

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 May 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, concerns, events, updates, activities and all issues affecting people with disability in Lesotho. We therefore welcome contributions of any nature from all organizations and institutions working to improve the lives of people in Lesotho, including those with disability.

It is very sad to Disability Lesotho these days, as it is now experiencing one new type of disability that is Deafblind. The issue is; their needs are too high and Disability Lesotho has to start another programme address those new challenges. This has been proved also by the AFDB President - Ezekiel Kumwenda that it has been a while that in Africa Deafblind community has been lagging behind throughout the world especially here in Africa. This type of disability is a new thing in Lesotho that needs to be addressed quickly.

I think the Lesotho government through the ministry of Social Development should see to it that it gives support to disabled people to address this problem, especially with disability grant budget for trainings and other supports for such people and assistants.

Lately, people with disabilities are living in a crisis, as the country is not stable. Last year the soldiers threatened many people including those with disabilities; it was not easy for them to go around. The same thing happens this month whereby guns heard in villages. This is badly affecting people with disabilities, I would like to plea to people who have power to work on this, as it is not good to live under fear in a declared democratic country like Lesotho. People with disabilities are living their lives like chained up at a selected place, not able to enjoy their fundamental rights, no free movement, no proper services, no protection under law and no social protection.

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

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

Best regards,



The Editor

DIRECTOR'S CORNER

Disability Equity Bill is long over due

By: Nkhosi Sefuthi

The second coalition government agreement of Lesotho reiterates the intention of the government to promote, respect and protect the rights of people with disabilities. However, LNFOD is fully aware that, the aspirations of this agreement lack strategic actions to achieve the disability specific objectives. Hence, we approached the Honourable Minister of social development advising him on how he can accelerate the promotion and protection of the rights of people with disabilities.

First and foremost, LNFOD has informed and advised the minister to present the disability equity bill for the enactment of the law not later than August 2015. We have therefore agreed with the minister to set the

timelines so as to track progress easily and monitor the steps to be followed in order to take the bill to the parliament. We are closely monitoring the timelines so as to ensure that the words of the minister are translated into actions. LNFOD shall make sufficient advocacy noise in June in order to help the government to achieve its disability specific development by passing of the law protecting disability rights.

If the bill is passed, individuals with disabilities will be in the best position to defend the violations of their human rights in the courts of law. The act will empower people with disabilities to resort to the courts of law claiming the enforcement of their rights.

This is how people with disabilities look like without Disability Equity Bill



Advocacy Aspect

A call for the enactment of the Disability Equity Bill by the 9th Parliament of Lesotho

By: Maja Matsoha – Makhoali
LNFOOD Human Rights Advisor

Persons with disabilities in Lesotho continue to face multiple discrimination on a daily basis, from access to education, access to employment opportunities, access to justice and access to health services to mention a few. They are inhibited from enjoying their constitutional rights on an equal basis with others due to their disability alone. Challenges faced emanate from the current discriminatory legal, policy and social environment which fail to adequately recognize persons with disabilities as right holders.

Lesotho's ratified the United Nations Convention on the Rights of Persons with Disabilities on the 2ND December 2008 and since then has slowly began taking measures to ensure the respect, promotion and the protection of the rights of PWD's by putting in place institutional, policy and financial measures aimed at ending discrimination. It is worthy to note that Section 18 of Constitution of Lesotho does not specifically mention disability as the prohibited ground of discrimination which would enhance legal claims against discrimination; persons with disabilities are however still protected by this discrimination clause. Section 33 of the Constitution under Principles of State Policy provides for the rehabilitation, training and social resettlement 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 workplaces for their wellbeing.

The first commendable step taken by the Government of Lesotho was the creation of the Disability Services Unit within the Ministry of Social Development to coordinate the national response to disability mainstreaming. Secondly, Lesotho has put in place the National Disability and Rehabilitation Policy that outlines the measures to be taken by The Government of Lesotho to address disability rights issues. Thirdly, the Government issued instructions for the drafting of a disability equity law whose result was the Disability Equity Bill 2014. In addition disability

has been included in the National Social Protection Policy and the corresponding strategy, disability is also included as a crosscutting issue in the National Strategic Development Plan. It is sad to note that the Disability Services Unit is understaffed and underfinanced to met the objectives for which it was set up which include the coordination of national disability mainstreaming.

