

## **The Sun Finally Rises on the Persons with Disability Advisory Council**

The Lesotho National Federation of Organizations of the Disabled (LNFOD) held a breakfast meeting on the **18<sup>th</sup> April 2023 at Mohokare Guest House in Maseru** with the support of OSISA. The meeting was convened for institutions/organizations charged with the responsibility to nominate potential members of the Council by the Persons with Disability Act 2021, as a lobby initiative to speedy-up the nomination and appointment process of the Council membership by the Minister of Minister of Gender, Youth, Sports, Arts, Culture and Social Development.

The names of the nominated members have been submitted to Ministry of Social Development for appointed by notice in the Gazette. This initiative is one of the major strides by LNFOD to support the government of Lesotho in the promotion and protection of the human rights of persons with disabilities in line with the Persons with Disability Equity Act. Prior to the enactment of the Persons with Disability Act, mainstreaming disability in public and private service proved a challenge, mainly owing to lack of commitment and accountability by service providers. Among others, as an independent body, the Council is vested with powers by the Act to issue out compliance and adjustment orders ensure compliance with the provisions of the law. This is over and above the key mandate to oversee disability rights issues in the country which include to; advise, monitor, evaluate and disseminate all disability related information in Lesotho. The Act is celebrated for among others recognizing the right to access justice for persons with disabilities, a basic right that will see persons with disabilities claiming all the other protected rights through the courts of law in Lesotho.

LNFOD facilitated this onset process by sensitizing the participants generally on disability rights and on the functions of the upcoming members of the council within the meaning of Section 6 of the Act which sets forth the functions of the Council. This stride marks the beginning of a long-awaited move by the government to establish a disability rights body to oversee and monitor the implementation of human rights of persons with disabilities in Lesotho. The Minister of Social Development vehemently pointed out, in his address to the nation on the achievements of his Ministry within the 100 days of the inauguration of new government in October 2022, that the Ministry has budgeted for the inauguration of the Persons with Disability Advisory Council in the 2023/2024 budget and that this budget has been approved by the Parliament of Lesotho.

LNFOD highly commends the 11th Parliament of the Government of Lesotho for approving the budget of the Ministry of Social Development towards the establishment of the Council, a critical milestone that indicates political will on the part of the government of Lesotho, to implement the Persons with Disabilities Equity Act of 2021.

Lesotho enacted the Persons with Disability Equity Act No.24 of 2021 in order to ensure the protection and promotion of the rights of persons with disabilities in Lesotho. This is the law that endeavours to domesticate the Convention on the Rights of Persons with Disabilities which Lesotho ratified in 2008. The Act is defined as a law to establish the Persons with Disabilities Advisory Council, to provide for equal opportunities and the recognition of the rights of persons with disabilities and other related matters. Section 4 of the Act establishes the Council. The composition of the council is outlined under Section 5 of the Act and it reads:

The Council is constituted by representatives from the following organizations/institutions who shall, after each organization has submitted a name of the person nominated to the Minister, be appointed by the Minister by notice published in the Gazette –

- (a) The Director of Disability in the Ministry of Social Development;
- (b) One representative of Special Education Department in the Ministry of Education;
- (c) One representative of each category of the disabled people, who shall be nominated by the Lesotho National Federation of Organizations of the Disabled;
- (d) One representative of the civil society, who shall be nominated by the Lesotho Council of Non-Governmental Organizations;
- (e) One representative of the civil society, who shall be nominated by the Chamber of Commerce and the Private Sector Foundation
- (f) One representative of the legal cadre who shall be nominated by the Law Society of Lesotho;
- (g) One representative of nurses, who shall be nominated by the Nurses Association of Lesotho;
- (h) One representative of the medical practitioners who shall be nominated by the Medical, Dental and Pharmacy Council; and
- (i) One representative of the Principal Chiefs, who shall be nominated by the Council of Chiefs.