

Consolidated Disability Findings from the 2011 State Department Country Reports on Human Rights Practices

Africa

Introduction to the State Department Report on Disability Human Rights

The State Department's 2011 Country Reports on Human Rights Practices, released April 2011, represent the culmination of the U.S. State Department's review of the human rights records and situation in 194 countries around the world. The reports are supplied to Congress in accordance with law to assist in matters of foreign affairs.

USICD has consolidated the disability references from the 194 Country Reports into a comprehensive document. Each country summary within the document is organized into four possible subheadings:

1. **Constitution and Laws:** If and how a country's constitution or laws cover disability rights
2. **Persons with Disabilities:** Material drawn from the report's section on "Persons with Disabilities"
3. **Other Relevant References:** Disability highlighted elsewhere in a country's report (e.g. overlap with the section on children or the section on Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, etc.)
4. **The Convention on the Rights of Persons with Disabilities:** The status of a country's signature and ratification of the CRPD (Note: ratification dates are in date/month/year format)

The following condensed reports are intended to be a resource only and do not necessarily reflect an endorsement of the quality of content or perspectives contained within the reports. All content is pulled directly from the State Department reports with the exception of the CRPD status which was added by USICD staff.

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Angola

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status; however, the government did not effectively enforce these prohibitions. Violence and discrimination against women, child abuse, child prostitution, trafficking in persons, and discrimination against persons with disabilities and indigenous persons were problems.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, and access to health care or other state services, but the government did not effectively enforce these prohibitions. The constitution mentions persons with disabilities in articles 23 (principle of equality), 77 (health and social protection), 80 (childhood), 83 (disabled citizens), and 84 (former combatants and veterans). Article 83 grants persons with disabilities full rights without restrictions. The constitution permits the state to adopt a national policy to prevent, treat, rehabilitate, and integrate persons with disabilities, provide support for their families, remove obstacles to mobility, raise awareness in society, and foster special education and training opportunities.

Persons with disabilities included more than 80,000 land mine victims. The NGO Handicap International estimated that persons with disabilities constituted 10 percent of the population. However, a 2010 study estimated that 2.6 percent of the population had a physical or mental disability. Only 30 percent of persons with disabilities were able to take advantage of state-provided services such as physical rehabilitation, schooling, training, or counseling. According to MINARS statistics published in December, there were an estimated 150,000 persons with disabilities, most between the ages of 25 and 44, and 56 percent male. Of those persons with disabilities, 62 percent had physical disabilities (of whom 75 percent were ERW victims and 22 percent from polio), 28 percent had sensory disabilities, and 10 percent had mental disabilities. MINARS assisted approximately 90,000 persons with disabilities.

Presidential decree number 14 protects persons with disabilities. However, persons with disabilities found it difficult to access public or private facilities, and it was difficult for such persons to find employment or participate in the education system. MINARS sought to address problems facing persons with disabilities, including veterans with disabilities, and several government entities supported programs to assist individuals disabled by land mine incidents. During the 2008 election, the government provided voting assistance to persons with disabilities.

Other Relevant References

Persons with albinism were common victims of discrimination, although church groups worked to eliminate the abuse.

Convention on the Rights of Persons with Disabilities

Angola has not signed the convention.

Benin

Constitution and Laws

The constitution and laws prohibit discrimination based on race, gender, disability, language, and social status, but societal discrimination against women continued. Persons with disabilities were disadvantaged. The government did not take concrete measures to address those problems.

Persons with Disabilities

The law does not explicitly prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities in education, access to health care, or provision of other state services; however, the law provides that the government should care for persons with disabilities. There were no legal requirements for the construction or alteration of buildings to permit access for persons with disabilities. The government operated few institutions to assist persons with disabilities. The Office for the Rehabilitation and the Insertion of Persons with Disabilities under the jurisdiction of the Ministry of Family coordinated assistance to disabled people through the Aid Fund for the Rehabilitation and Insertion of Persons with Disabilities (Fonds Ariph).

The labor code includes provisions to protect the rights of workers with disabilities, which were enforced with limited effectiveness during the year. The Office of Labor under the Ministry of Labor and Civil Service and the Ministry of Family are responsible for protecting the rights of persons with disabilities.

Convention on the Rights of Persons with Disabilities

Benin signed the Convention and the Optional Protocol on 8/2/2008.

Botswana

Constitution and Laws

The constitution and law prohibit governmental discrimination on the basis of ethnicity, race, nationality, creed, sex, or social status, and the government generally respected these

provisions in practice. As long as a government job applicant is able to perform the duties of the position, he or she may not be discriminated against due to disability or language. However, the law does not prohibit discrimination by private persons or entities, and there was societal discrimination against women; persons with disabilities; minority ethnic groups, particularly the San; persons with HIV/AIDS; persons with albinism; and gays and lesbians.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in education, employment, access to health care, or the provision of other state services. The government has an effective national policy that provides for integrating the needs of persons with disabilities into all aspects of government policymaking. The government mandates access to public buildings or transportation for persons with disabilities. There was some discrimination against persons with disabilities, and employment opportunities remained limited. The government did not restrict persons with disabilities from voting or participating in civil affairs, and some accommodations were made during elections to allow for persons with disabilities to vote. Although new government buildings were being constructed to assure access by persons with disabilities, older government office buildings remained largely inaccessible. Most new privately owned buildings provide disabled access. There is a Department of Disability Coordination in the Office of the President to assist persons with disabilities.

The Department of Labor is responsible for protecting the rights of persons with disabilities in the labor force and investigating claims of discrimination. Individuals can also bring cases directly to the Industrial Court. The government funded NGOs that provided rehabilitation services and supported small-scale projects for workers with disabilities.

Convention on the Rights of Persons with Disabilities

Botswana has not signed the Convention.

Burkina Faso

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status; however, the government did not effectively enforce these prohibitions. Discrimination against women and persons with disabilities remained problems.