The steps taken by Lesotho are inadequate and fall short of its obligations under international law. Lesotho undertook to engage in the development and implementation of policies, laws and administrative measures aimed at securing the rights of people with disabilities and to abolish laws, regulations, customs and practices that constitute discrimination towards people with disabilities (Article 4 of the UNCRPD). Below are some proposed measures to enhance the promotion protection of the rights of persons with disabilities, whilst they are in no form exhaustive they represent priorities set by persons with disabilities themselves through their Federation of Organisation of Persons with Disabilities LNFOOD.

1. **The enactment of the Disability Equity Bill 2014 into law.** This Bill comprises of an array of legal rights for persons with disabilities including rights of physical access, access to services including health, the provision of education and the creation of the Disability Advisory Council.
2. The endorsement and implementation of the **Draft National Disability Mainstreaming Plan 2015.** This will ensure mainstreaming of disability in all Government Ministries.
3. The endorsement of inclusive education for learners with disabilities in Lesotho through the development and implementation of an inclusive education Policy for Lesotho.
4. The endorsement of the provision of reasonable accommodation for persons with disabilities as a guiding principle in the Labour Laws and regulations of Lesotho.
5. The review of the following discriminatory provisions:

- **Section 57 of the Constitution of Lesotho**, which provides that, people who cannot speak are not eligible to be appointed as senators. This is a constitutional prohibition for a Deaf person from being appointed in the Upper House solely based on disability. This provision is premised on the cultural believe of Basotho that, Deaf people should be excluded from participating in the national issues because they are ill.
- **National Assembly Electoral Amendment Act of 2011** which provides for the category of people who are legally prohibited from participating in the general elections. Persons with mental disabilities fall within the scope of the section of our society who is denied a right to vote on the basis of disability. The perception of the draftsmen is that all people with mental disabilities do not have the capacity to decide on their own. Hence, should be denied off their right to participate in the elections.
- **Section 219 of the Criminal Procedure and Evidence Act of 1981** provides as follows; "No person appearing or proved to be afflicted with idiocy, lunacy or inability or labouring under any imbecility of mind arising from intoxication or otherwise whereby he is deprived of the proper use of reason, shall be competent to give evidence while so afflicted or disabled".
- Females with disabilities especially those with intellectual disabilities who are the victims of sexual abuses are inadequately protected as the evidence of the person with intellectual disability is inadmissible in a Court of Law because the evidence is regarded to be unreliable as it is adduced by the person of unsound mind. This Section runs in parallel with the article 12 and 13 of the UNCRPD which calls upon state parties to recognise the legal capacity of people with intellectual disabilities in making sure that both civil and criminal justice of the state parties is accessible and inclusive of people with disabilities
- Penal Code 2010 which makes abortion illegal in Lesotho. However, it permits abortion if the pregnant person should be giving birth to the seriously physically and mentally disabled child subject to the consensus of more than one medical practitioner (Section 45(C)). This is seen by persons with disability as the creation of a discriminatory exception against children with disabilities to be born because it permits the pregnant person to abort the child simply because the child is disabled.

Whilst it is evident that the task for the government of Lesotho working with organisation of persons with disabilities to reform the current environment to accommodate persons with disabilities is momentous, it requires political will, the corresponding financial commitment and robust implementation of coordinated and structured plans and policies.

It is our call therefore to the 9th Parliament through its Parliamentary Committees particularly the Committee on the Social Cluster to follow through and ensure that the rights of persons with disabilities are protected as outlined in Political Party Manifestos, The Coalition Agreement 2015, and most importantly as outlined by His Majesty the King in his Speech From the Throne during the Official Opening of the 9th Parliament when he stated his expectation that the Disability Equity Bill will be passed into law.

GENERAL NEWS

Revival of mushroom cultivation at Itjareng

By: Khotso Petje – Acting Principal

In March at Itjareng the China –AID JUNCAO Technology Project, which is based at Masianokeng, supported Itjareng.

