

DISABILITY LESOTHO



From the Editor

Dear Partner,

Welcome once again to the edition of Disability Lesotho. The edition will cover news for the Month of May, 2018

It took disability Lesotho many years struggling for seeing change in the betterment of their lives. I would like to pass my gratitude joy to Lesotho government through its different ministries or sectors, to take issues of disability into consideration. The government that is doing good or universal accessibility to everyone is recognized by the World. There are many things that we can mention in one or two months that are leading issues of disability to green pastures, this brings hope to every Mosotho with disability.

I wish things can move fast like the lightning to bring change to the lifes of persons with disabilities in this country, so that they can live like anyone else without disability.

We know that advocacy does not take 2 or 3 years but towards 10 years, but it was painful realizing that our government was very slow when looking issues of disability compared to others, we real thank all people who took their efforts to push harder in everything that raised as a way to success in this edition--

I would like to say to persons with disabilities, the struggle still continues. We have not yet reach what we want but we are at the beginning of our struggle. Let us continue and hold our arms together and move forward. What we are doing is a joint venture to fight for our rights, not us only but for other children with disabilities to be born.

I would like to congratulate everyone who supported the initiative of pushing hard to advocate for the rights of persons with disabilities in this country, it can be financial or advises. You have made it, keep it up!!

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

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

Best regards,



The Editor

DIRECTOR'S CORNER

LATEST DEVELOPMENTS ON THE DISABILITY EQUITY BILL AND THE INCLUSIVE EDUCATION POLICY DRAFT

By: Nkhasi Sefuthi

The Lesotho National Federation of Organisations of the Disabled is running a three year program, "Capacity development for the promotion of the rights of people with disabilities" with the financial aid from the Austrian Development agency, (ADA), Bread for the World through Diakonie Austria.

Through this program, LNFOD is advocating for the increased protection of human rights of people with disabilities through the enactment of the Disability Equity Bill by the Parliament and the adoption of the draft inclusive education policy by the Ministry of Education and Training.

It must be mentioned from the onset that LNFOD has been advocating for the enactment of the Disability Equity Bill for so long in which very little progress was visible. On the Other hand, the Ministry of Education started drafting the inclusive education policy in November 2016 following a series of advocacy meetings with LNFOD and other stakeholders on the need to develop such a policy.

In an attempt to speed up the process of presentation of the Disability Equity Bill in Parliament and the adoption of the draft inclusive education policy by the Cabinet, LNFOD organized high-level advocacy follow up meeting with the parliamentary portfolio committee on Social Cluster alongside Office of Attorney General, Ministry of Education and Training and the Ministry of Social Development on the 30th May 2018 with the aim of finding solutions to the obstacles hindering the presentation of Disability Equity Bill in Parliament, presentation of Inclusive education policy draft by the Cabinet and allocation of budget for the effective implementation of disability policies in Lesotho so that people with disabilities may have equal access to the public service delivery.

LNFOD is happy to announce that, the Disability Equity Bill has been issued a certificate of approval by the Attorney General

on the 29 May 2018; the Inclusive education policy has been presented to the senior management of the Ministry of Education and Training for approval on the similar date as the Bill.

From the forgoing, LNFOD recognized the power of the parliamentary committee on Social cluster as all these human rights instruments had taken a step forward following the invitation of LNFOD to the responsible authorities to meet the Social Cluster.

LNFOD also commends the Ministry of Social Development and the office of Attorney General for making it for people with disabilities finally.

The issuance of the certificate of approval to the Disability Equity Bill means that it will now be presented before the Cabinet for approval and the Parliament for enactment respectively. The Ministry of Social Development will now draft a cabinet memo that will help them to present the Disability Equity Bill to the Cabinet for their approval as well.

LNFOD takes the view that this should not take a long time since the Prime Minister has already stated his support for the full protection of the human rights of people with disabilities.

LNFOD will continue to engage the Minister of Social Development and the social cluster until the Bill has been translated into law.

In the same Vein, LNFOD will continue to monitor the adoption of the inclusive education policy to ensure that learners with disabilities will finally access education on an equal basis with others through proper policy framework.

The issue of budget allocation is still left behind thereby perpetuating the inequalities experienced by people with disabilities in terms of access to education, public participation, employment, healthcare and other social services.

LNFOD will work in partnership with the Social Cluster to ensure allocation of budget which may be used to realize full implementation of the rights of people with disabilities through existing policies and laws.

GENERAL NEWS

DISABILITY BILL FINALLY PAVES ITS WAY TO PARLIAMENT

By: Lena to Metro News

The Lesotho National Federation of Organisations of the Disabled (LNFOD) expressed appreciation over the issuance of the certificate of approval to the much awaited Disability Equity Bill by the Attorney General.

After going through a lengthy process to ensure that the Disability Equity Bill does not have loopholes, a certificate of approval was last week issued by the office of the Attorney general.