Persons with Disabilities

The law prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, the provision of other state services, or other areas; however, the government did not effectively enforce these provisions. In April 2010 the government enacted additional legislation to expand the rights of persons with disabilities. The law provides for reduced-cost or free healthcare and access to education, and establishes codes for access to buildings, and access to employment persons with disabilities often faced societal and economic discrimination. Such persons who were able to work found it difficult to find employment, including in government service, because of deeply entrenched societal attitudes

that persons with disabilities should be under the care of their families and not in the workforce.

Programs to aid persons with disabilities were limited. During the year the National Committee for the Reintegration of Persons with Disabilities and NGOs conducted awareness campaigns and implemented integration programs and capacity-building programs to manage income-generating activities better. High commissioners, teachers and NGOs worked together to inform citizens about the rights of persons with disabilities, specifically the rights of children with disabilities. A number of NGOs schooled and provided vocational training to persons with disabilities and provided equipment for them to work.

Convention on the Rights of Persons with Disabilities

Burkina Faso signed the Convention and the Optional Protocol on 23/5/2007. Burkina Faso ratified the Convention and Optional Protocol on 23/7/2009.

Burundi

Constitution and Laws

Persons with Disabilities

The constitution prohibits discrimination against persons with physical, mental, sensory, or intellectual disabilities; however, the government was unable to promote or protect the rights of persons with disabilities with regard to employment, education, or access to health care. Although persons with disabilities were eligible for free health-care services through social programs targeting vulnerable groups, the benefits were not widely publicized or provided. The employment practice of requiring health certification from the Ministry of Public Health sometimes led to discrimination against persons with disabilities.

The Ministry of National Solidarity, Human Rights, and Gender coordinates assistance and protects the rights of persons with disabilities. The government did not enact legislation or otherwise mandate access to buildings, information, or government services for persons with disabilities. The government supported a center for physical therapy in Gitega and a center for social and professional reinsertion in Ngozi to assist individuals with physical disabilities.

Other Relevant Reference

During the year criminals who trafficked in body parts of persons with albinism kidnapped a five-month-old girl with albinism and hacked off the arm of a young boy with albinism to sell to traditional healers in Tanzania for use in magic charms.

Convention on the Rights of Persons with Disabilities

Burundi signed the Convention and the Optional Protocol on 26/4/2007.

Cameroon

Constitution and Laws

Persons with Disabilities

Due in part to the scarcity of facilities for persons with disabilities and lack of public assistance, the president in April 2010 promulgated a law to protect and promote the rights of persons with disabilities. The law requires that both new and existing government and private buildings be designed to facilitate access by persons with disabilities; secondary public education be tuition-free for persons with disabilities and children born of parents with disabilities; and initial vocational training, medical treatment, employment be provided “when possible,” and public assistance be provided “when needed.” During the year the government implemented the educational provisions of the law.

Societal discrimination continued against persons with albinism. Such discrimination occurred less frequently than in previous years, but employment opportunities for persons with albinism remained limited, although at least one such individual occupied a senior position in the government. In early August the Cameroon-based World Association for the Defense of the Interests and Solidarity of Albinos held its 13th National Week of Albinos. The organization called on the government to provide reduced healthcare costs, better access to education, and equal employment opportunities for persons with albinism.

Society largely treated those with disabilities as outcasts, and many felt that providing assistance was the responsibility of churches or foreign NGOs.

Other Relevant References

There was occasional discrimination against persons with albinism, although such incidents continued to decrease.

Convention on the Rights of Persons with Disabilities

Cameroon signed the Convention and the Optional Protocol on 1/10/2008

Cape Verde

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status. The constitution stipulates that the government should create conditions for the gradual removal of all obstacles to the full exercise of human rights and equality before the law.

The law also prohibits racism, xenophobia, and other forms of discrimination.

However, violence and discrimination against women and children remained significant problems.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or in the provision of other state services. The government effectively enforced these provisions.

Persons with disabilities still faced daily obstacles that hindered their integration. Physical accessibility, communication means, and public transport appropriate for persons with disabilities often were lacking.

There were no reported cases in 2011 of abuse towards people with intellectual disabilities or mental health problems in prisons or psychiatric hospitals. Lack of physical accessibility in prisons for handicapped persons and prison facilities designed for the mentally ill were problems.

The government did not restrict the right of persons with disabilities to vote or participate in civil affairs and public life.

The government has created a quota system for the granting of scholarships and tax benefits to companies who employ individuals with disabilities. NGOs recognized these measures as partially effective in better integrating these citizens in society but also noted nonenforcement and inadequate regulation continued to be obstacles.

Several NGOs worked to protect the interests of the disabled. In February, the government adopted a Law of Mobility that sets technical standards for accessibility for persons with disabilities to a variety of public facilities and services.

The Ministry of Youth, Employment, and Human Resources (MERHJ) is the government organization responsible for protecting the rights of people with disabilities. The National Council on the Status of Disabled Persons works in partnership with the MERHJ as a consultative body responsible for proposing, coordinating, and monitoring the implementation of a national policy

Convention on the Rights of Persons with Disabilities

Cape Verde signed the Convention on 30/3/2007. Cape Verde ratified the Convention on 10/10/2011.

Central African Republic

Constitution and Laws

The constitution stipulates that all persons are equal before the law without regard to wealth, race, disability, language, or gender. However, the government did not enforce these provisions effectively, and significant discrimination existed.

Persons with Disabilities

The law prohibits discrimination against persons with both mental and physical disabilities. It also requires that for any company employing 25 persons or more, at least 5 percent of its staff must consist of sufficiently qualified persons with disabilities, if they are available. In addition the law states that each time the government recruits new personnel into the civil service, at least 10 percent of the total number of newly recruited personnel should be persons with disabilities. According to the Ministry of Family and Social Affairs, the provision was not automatic and depended on the availability of applications from persons with disabilities at the time of the recruitment decision by the interested ministry.