These Chinese experts in mushroom cultivation approached Itjareng Vocational Training Centre to come to the centre in order to provide a short course in mushroom planting as well as skill in the construction of a mushroom shed including the digging to trenches in which the mushroom could be planted and the offer was accepted by the centre, the course was undertaken a week later after the approach of the Chinese experts.

On Friday the 8th May, the Chinese experts came back with construction materials for the erection of a mushroom shed structure in which the cultivation would take place.

Trainees with disabilities participated in the work of construction of the structure of the mushroom shed under the supervision of these Chinese experts' team.

Mushroom cultivation is a skill that can benefit the trainees because by acquiring such skill, trainees can use it at their homes after graduating as another way of generating income for their families. In other words, it is another way of diversification of trainee's skill acquisition at Itjareng Vocational Training Centre.

Apart from that, the centre as well can generate income by selling the product to the community because at first, when this type of project was introduced back in 2007, it showed that it was a viable project that attracted a number of customers unfortunately it could not be sustained due to shortage of mushroom seed that was encountered.



China Juncao Technology Aiding Project supporting Itjareng

In conclusion, now that the construction of the mushroom shed is over, the planting took effect on the 15th May and the plant started germinating within fourteen days after its plantation. It is anticipated that by the second week of June, 2015 the centre will be selling fresh mushroom and therefore, "come one, come all" to the centre to help yourselves with the delicious mushroom with excellent nutrients for your good health.



Khotso Petje together with Chinese experts looking at trainees when

GENERAL NEWS

Disability Lesotho is proud to win Miss Deaf Africa

By: Tlhokomelo Sabole



I am Tlhokomelo Sabole aged 24, from Qeme ha Thaabe, in Maseru district. I am from a family of six; my late father (Lechoba Sabole; may his soul rest in peace), my mother (Maitumeleng Sabole, and four girls, among which I am a second born, and the only one with disability. I therefore thank God in a special way because I have seen wonder through Him, and everyone else who showed me support, through love and care, I am truly honoured.

Passing on to my education, I attended school at St. Paul School for the Deaf in Leribe, in 1995-2003, thereafter joined Mt. Royal Primary School from 2003-2006 where I sat for my Std 7 examinations and obtained a third class pass. In those years, it was very difficult for me to adapt to new environments, especially in an inclusive school. The issue of communication was still a barrier, since most students did not know Sign Language.

Thereafter, my family wanted to take me to Itjareng Vocational Rehabilitation Centre but I denied, since I did not want to attend any vocational school.

My aunt therefore applied at Bartimea School for Deaf and Blind in Thaba-Nchu, South Africa where I was admitted in March 2008. Moving to South Africa

was not easy because I had to leave my family behind, and start a new life with different people. The issue of financial support was still the biggest problem because I was from a struggling family. It is in this school where I developed this modeling career. The first competition was in 2009 where I was crowned Miss Bartimea. In 2011, the same competition was held in the same school where I was crowned 1st princess. In 2013, I attended Miss Deaf Africa in Johannesburg, where I represented Lesotho and was crowned 2nd princess. I also attended the same competition in 2015, which was held in Mpumalanga on the 9th May and was crowned Miss Deaf Africa.

However, there were some challenges, some of which include lack of financial support from my family since we are struggling to make ends meet and do not even afford to pay my Sign Language interpreter for her services. The government of Lesotho through the ministry of Gender offered some assistant, which I thank so much. I also thank my family and friends, some NGO's for their support, Miss Deaf Africa Director Nokuthula Mbatha and Miss Deaf Africa Ambassador Mr. Sello Maake Ka-Ncube, as well as my Sign Language Interpreters.

I therefore plea to the government of Lesotho to consider building schools for the disabled people, especially Deaf students because it is hard for them to learn in an environment which is not conducive for them. Most of Deaf people are from vulnerable families so it is even harder for them to further their studies in South Africa due to the expenses that their families have to incur; therefore most of them are illiterate.