This is indeed a milestone which cost tremendous advocacy from LNFOD and its partners over the past seven years in which Lesotho struggled to domesticate the United Nations Convention of the Rights of People with Disabilities," said LNFOD Executive Director Advocate Nkhasi Sefuthi.



Adv. Sefuthi said the issuance of the certificate of approval to this seven-year-old bill empowers the Minister of Social Development to convince the cabinet to present the bill in parliament as soon as possible.

"LNFOD conveys its deepest gratitude to the Minister of Social Development and the Parliamentary Portfolio Committee on Social Cluster for fulfilling their promise of taking the Disability Equity Bill to the next step."

"LNFOD begins a new journey of advocacy towards ministers and the parliament to activate them to act on the enactment of the Disability Equity Bill in the consideration of the long standing inequalities and discrimination imposed on people with disabilities by the society," said Adv. Nkhasi

According to Mrs. Nthabiseng Sekokotoana of the office of the Parliamentary Council within the office of the Attorney General, the journey is not yet over. She urged the Minister of Social Development to take the Bill to the cabinet to pave way for its presentation in parliament as soon as possible for the full protection of the law through the enactment of the Disability Equity Bill which will be used to contextualize their rights in the country, in all aspects of development. She stated that proper procedures had to be followed in order to ensure that the bill is appropriate. She pointed out that after receiving the bill from Social Development, instructions were analysed in order to ensure that the rights of People with Disabilities are observed.

Mrs. Sekokotoana stressed the need for roles and obligations to be clearly defined, adding that it is the responsibility of the people who proposed the law to understand it. She also suggested that a legislative programme is essential for the government to ensure proper to ensure planning and efficiency in the legislation process. The Chairperson of the Parliamentary Committee, Mr. Fako Moshoeshe stated that following their meeting with LNFOD on December 11 2017, all relevant stakeholders in the drafting of the bill were approached.

He revealed that the committee has also secured funding from one of the development partners who undertook to finance the bill if there are financial challenges.

Another member of the committee Mr. Thabang Kholumo stated that disability is a cross-cutting issue that affects all ministries. He indicated that all ministries have the responsibility to provide services to PWDs, adding that the responsibility does not only lie with the ministry of Social Development.

Established in 1989 the LNFOD advocates for the rights of people with disabilities and their families through provision of training material and emotional support and by representing their needs to the government, development partners and the wider community.

GENERAL NEWS

OPPORTUNITY WINDOW FOR PEOPLE WITH DISABILITIES IS NOW HALF OPEN!

By: 'Makatlheho 'Molotsi

Basotho, particularly those with disabilities are awaiting the domestication of the **Convention on the Rights of People with Disabilities**. This is the multilateral treaty that guides the state parties to it (including Lesotho) on how to protect, realise and fulfil the existing human rights and fundamental freedoms of the disabled people. It has been long been accepted by the international and regional communities of states, that without the above stated convention, the existing human rights conventions which have been solely guiding the municipal legal and policy frameworks, do not assist states to adequately cater for the rights of people with disabilities in practice. The thread brought by this is that people with disabilities remain the victims of human rights abuses intentionally and unintentionally perpetrated by both state and non-state actors. Also stemming from this inadequate protection, promotion and fulfilment of human rights and freedoms of the disabled is that this group is largely excluded from the mainstream society thus opportunities to enjoy the sense of humanity and joys of belonging to society and actively participating therein too.

Studies conducted in Lesotho by the Lesotho National Federation of People with Disabilities have proved that Lesotho is also not immune to these challenges. While having welcomed the initiatives taken by the government of Lesotho to foster inclusion of the disabled, LNFOD have variously pointed out that the **'rights-based-approach'** to these challenges to yield a huge harvest. As a result, LNFOD working hand-in-hand with its affiliate organizations and other partners have for long advocated

for the speedy domestication of the UNCRPD which will kick start the **rights-based approach** to the sprightly situation of PWDs.

On 30th May 2018, at the disability rights stakeholder meeting held between LNFOD, Parliamentary Committee for Social Cluster, Ministry of Social Development, Ministry of Education and Training and the Office of the Parliamentary Council, it was announced by the latter that the Bill domesticating the UNCRPD was granted by the certificate of approval by the Attorney General on 29th May 2018. This means that the Bill is now close to the doorstep of the parliament for enactment of the opportunity window for enjoyment of disability rights is half-open.

Once this Bill is enacted, the disabled people shall be empowered to actively take part in advocating for their rights. It shall also be binding this bring trigger the inclination by all to respect, promote and protect the human rights of the disabled thus fostering their inclusion in society. The Disability equity Bill shall be a real positive game changer in disability rights.



GENERAL NEWS

EMBRACING GOOD PARTNERSHIPS

By: 'Malehlohonolo Molelengoane

The Special Education Unit in the Ministry of Education and Training have been partnering with LNFOD throughout the journey of developing the Lesotho Inclusive Education Policy. This journey to develop this policy started in 2016 when the policy was developed from scratch by the unit and LNFOD advocacy team.