There were no legislated or mandated accessibility provisions for persons with disabilities, and such access was not provided in practice. Approximately 10 percent of the country's population had disabilities, mostly due to polio, according to the 2003 census. The government had no national policy or strategy for providing assistance to persons with disabilities, but there were several one-of-a-kind government and NGO-initiated programs designed to assist persons with physical disabilities, including handicraft training for persons with visual disabilities and the distribution of wheelchairs and carts by the Ministry of Family and Social Affairs.

The Ministry of Family and Social Affairs continued to work with the NGO Handicap International during the year to provide treatment, surgeons, and prostheses to persons with physical disabilities.

Convention on the Rights of Persons with Disabilities

Central African Republic signed the Convention and the Optional Protocol on 9/5/2007.

Chad

Persons with Disabilities

The law prohibits discrimination against persons with disabilities, and while the government made efforts to enforce this prohibition in N'Djamena, it was unable to do so throughout the country. There were no laws or programs to ensure access to buildings for persons with disabilities; however, the government operated a few education, employment, and therapy programs for such persons.

The country had numerous persons with disabilities caused by polio, and many such persons held ranking positions in the government.

The government, in conjunction with NGOs, continued to sponsor an annual day of activities to raise awareness of the rights of persons with disabilities. The Ministry of Social Action and Family is responsible for protecting the rights of persons with disabilities.

Convention on the Rights of Persons with Disabilities

Chad has not signed the Convention.

Comoros

Constitution and Laws

Although the law prohibits discrimination based on race, gender, disability, language, or social status, there were reports of discrimination against women and persons with disabilities.

Persons with Disabilities

The constitution and laws do not mandate access to buildings, information, and communication for persons with disabilities.

Handicap Comores, the country's nongovernmental center for persons with disabilities on Grande Comore, was run by a local NGO called Shiwe, or "Pillar." The center imported wheelchairs and prostheses.

There is no restriction on the right of persons with disabilities to participate in civic affairs.

Convention on the Rights of Persons with Disabilities

Comoros signed the Convention on 26/9/2007

Congo, Democratic Republic of the

Persons with Disabilities

Although the law prohibits discrimination against persons with disabilities, the government did not effectively enforce this provision, and persons with disabilities often found it difficult to obtain employment, education, or government services.

The law does not mandate access to buildings or government services for persons with disabilities. Some schools for persons with disabilities, including persons with visual disabilities, received private funds and limited public funds to provide education and vocational training.

An August 2010 *American Journal of Public Health* study found that overwhelming numbers of civilians in the conflict zone were suffering from symptoms associated with mental illness, ranging from post-traumatic stress disorder to depression.

Other Relevant References

On December 3, the government cut off the SMS function of cell phones in an effort to control information and limit demonstrations and violence in the aftermath of the national elections. Two associations of people with disabilities in South Kivu and Kinshasa protested this decision, stating that people with hearing and speech impairments used SMS as a primary means of communication, and without access to SMS their livelihoods were cut off and they were unable to receive alerts about potential violence. On December 28, the SMS function was restored...

... Discrimination against persons with albinism was [also] widespread and limited their ability to obtain employment, health care, and education, or to marry. Persons with albinism were frequently ostracized by their families and communities.

Children: Many churches in Kinshasa conducted exorcisms of children accused of witchcraft involving isolation, beating and whipping, starvation, and forced ingestion of purgatives. According to UNICEF children with disabilities or even speech impediments and learning disabilities were branded as witches. This practice sometimes resulted in parents abandoning their children. According to UNICEF as many as 70 percent of the street children it assisted claimed to have been accused of witchcraft.

Convention on the Rights of Persons with Disabilities

Democratic Republic of the Congo has not signed the Convention.

Congo, Republic of the

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, or in the provision of other state services, although the government generally did not enforce the law.

There were no laws mandating access for persons with disabilities. The Ministry of Social Affairs is the lead ministry responsible for these issues.

Convention on the Rights of Persons with Disabilities

Republic of the Congo signed the Convention and the Optional Protocol on 30/3/2007.

Cote d'Ivoire

Human Rights Problems

[H]uman rights problems under the Gbagbo government included...discrimination against lesbian, gay, bisexual and transgender (LGBT) individuals, persons with disabilities, and persons with HIV/AIDS...

Discrimination against persons with disabilities and persons with HIV/AIDS also was a problem [under the Ouattara government...]

Persons with Disabilities

The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities, hire them or help them find jobs, design houses and public facilities for wheelchair access, and adapt machines, tools, and work spaces for access and use by persons with disabilities. However, wheelchair-accessible facilities for such individuals were not common, and there were few training and job assistance programs for persons with disabilities. The law also prohibits acts of violence against persons with disabilities and the abandonment of such persons; however, there were no reports that either the Gbagbo or Ouattara governments enforced these laws during the year.

There were no reports during the year that persons with disabilities were specific targets of abuse, but they reportedly encountered serious discrimination in employment and education. The government reserved 800 civil service jobs for persons with disabilities; however, in practice government employers sometimes refused to employ persons with disabilities.

The government financially supported special schools, associations, and artisans' cooperatives for persons with disabilities, but many such persons begged on urban streets and in commercial zones for lack of other economic opportunities. Persons with mental disabilities often lived on the street.

The Ministry of Family and Social Affairs and the Federation of the Handicapped are responsible for protecting the rights of persons with disabilities.

Convention on the Rights of Persons with Disabilities

Cote d'Ivoire signed the Convention and the Optional Protocol on 7/6/2007.

Djibouti

Constitution and Laws

The constitution and law prohibit discrimination on the basis of race, gender, or language; however, the government did not enforce the law effectively. The constitution does not directly

address discrimination based on disability or social status. The government took steps during the year to increase protection of women, including campaigns against female genital mutilation (FGM), but societal discrimination against women and ethnic minorities persisted.