Furthermore, as Miss Deaf Africa 2015, I humbly ask the government to support the project which I have to start, which will be on training Deaf girls in modeling so that they represent Lesotho next year in Miss Deaf Africa 2016, since the organizers want the competition to be held in Lesotho next year.

Public Participation & Capacity Building for Development

By: Rabasotho Moeletsi



On the 21st May, LCN in collaboration with LNFOD held a forum on the Rights of People with Disability in Metsimaholo community council. Under this initiative, the LCN is using public awareness and participation through a project called Public Participation & NSAs Capacity Building for Development through the support of EU to enable communities to be better informed so as to demand services and their rights from the duty bearers.

This was dual benefit in the sense that LNFOD had already established branches in that council, and this was an opportunity to them to resuscitate the local Disability People's Organisations (DPOs) branches while on the other hand delivered a training on human rights aimed at empowering the person with disabilities at local level to claim their rights tapping the on opportunities presented by decentralisation of services to the communities. It was important to touch on the legal and policy instruments which would work as important tools for PWDs when advocating for their rights. On the other hand the forum served as sensitisation platform for people without disabilities and community leaders who gained more knowledge on the rights of persons with disabilities. They were also educated that persons with disabilities have the same rights as their non-disabled counterparts and were introduced on mechanisms on the role each party should play in order to ensure that PWDs are not denied their rights in the communities they live in.

People with disabilities through their representatives also used the platform to share with their peers on activities which they already have in the area and how they would benefit PWDs if they join in the projects they have as local people.

Mr. Sekonyela Mapetja from LCN sent appreciations to the event organisers and the community council for the overwhelming turnout of persons with disabilities and members of the public in that public gathering. He further elaborated more how all NGOs funded by EU under the Non-State Actors are working on the program. The main idea is to deepening decentralisation in all aspects of life to the communities with a view to increase participation of members of the public in service delivery by being actively involved in decision-making processes regarding service delivery. He said within the LCN there is a component of disability so; it would not be wise not to involve their affiliated organisation, LNFOD when talking about issues of disabilities since they are experts in that sector.

The representative of EU Mrs. Mokome Mafethe said the EU has been a good development partner to Lesotho and continues to support the country to meet its challenges. She said EU is now supporting Lesotho in the 3 main areas in an effort to support the implementation of National Strategic Development Plan (NSDP).

This support seeks to:

- Expand water and sanitation distribution services
- Contribute to developing a sustainable energy sector
- Support good governance

She mentioned that these developments are meant to improve the lives of the people of Lesotho and therefore it is important for the people to know about these developments so that they could be part of process and play a role in holding those given responsibility accountable. She highlighted that the EU has contributed funds develop community councils through local development grant (LDG) which she said people of Metsi-maholo should know about those projects and demand to see changes as they have been allocated funds through districts council to perform development work in their community councils.

The development activities are expected to be taking place in 8 districts except Mphahle'shoek and Thaba-Tseka. The two district council are still in capacity building phase to get to the required standards.

Mr. Rabasotho Moeletsi as a Projects Coordinator, LNFOD reiterated that Disability rights are human rights. He highlighted on the importance of participation of persons with disabilities in the development committees

He said violations of rights for persons with disabilities should not be taken lightly and should be reported to the relevant authorities as they are equal beings. He said LNFOD has signed a memorandum of understanding with National University of Lesotho (NUL) whereby the NUL law department represent persons with disabilities in the courts of law without them paying legal fees, so encouraged people to report cases whereby PWDs are denied justice.

He asked the crowd whether participate in the public gatherings during hiring by the community council for ministry of forestry and land reclamation?

They all answered, "No, PWDs have to remain at home and we protect them" Community members showed that people with disability should not work as their families are there to work on their behalf.

The coordinator pointed out that it is denying them opportunity to participate in the development of their community and also denying them employment and that is bad because PWDs are equally paying tax in this country and should be treated equally like every citizen.

He emphasised on the importance of the branch DPOs committees to work hard in order to take opportunities brought by the decentralisation of services to the community.

Ministry of Social Development for example has Auxiliary Social Workers who advances the ministry's policies at the council.

He mentioned examples of services they need to get from their local office such as being identified for public assistance, provision of assistive devices such as wheelchairs, white canes, and crutches.