This policy was developed with the main objective of ensuring access to quality education for learners with special educational needs. On the 29th of May 2018, the draft policy was presented to the Ministry of Education and Training senior management by the drafting team comprising of Special Education Unit and LNFOD advocacy personnel. LNFOD embraces this partnership with the ministry to ensure access for learners with special educational needs.

JUSTICE FOR INTELLECTUALLY DISABLED PEOPLE

By: 'Malehlohonolo Molelengoane

People with intellectual disabilities have since been excluded by the Criminal Procedure and Evidence Act to stand as witnesses in the courts of law. These people are mostly affected by sexual abuse yet they were not allowed to testify in their cases.

In 2016 there was a case of an intellectually disabled person who was sexually assaulted but his case did not proceed due to lack of reasonable accommodations. LNFOD then took that case to the Constitutional Court to challenge the constitutionality of section 219 of the CP&E.

In April 2018 a temporary judgement was delivered wherein section 219 of the CP&E was declared unconstitutional, this is a chance for development of guidelines for reasonable accommodations in the courts of law.



GENERAL NEWS

LESOTHO FINALLY RECTIFIES THE MARRAKESH TRATY:

By: Jeremane Teele



On the 11th May 2018 Lesotho became the 37th country to rectify the Marrakesh treaty after the LNFOD and LNLVIP together with the government Register office and the national libraries worked unitedly to advocate for the rectification and the domestication of the Marrakesh treaty.

This treaty was adopted in Morocco at Marrakesh City on the 28th June 2013 and this treaty allows for the Copy Right Act exceptions to facilitate for the creation of the accessible books to be transcribed in all versions or formats approachable to people with printing disabilities including the visually impaired persons. It set the norms to the domesticating countries to make some copy right amendments to cover the activities such as importing and exporting books.

The government of Lesotho with its three ministries, the ministry of foreign affairs, the ministry of law and constitutional affairs and the ministry of social development in contact with the government register office and the national libraries as well as PWDs relevant stakeholder organisations will put the treaty

in to force on the 31st of July 2018. The Minister of law and constitutional affairs Mr. Lebohang Hlaele promised to always make aware to all the relevant stakeholders of all the procedures that will take place in preparation of the Marrakesh treaty. This promise from the Minister has been made after LNLVIP complained that the PWDs are not being consulted during the preparations of the treaty.

This treaty is very beneficial to the printing disabilities as it is aimed to reduce the book famine mostly to the visually impaired persons as to printing disabilities students will enquire a complete benefit, hence educational success.

GENERAL NEWS

INTELLECUAL DISABILITY IS EXPRESSING THEIR HAPPINESS

By: Makoali Moshoeshoe

I am a parent to a child with intellectual disabled know as Koali Moshoeshoe. I think to have a child with intellectual disabled is very hectic and challenging. I am saying this because there are many things that cannot be done as normal. It took me some years before I could understand how and what to do in order to care for my child and the family as well.

I would like to thank all people who initiated to start organizations of people with disabilities in this country. The presence of these organizations became as therapy, as many of the parents started to understand and accepted those gifts from God.

I am now aware that everybody is essential in this World, I did not think that I can be able to earn anything from my son Koali. But Koali is my favourite son who can do anything in the family not pushed. He is able to get water, plough the garden and cook at the same time. If parents can be able to use them, they can do anything.

The challenges that we faced for a long time as parents of children with intellectual disabled, is the way our children were being facing violence abuse. It happens in the villages where our childrens playing trying to socialize with others that they were bullied by other children including elderly about their

disability. Our children were sexually abuse within the villages by their friends, family members and others.

It was sad to see cases of children with intellectual disabled were not taken into considerations within the courts of law in Lesotho. We have many cases that were dismissed due to misunderstanding of the Prosecutors. I think its because of lack of knowledge about issues of disability.

I would like to express my happiness after the case which I think will set a precedence in courts of law, where the magistrate showed that the evidence from intellectual disabled will be accepted as a valid evidence. I think that gives us as parents courage to proceed with our struggle to report abuse cases and take them to court.

As parents we will be able to take cases further to look for justice for our children, we as parents are happy indeed for that settlement.



NEWS IN PICTURES



This is Petroleum Jelly made by Deaf people as their project



Mrs. Coaker's Family re-union held at Save the Children



The Chairpeson of Parliamentary Social cluster's committee and Mr. Sam Letima during the meeting held at Maseru Avani



Minister 'Matebatso Doti (Minister of Social Development) and her Deligates and Mr. Nkhasi Sefuthi (LNFOD Director) discussing about Disability Equity Bill



Members of LNFOD Advocacy Task Team preparing for sensitization meetings



LNFOD member affiliates during the meeting of Inclusive education

ADVOCACY WORK



LNFOD

PARTNERS in Advocacy Work



Diakonie 
Katastrophenhilfe

Brot
für die Welt



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