Persons with Disabilities

The constitution does not prohibit discrimination against persons with disabilities, although the labor code prohibits discrimination in employment against such persons. Persons with disabilities had access to education and public health services. The government did not mandate accessibility to buildings or government services for persons with disabilities, and such buildings were often inaccessible. There was societal discrimination against persons with disabilities. No government agency was charged specifically with protecting the rights of such persons. NGOs continued to organize seminars and other events that drew attention to the need for enhanced legal protections and better workplace conditions for persons with disabilities.

Other Relevant References

[H]uman rights problems included the use of excessive force, including torture by security forces; harsh prison conditions; arbitrary arrest and prolonged pretrial detention; denial of fair public trial; interference with privacy rights; restrictions on freedoms of speech, press, assembly and association; lack of protection for refugees; corruption; discrimination against women; female genital mutilation (FGM); trafficking in persons; discrimination against persons with disabilities; and government denial of worker rights

Convention on the Rights of Persons with Disabilities

Djibouti ratified the Convention on 18/6/2012.

Equatorial Guinea

Persons with Disabilities

The law does not provide persons with disabilities any protection from discrimination in employment, education, or the provision of other state services, nor does it mandate access to buildings for persons with disabilities.

Educational services for persons with mental or physical disabilities were limited. The local Red Cross, with financial support from the government, managed the country's school for deaf children. The government, through the Ministry of Social Affairs, and the Catholic Church worked together to provide care for persons with mental disabilities in the Virgin Madre Maria Africa facility. The country's first lady gave several highly publicized donations to help persons living with disabilities.

Although not written into the law, the Ministry of Education and the Ministry of Health worked to protect the rights of persons with disabilities. Public service announcements regarding rights of persons with disabilities continued to be broadcast.

Convention on the Rights of Persons with Disabilities

Equatorial Guinea has not signed the Convention.

Eritrea

Constitution and Law

The law and unimplemented constitution prohibit discrimination against women, persons with disabilities, and discrimination based on race, language, and social status, but the government did not enforce these provisions.

Persons with Disabilities

The law and unimplemented constitution prohibit discrimination against persons with disabilities in employment, education, or in the provision of other state services. Reports of discrimination against persons with disabilities, especially in rural areas, were common. This was particularly the case for those who were not former liberation fighters. The government dedicated substantial resources to support and train the thousands of men and women with physical disabilities that resulted from the war for independence and the later conflict with Ethiopia. There are no laws mandating access for persons with disabilities to public roads, public or private buildings, information, and communications. A few hotels and government offices provided such access or employed guards that would provide assistance as needed. The Ministry of Labor and Human Welfare was responsible for protecting the rights of persons with disabilities.

Other Relevant References

[A]buses included the following: unlawful killings by security forces; politically motivated disappearances; arbitrary arrest and detention, including of national service evaders and their family members; executive interference in the judiciary and the use of a special court system to limit due process; the detention of political prisoners and detainees; and infringement of privacy rights. They also included a lack of due process and excessive pretrial detention, and severe limits on freedom of movement and travel for all citizens, residents, and humanitarian agencies. All remaining international nongovernmental organizations (NGOs) were forced to close during the year, and the activities of the UN were severely restricted. Societal abuse and discrimination against women, the Kunama ethnic group, gay men and lesbians, members of certain religious groups, and persons with disabilities occurred. Female genital mutilation (FGM) was prevalent in rural areas. The government limited worker rights. Child abuse and forced child labor were problems.

Convention on the Rights of Persons with Disabilities

Eritrea has not signed the Convention.

Ethiopia

Persons with Disabilities

The constitution does not mandate equal rights for persons with disabilities. However, two laws prohibit discrimination against persons with physical and mental disabilities in employment and mandate access to buildings. It is illegal for deaf persons to drive.

The Right to Employment of Persons with Disabilities Proclamation prohibits employment discrimination on the basis of disability. It also makes employers responsible for providing

appropriate working or training conditions and materials to persons with disabilities. The law specifically recognizes the additional burden on women with disabilities. The government took limited measures to enforce the law, for example, by assigning interpreters for hearing-impaired civil service employees.

The Ethiopian Building Proclamation mandates building accessibility and accessible toilet facilities for persons with physical disabilities, although specific regulations that define the accessibility standards have not been adopted. Buildings and toilet facilities were usually not accessible. Landlords are required to give persons with disabilities preference for ground-floor apartments, and this was respected in practice.

Women with disabilities were more disadvantaged than men with disabilities in education and employment. An Addis Ababa University study from 2008 showed that female students with disabilities were subjected to a heavier burden of domestic work than their male peers. The enrollment rate for girls with disabilities was lower than for boys at the primary school level, and this gap increased at higher levels of education. Girls with disabilities also were much more likely to suffer physical and sexual abuse than girls without disabilities.

There were approximately seven million persons with disabilities, according to the Ethiopian Federation of Persons with Disabilities. There were one mental hospital and an estimated 10 psychiatrists in the country. There were several schools for hearing and visually impaired persons and several training centers for children and young persons with intellectual disabilities. There was a network of prosthetic and orthopedic centers in five of the nine regional states.

The CSO law prohibits organizations receiving more than 10 percent of their funding from foreign sources from promoting the rights of persons with disabilities. Several domestic associations, such as the Ethiopian National Association of the Blind, Ethiopian National Association of the Deaf, and Ethiopian National Association of the Physically Handicapped continued to be affected negatively by the legislation.

