor, fall with LGBTI group and have disability at the same time. As a result, even in the presence of these solution minority groups continued to comparatively suffer injustices because of the initiatives that do not take in to accounts the needs of other minorities within the targeted minorities.

This was the problem also in Lesotho. The study conducted by LNFOD in 2020 revealed that there is a great equality gap between males and females with disabilities despite all the efforts taken by different partners towards advancing the rights of people with disabilities in Lesotho. According to the study report, this was because these efforts did not take in to account that there

are women (the other minority group) within the disabled community. Hence the efforts did not take in to account the specific needs of women with disabilities thus perpetuated gender inequality within the disability community.

In response to the situation exposed by the study, LNFOD has begun working towards building cooperation towards bridging gender gap within the disabled community. In cooperation, with women's rights organization of women's rights, line Ministries as well DPOs are in a process of establishing Gender and Disability Rights forum. Here knowledge on disability and gender shall be exchanges and the strategies on gender disability mainstreaming shall be developed in line with the enabling policies and laws.

Furthermore, LNFOD is preparing to empower women 100 disabled women within its project area through providing financial and technical support to women with disabilities to establish viable witness. This is because it has long been established that women economic empowerment is a pivotal component of bridging gender gap.

MAR, 2021

ISSUE 4 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