He concluded by challenging the audience to make sure that when reach their homes they make sure that they encourage parents of out of school children with disabilities to take them to school. He said that is violation of children right to education and those parents would be taken to courts on Education act of 2010.

He introduced the tool which is designed to gather information on individuals who are out of school. The tool was then given as a take-home to the chairperson of the branch for her to register the names of the out of school disabled members so with the help of the council they could find schools for those persons with disabilities.

The crowd said in their community there no schools meant for some children with severe disabilities and asked if they could be left out when filling the tool. Mr Moeletsi responded that even children without disabilities did not build school for themselves, so every child has a right to education and should appear on the list, and that the where the matter about inaccessible school premises would responsibility answered by the ministry of education like it does for every child.

Ms. Pascalina Letsau, who is the Editor for LNFOD's monthly E-newsletter who is also gender activist, stated that people with disabilities are children, parents and relatives from each family in the community. She talked against people who tend to take issues of disabilities lightly leading to under reporting if disabled women are sexually abused in the villages. She talked more about domestic violence faced by girls and women with disabilities and picked one story that she is following in the same Mafeteng.

She also showed that people with disabilities

should be involved in every committee within the council in the mainstream development agenda of the community councils.

She made an example of holes that are left behind during construction works for installing electricity within the village, that can make harm to people with visual disabilities if they are left unprotected. If people with disabilities can participate in the communities that cannot be left as they are because PWDs are very sensitive about things like that. Persons with disabilities are experts of their own situation, hence they have to be meaningfully involved - she quoted.

Mrs. 'Mateboho Monoko commended the work that is done by LNFOD; she said since LNFOD started working in the village some years back they brought positive change in her family as her disabled child who had lost hope went to vocational training and now works independently in one of the factory in Maseru.

57 male persons with disabilities and 26 female persons with disabilities (recorded on the attendance list) were reached with the training message.

Members of the public of around 800 people were reached the training at this public gathering, this is always good to have non-disabled people in activities meant for the PWDs as it promotes social inclusion.

Presence of Community leaders Area Chief, Community Council Chairperson and Community council secretary.

Presence of the EU representative was appreciative and her overall impression that she was impressed on how delivery of the training was done.

There were some testimonies by the participants whereby Mr. Lekhooa Matsie, a man with visual disability registered his satisfaction having learned that it is policy issue for people who were impoverished to get public assistance grant, he further stated that he is more pleased to learn that

as Metsi-maholo community they have an officer who is closer to them. He shared his sad story on the experience he got while he demanded the service at the district level where he was disqualified on the basis that he had put on polished shoes and therefore he was considered not needy and was send back home. The project coordinator, LNFOD responded that it was wrong and unfortunate for the social development to dismiss him without any verifications performed at his household on whether he qualifies or not.

Mr. Tseliso Selemela who is physically disabled stated that there are so many difficulties facing PWDs when seeking service provision within the government through ministry of social development where disability is falling. They are not expected to be clean in order to get a service, so that is hurting indeed.



Multitudes who attended the public gathering at Metsi-Maholo community council

OPINION PIECE

Will there be time enjoying fundamental rights as PWDs Lesotho?

By: Ernestina Ramathinyane

Will there be a time when People with disabilities enjoy their fundamental human rights in Lesotho? I always ask this question myself. Are they ever remembered in as far as their welfare is concerned? Or they are only stepping-stone/bridges to others to high positions, then be kicked aside thereafter?

It's been 4 years since I graduated from Lesotho College of Education (LCE), but until to date not getting job anywhere. I have taken different majors to see if I maybe granted any job, I applied to different schools in Maseru, but in vain. In December, I took the application to the ministry of communication, having applied for a job as a presenter at the national radio station. Upon getting there, the Human Resource Manager told me to take my application to the ministry of Social Development; she said this as recommendation that she thought I might be employed.