Other Relevant Information

The CSO law prohibits charities, societies, and associations (NGOs or CSOs) that receive more than 10 percent of their funding from foreign sources from engaging in activities that advance human and democratic rights or promote equality of nations, nationalities, peoples, genders, and religions; the rights of children and persons with disabilities; conflict resolution or reconciliation; or the efficiency of justice and law enforcement services. There were 3,522 organizations registered before the CSO law was adopted, although not all were active, and as of June 2,059 CSOs--old and new--were registered under the law. Of these, 262 were foreign charities, 1,330 were "resident" charities, 371 were "local" charities, 62 were adoption agencies, and 34 were consortia. The government maintained that the majority of organizations that did not reregister were not functional organizations prior to the passage of the law. In December the government participated in the first session of a civil-society sector working group with donor countries and resident CSOs. Some human rights defender organizations adjusted by registering either as local charities, meaning that they could not raise more than 10 percent of their funds from foreign donors but could act in the enumerated areas, or as

resident charities, which allowed foreign donations above 10 percent but prohibited activities in the enumerated areas.

[H]uman rights problems included torture, beating, abuse, and mistreatment of detainees by security forces; harsh and at times life-threatening prison conditions; arbitrary arrest and detention; detention without charge and lengthy pretrial detention; infringement on citizens' privacy rights, including illegal searches; allegations of abuses in connection with the continued low-level conflict in parts of the Somali region; restrictions on freedom of assembly, association, and movement; police, administrative, and judicial corruption; violence and societal discrimination against women and abuse of children; female genital mutilation (FGM); exploitation of children for economic and sexual purposes; trafficking in persons; societal discrimination against persons with disabilities; clashes between ethnic minorities; discrimination against persons based on their sexual orientation and against persons with HIV/AIDS; limits on worker rights; forced labor; and child labor, including forced child labor.

Convention on the Rights of Persons with Disabilities

Ethiopia signed the Convention on 30/3/2007. Ethiopia ratified the Convention on 7/7/2010.

Gabon

Constitution and Law

Although the constitution and law prohibit discrimination based on national origin, race, gender, disability, language, or social status, the government did not enforce these provisions consistently.

Persons with Disabilities

The law prohibits discrimination against persons with "physical, mental, congenital, and accidental" disabilities and requires access to buildings and services, although most public buildings did not provide adequate access. There were no reports of official discrimination against persons with disabilities, but societal discrimination occurred, and employment opportunities and treatment facilities for persons with disabilities were limited. In August the Ministry of Health funded income generation projects for 194 persons with disabilities.

Convention on the Rights of Persons with Disabilities

Gabon signed the Convention on 30/3/2007 and signed the Optional Protocol on 25/9/2007. Gabon ratified the Convention on 1/10/2007.

Gambia, The

Constitution and Laws

The constitution prohibits discrimination based on race, religion, gender, disability, language, or social status, and the government generally enforced these prohibitions. However, discrimination against women remained a problem.

Persons with Disabilities

The constitution prohibits exploitation of and discrimination against persons with disabilities in access to health services, education, and employment; however, there were no laws to ensure

access to buildings for persons with disabilities, and very few buildings in the country were accessible to them. The law requires that judicial proceedings involving a person with disabilities take into account the disability. There were no laws or programs to ensure that persons with disabilities had access to information or communications.

Persons with severe disabilities experienced discrimination and subsisted primarily through private charity. Persons with less severe disabilities encountered less discrimination, including in employment for which they were physically and mentally capable.

The Department of Social Welfare is responsible for protecting the rights of persons with disabilities and worked with the Gambia Organization for the Visually Impaired and the School for the Deaf and Blind to help educate children with disabilities and to promote relevant skills. The department also worked with international donors to supply wheelchairs to some persons with disabilities. Several NGOs sought to improve awareness of the rights of persons with disabilities and encouraged their participation in sports and other physical activities. The NHRU specifically sought to promote the rights of women with disabilities. Persons with disabilities were given priority access to polling booths on election days.

Convention on the Rights of Persons with Disabilities

The Gambia has not signed the Convention.

Ghana

Constitution

The constitution prohibits discrimination on the basis of race, gender, disability, language, or social status; however, enforcement was generally inadequate. Limited financial resources and a generally permissive societal attitude toward such discrimination contributed to its perpetuation. Courts were empowered to order specific enforcement of these prohibitions.

Persons with Disabilities

The law provides for the rights of persons with disabilities, including protection against exploitation and discrimination in employment, health care, and other domains. The National Council on Disability, mandated by law, was inaugurated in 2009. The government did not systematically or overtly discriminate against persons with disabilities, but such persons often experienced societal discrimination. The law provides persons with disabilities access to public buildings “as far as is practical.” Activists supporting the rights of persons with disabilities complained of the slow implementation of the Persons with Disability Act, especially the lack of legislative instruments to implement the new law. Despite the legal protection provided in the law, discrimination against persons with disabilities in employment and the inaccessibility of public buildings continued to be problems.

Persons with both mental and physical disabilities were frequently subjected to abuse and intolerance. Unlike in previous years, there were no reports of persons with disabilities being killed for ritual purposes.

Some religious groups believed that persons with mental disabilities were afflicted by demons that should be exorcised. The abuse of children with disabilities was common. In previous years

there were reports that children with disabilities were tied to trees or under market stalls and caned regularly and of family members killing children with disabilities.

Human rights activists expressed concerns about prayer camps in which individuals believed to be possessed by evil spirits were chained up for weeks, physically assaulted, and denied food and water. Camp supervisors would sometimes diagnose mental illness as a “demonic affliction” and prevent patients from consuming food or water, often for seven consecutive days, to cleanse victims of their evil spirits. Some victims were thought to be as young as six years old. Families sent victims to be exorcised of evil spirits or cured of their physical or mental illnesses. Victims were held at the camps until they were considered healed. Reports indicated that these practices occurred in the Greater Accra, Eastern, Central, Western, Ashanti, and Brong-Ahafo regions. In 2009 the Commonwealth Human Rights Initiative (CHRI) released a report on prayer camps based on interviews with current and former inmates. The report noted that some families caring for mentally ill members had insufficient financial resources and viewed prayer camps as an available option. The CHRI urged regulation of prayer camps; however, no regulations were implemented by year’s end.

Several government agencies and NGOs were involved in addressing discrimination against persons with disabilities, including the Ministry of Health, the Department of Social Welfare in the Ministry of Employment and Social Welfare (MESW), the Ministry of Education, and the Center for Democratic Development.

Other Relevant References

[H]uman rights problems included use of excessive force by police, resulting in deaths and injuries; prolonged pretrial detention; arbitrary arrest of journalists; corruption in all branches of government; violence against women and children, including female genital mutilation (FGM); societal discrimination against women, persons with disabilities, and persons with HIV/AIDS; ethnic killings and vigilante violence; ethnic discrimination and politically motivated violence; and societal discrimination against lesbian, gay, bisexual, and transgender (LGBT) individuals.

Convention on the Rights of Persons with Disabilities

Ghana signed the Convention and the Optional Protocol on 30/3/2007.

Guinea

Persons with Disabilities

The law does not prohibit discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. There were no official reports of societal or governmental discrimination against persons with disabilities, but it was believed to be pervasive. The law does not mandate accessibility for persons with disabilities, and buildings and vehicles remained inaccessible. Few persons with disabilities worked in the formal sector, although some worked in the informal sector in small family businesses. Many lived by begging on the streets. The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities, but it was ineffective.

Convention on the Rights of Persons with Disabilities

Guinea signed the Convention on 16/5/2007 and signed the Optional Protocol on 31/8/2007. Guinea ratified the Convention and the Optional Protocol on 8/2/2008.

Guinea-Bissau

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with disabilities, mandate building access for them, or provide for equal access to employment and education. There were no government efforts to mitigate discrimination against persons with disabilities or ensure their access to buildings or streets. The government made some efforts to assist military veterans with disabilities through pension programs, but these programs did not adequately address health, housing, or food needs.

Convention on the Rights of Persons with Disabilities

Guinea-Bissau has not signed the Convention.

Kenya

Constitution and Law

The constitution and law prohibit discrimination based on race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion, conscience, belief, culture, dress, language or birth. Government authorities did not enforce effectively many of these provisions, and discrimination against women, lesbian, gay, bisexual and transgender (LGBT) persons, individuals with HIV/AIDS, persons with disabilities, ethnic groups, and persons suspected of witchcraft was a problem. There was also evidence that some government and opposition officials tolerated, and in some instances instigated, ethnic violence. The law criminalizes homosexual activity.

Persons with Disabilities

The law prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, or the provision of other state services; however, the government did not effectively enforce these provisions. The law provides that persons with disabilities should have access to public buildings, and some buildings had wheelchair ramps and modified elevators and restrooms; however, the government did not enforce the law, and new construction often did not include accommodations for persons with disabilities.

There was limited societal awareness regarding persons with disabilities and significant stigma attached to disability. Learning and other disabilities not readily apparent were not widely recognized. NGOs reported that persons with disabilities had limited opportunity to obtain education and job training at all levels due to lack of accessibility to facilities and resistance on the part of school officials and parents to devoting resources to students with disabilities. The KNCHR reported that fewer than 10 percent of children with special needs were enrolled in school and that no curriculum existed for teaching children with learning disabilities.

The KNCHR charged that the Kenya National Examination Council failed to provide adequate testing facilities and resources for students with disabilities. The council claimed that it provided exams in Braille and in large print for visually impaired candidates and gave them extra time to complete exams. The government was developing disability-specific curricula, but the process was slow because the government failed to allocate sufficient resources and staff.

There were significant barriers to accessing health care by persons with disabilities. They had difficulty obtaining HIV testing and contraceptive services, due to the perception that they did not or should not engage in sexual activity.

According to testimony provided to the KNCHR in Embu town during the year, pregnant women with disabilities encountered harsh treatment in maternity wards. Nurses demanded to know how they became impregnated and questioned their right to bear children. Mute mothers claimed that hospital staffs ignored them during delivery. Other unconfirmed reports indicated that hospital staffs performed--or tried to perform--tubal ligations on mothers with disabilities without informing them. Other expectant mothers with disabilities were sent away from hospitals for not having pads, cotton wool, or the fee of 2,000 shillings (\$23) required for delivery.

Few facilities provided interpreters or other accommodations to the deaf or those with hearing disabilities. The government assigned each region a sign-language interpreter for court proceedings. Nevertheless, cases of persons who were deaf or had hearing disabilities were often delayed or forced to adjourn due to the lack of standby interpreters, according to an official with the Deaf Outreach Program.

During the year the Kenya Society for the Mentally Handicapped (KSMH) sued the government for improperly excluding persons with mental disabilities from the most recent budget allocations for persons with disabilities. In August a court temporarily halted the allocation of such funds as a consequence of the lawsuit, and the case continued at year's end.

Not all polling stations were equipped with accommodations for persons with disabilities. However, during the most recent by-elections KSMH and the Disabled Voters of Kenya Alliance worked closely with the IIEC to ensure that all persons were able to cast their votes.

The Ministry of Gender, Children, and Social Development is the lead ministry for implementation of the law to protect persons with disabilities. The parastatal National Council for Persons with Disabilities assisted the ministry. Neither entity received sufficient resources to effectively address issues related to persons with disabilities.

Societal discrimination continued against persons with albinism, many of whom left their home villages due to fear of persecution and moved to urban areas where they believed they were safer. According to the International Federation for the Red Cross and Red Crescent Societies, numerous persons with albinism abandoned their villages and went into hiding between 2007 and 2009. Persons with albinism were attacked for their body parts, which were thought by some to confer magical powers and which could be sold for significant sums. Since 2007 at least seven persons with albinism were killed, the most recent killing occurring in December 2010. In August 2010 a man was arrested for attempting to sell a person with albinism for \$250,000. In 2010 the minister of planning promised to carry out a census of persons with albinism and

provide them with sunscreen. However, the government offered little health care or other support. Due to societal discrimination, employment opportunities for persons with albinism were limited.