I consulted the education CEO, in April, making follow-up on my previous visits to the ministry asking about the employment of teachers with disabilities, the reply she gave me was that, there was no budget to create grants for teachers with disabilities. The answer really hurt me a lot; I wonder if ever there will be such a budget, why the ministry has to budget for creation of positions of people with disabilities separately from other positions? What is it that the ministry will be looking into when doing that? The whole government is not even thinking about how people with disabilities are earning life. To this government it's like we do not exist as taxpayers of this country.

We, as people with disabilities have rights to

Fight for our rights, it is our right to have housing, have clean water and sanitation, employment, education, protected by law and many more. Our state is silent to all that. Lesotho signed the UN Convention of the Rights of People with Disabilities some years back but even today, there is nothing that is showing improvement to the living conditions of PWDs in this country.

I plead with the government of Lesotho to hear all the cries of people with disabilities in this country. We have been knocking at their ears and hearts to grant disability like the one they have done to grant the elderly. People with disabilities have participated in the past elections in order to make sure that there is government but if they do not listen to us as electors, we do not know what they think we have to do as the segregated group.

I would like to give the government the advice to priorities issues of disabilities too. We are not ready to listen to officers who are always telling us to go to Ministry of Social Development when seeking service from other ministries. We are tired about that, and should all understand that we are citizens.

SPOTLIGHT

“Left with nothing due to epilepsy”



I am Mr. Sello Halafu, physical disabled aged 28.

I was born at Makhalaneng Ha Sematle. I am physically disabled both the hand and the leg. I started having disability at the age of 5 years. I started going to school at Rabolets Primary School.

My father migrated from Makhalaneng to Koalabata in the Maseru district. I then enroll at Lebohang English Medium School; I left the school at grade 6 due to lack of funds. My mother died, I cannot even say when she died, I was very young and my father then married another wife. Then my father passed away in 2004, immediately my stepmother took all her things and go away and left us.

I started to buy things like perfumes to sell. My brother helped me with M600.00 The business was doing fine but got problems around December, 2014. I am having a disease that makes me fall. I was cooking by the time this disease attacked me. When falling the fire expanded until it reaches the gas, so it fastened the fire. By the grace of God I wake up and then tried to raise the voice to help me. Nobody helped me in time, they came already the shark is in fire. I was left with nothing in the shark, only clothes that I was wearing.

That night I slept at the neighbour's house, where I was taken care of, for a long time. At the bank I

had a little money left there. I decided to buy more roofing materials to build another house.

“By that time, it was when the soldiers were doing horrible things like shooting around all villages of Maseru. The communities did not help quickly because of those shootings. I would say that shootings contributed for Sello's situation,” said Mrs. Elizabeth ‘Mamikael Chake

“It is true that I need help, as I am left with nothing in my house, where I am staying alone. There are no food, no blankets, no pots and no cosmetics to bath. What I need more is to have start-up packages to start my business. I will be pleased to have someone to assist me by buying stock for my start.” said Halafu

“I am not getting any support from the government. My aunt tried to help me but failed due to difficult requirements needed by the ministry. I failed to produce the death certificates for both my parents as everything burnt in the house. There are things that are beyond our control, with that reason we had to suffer as people.” concluded Sello

“I am a hard working someone but I am not ready to marry at this time until I have my own money. If I can have start-up, I will wait for at least three years before I could marry. What I know is that women likes men who have money, so if I am like this nobody would like to date me.” He concluded with smile.

UPCOMING EVENTS/ANNOUNCEMENT

Lobbying meetings for inclusion of PWD in community committees

For more information please conduct LNFOD office; +266 22320345

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Radio campaign on the Disability Equity Bill

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Workshop with employees with disabilities on reasonable accommodation

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NEWS IN PICTURE



Likopo the first to experience deafblind in Lesotho, now doing touch-to-touch sign language



Miss Deaf Africa – Tlhokomelo is giving a speech at the celebration facilitated by Ministry of Gender and Youth



Women activist hardly talking about WWDs living with poverty



Miss Deaf Africa Ambassador Mr. Sello Maake Ka-Ncube from South Africa encouraging Lesotho government to continue



Mrs. Mathabang Koetje address communities at Metsi-Maholo



WWDs participated at EU panel discussion on women as drivers of development

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ADVOCACY WORK



LNFOD

PARTNERS in Advocacy Work