Other Relevant References

The constitution and law provide citizens the right to change their government through free and fair multiparty elections, and in 2007 citizens exercised this right through generally free and fair local and legislative elections held on the basis of universal suffrage. However, the manner in which the 2007 presidential election results were tallied raised serious doubts as to whether this right was respected at the presidential level.

In a peaceful August 2010 referendum, 67 percent of voters approved a new constitution, which provides for a bill of rights and reforms the electoral system, administration of land, and judiciary. The new constitution provides parliamentary representation for women, youth, persons with disabilities, ethnic minorities, and marginalized communities. Implementation of constitutional reforms continued during the year, although full implementation was expected to take years.

Human rights problems included police corruption; harsh and life-threatening prison conditions; arbitrary arrest and detention; prolonged pretrial detention; executive influence on the judiciary and judicial corruption; arbitrary interference with the home and infringement on citizens' privacy; restrictions on freedom of speech, press, and assembly; abuse and forced resettlement of internally displaced persons (IDPs); abuse of refugees, including killing and rape; official corruption; violence and discrimination against women; violence against children, including female genital mutilation (FGM); child prostitution; trafficking in persons; discrimination against persons with disabilities; interethnic violence; discrimination based on ethnicity, sexual orientation, and HIV/AIDS status; lack of enforcement of workers' rights; forced and bonded labor, including of children; and child labor.

Convention on the Rights of Persons with Disabilities

Kenya signed the Convention on 30/3/2007, and ratified the Convention on 19/5/2008.

Lesotho

Constitution and Law

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. However, the constitution recognizes customary law as a parallel legal system, and under it women remain disadvantaged with regard to property rights, inheritance, and succession rights. Persons with disability were disadvantaged regarding access to buildings, employment, and healthcare.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to healthcare, or the provision of other state services. The government approved a national disability policy in April that sets up a framework for inclusion of persons with disability in the poverty reduction

strategy and social development programs. The Association of the Disabled actively promoted the rights and needs of persons with disabilities.

Laws and regulations stipulate that persons with disabilities should have access to public buildings. Buildings completed after 1995 generally complied with the law. Information for the blind in the form of Braille and JAWS (computer software used by visually impaired persons) was not widely available. Sign language was not provided by service providers in the government or private sector, so signing individuals could not access various state services. There were limited facilities for training persons with hearing and speaking disability.

The government did not effectively implement laws to ensure that persons with disabilities have access to information and communications. Media reports indicated that persons with disabilities experienced societal abuse. There was no record of such abuse in prisons, educational facilities, or mental health facilities.

Election law, which was respected in practice, provides for assisted voting for persons with disabilities. They are allowed to have anyone of their choosing assist them with voting, including the presiding officer at a polling station; there should also be a third person to verify that the voter's choices are respected.

The Ministry of Health and Social Welfare is responsible for protecting the rights of persons with disabilities.

Other Relevant References

[H]uman rights problems included lengthy pretrial detention and long trial delays and stigmatization of persons with HIV/AIDS. Societal abuses included sexual abuse, stigmatization of persons with disabilities, mob violence, human trafficking, and child labor.

Convention on the Rights of Persons with Disabilities

Lesotho ratified the Convention on 2/12/2008.

Liberia

Constitution and Law

The constitution prohibits discrimination based on ethnic background, sex, creed, place of origin, disability, ethnic origin, or political opinion; however, the government did not enforce these provisions effectively.

Persons with Disabilities

Although it is illegal to discriminate against persons with physical and mental disabilities, such persons did not enjoy equal access to government services. No laws mandate access to public buildings. Streets, schools, public buildings, and other facilities were generally in poor condition and inaccessible to persons with disabilities, although new curbs in Monrovia were built to be wheelchair accessible. Many citizens had permanent disabilities as a result of the civil war. Persons with disabilities faced societal discrimination, particularly in rural areas. Children with disabilities had access to education; however, a 2008-09 survey found only 0.8 percent of students enrolled in school were identified as disabled. The Ministry of Education named a director of special education to address the needs of children with disabilities. The National

Commission on Disabilities conducted an assessment on eight special schools in the greater Monrovia area during the year; its results were pending.

The Journal of the American Medical Association published a Harvard Humanitarian Initiative study that concluded that 40 percent of the population had Post Traumatic Stress Disorder or other mental disabilities.

The government identified an estimated 16 percent of the population as disabled, but that number was believed actually to be higher due to the civil conflict.

The National Commission on Disabilities and the Ministry of Health and Social Welfare were responsible for protecting the rights of persons with disabilities; however, they did not always do so effectively.

Following the October 11 general election, the National Union of Organizations for the Disabled noted that persons with disabilities were frequently unable to enter polling places, and there was no provision of tactile ballot guides for the blind.

During the year the commission and ministry conducted a series of sensitization programs about persons with disabilities, but with limited effect. The commission also began work on a plan for the government's promotion of the rights of such persons in education, employment, and livelihood. The plan was pending completion at year's end. NGOs provided some services to persons with disabilities.

Convention on the Rights of Persons with Disabilities

Liberia signed the Convention and the Optional Protocol on 30/3/2007.

Madagascar

Constitution and Law

The constitution and law prohibit all forms of discrimination, including on the basis of race, gender, disability, language, and social status; however, no specific governmental institutions were designated to enforce these provisions.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities, broadly defines their rights, and provides for a national commission and regional subcommissions to promote the rights of persons with disabilities. In practice, however, these rights rarely were enforced, and the legal framework for promoting accessibility remained perfunctory. A 2005 study conducted by the NGO Handicap International found that persons with disabilities seldom had access to health care, education, employment, or accommodation for communication or other basic services, and women and girls with disabilities were often victims of physical violence. In general, access to education for persons with disabilities was limited, due to lack of adequate infrastructure, specialized institutions, and teachers. A network of women with disabilities, "Association des Femmes Handicapees de Madagascar," advocated for their rights.

The Ministry of Health is responsible for protecting the rights of persons with disabilities. Isolated projects at the community level had some success. In 2008 a public market in the city of Majunga gained special handicapped access; a health and transportation benefits program

with identity cards was developed in the city of Fianarantsoa; and persons with disabilities had been successfully integrated into public schools in some areas where they previously had no access. With international funding in 2008, the city of Antsiranana worked to make city hall, health centers, and other administrative buildings accessible. However, reports continued that schools often rejected students with disabilities, claiming their facilities were not adequate. Local NGOs also provided evidence that persons with disabilities were routinely refused access and verbally abused by teachers throughout the education system, from primary school to university. A 2009 study found that the school attendance rate of children with disabilities was only 0.26 percent in 631 schools surveyed, due to the lack of specialized programs, poor understanding of the children's needs, and insufficient resources.

Other Relevant References

[H]uman rights problems included harsh prison conditions, sometimes resulting in deaths; lengthy pretrial detention; an inefficient judiciary that lacked independence; violence against and intimidation of journalists; restrictions on freedoms of speech, press, and assembly; official corruption and impunity; societal discrimination and violence against women, persons with disabilities, and the lesbian, gay, bisexual and transgender (LGBT) community; trafficking of women and children; and child labor, including forced child labor.

Convention on the Rights of Persons with Disabilities

Madagascar signed the Convention and the Optional Protocol on 25/9/2007.

Malawi

Constitution and Law

The law specifically provides for equal rights for women, forbids discrimination based on language or culture, race, disability, or social status, and provides for equality and recognition before the law for every citizen. However, the capacity of government institutions to ensure equal rights for all citizens was limited.

Persons with Disabilities

The Employment Act prohibits discrimination in employment; however, there is no comprehensive law governing discrimination against persons with disabilities. The law provides for the support of persons with disabilities through greater access to public places, fair opportunities in employment, and full participation in all spheres of society; however, limited resources prevented the government from protecting these rights in practice. The government had not mandated accessibility to buildings and services for persons with disabilities.

The Department of Persons with Disabilities and the Elderly, within the Ministry of Gender, Child, and Community Development is responsible for protecting the rights of persons with disabilities. There were public and privately supported schools and training centers that assisted persons with disabilities. There also were several self-supporting businesses run by and for persons with disabilities. The Malawi Rural Development Fund provided loans to persons with disabilities to support these activities.

Convention on the Rights of Persons with Disabilities

Malawi signed the Convention on 27/9/2007. Malawi ratified the Convention on 27/8/2009.

Mali

Constitution and Law

The constitution and law prohibit discrimination based on social origin and status, color, language, gender, or race, but not disability. In spite of relevant legislation, citizens generally were reluctant to file complaints or press charges of discrimination, based largely on cultural factors. Absent complaints or lawsuits, the government did not aggressively pursue violations of these laws.

Persons with Disabilities

There is no specific law protecting the rights of persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, or in the provision of other state services. There is no law mandating accessibility to public buildings. The Ministry of Social Development, Solidarity, and the Elderly is charged with the protection of the rights of persons with disabilities. The ministry sponsored activities to promote opportunities for persons with disabilities to generate income and also worked with NGOs, such as the Malian Federation of Associations for Handicapped Persons, which provided basic services. There was a Bamako-based school for the deaf that ostensibly falls under government responsibility, but support and resources were practically nonexistent.

Other Relevant References

The government provided some assistance to IDPs, allowed the ICRC access to IDPs, and permitted IDPs to accept assistance provided by humanitarian organizations. The distances involved, difficult terrain, and land mine concerns hampered assistance efforts. The government did not attack or target IDPs or forcibly return or resettle them. The government worked with the International Organization for Migration during the year to reintegrate citizens fleeing violence and government instability in Cote d' Ivoire, Tunisia, and Libya.

Convention on the Rights of Persons with Disabilities

Mali signed the Convention and the Optional Protocol on 15/5/2007. Mali ratified the Convention and the Optional Protocol on 7/4/2008.

Mauritania

Persons with Disabilities

The law prohibits discrimination against persons with physical disabilities in education, employment, or the provision of other state services, and there were no reports of governmental discrimination against persons with disabilities. However, persons with disabilities generally did not have access to buildings, information, and communications, and there were no government programs to provide such access. The government did not mandate preference in employment, education, or public accessibility for persons with disabilities, although it did provide some rehabilitation and other assistance for such persons. MASEF oversees social reinsertion programs for persons with disabilities.

Convention on the Rights of Persons with Disabilities

Mauritania ratified the Convention and the Optional Protocol on 3/4/2012.

Mauritius

Constitution and Law

The constitution and law specifically prohibit discrimination on the basis of race, caste, place of origin, political opinion, color, gender, disability, or language. While the government generally enforced these provisions, some societal discrimination occurred.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services, and the Training and Employment of Disabled Persons Board effectively enforced it. The law requires that buildings be accessible for persons with disabilities; however, many older buildings remained inaccessible to persons with disabilities, making it difficult for organizations in those buildings to hire many persons with disabilities. The law requires organizations employing more than 35 persons to set aside at least 3 percent of their positions for persons with disabilities, and the government enforced this law. The government effectively implemented programs to ensure that persons with disabilities had access to information and communications. The state-run television station aired a weekly news program for persons with disabilities. The government does not restrict the right of persons with disabilities to vote or participate in civic activities; however, during the May 2010 legislative elections, private radio stations reported that a few persons with disabilities were not able to vote because the polling stations were not accessible.

Other Relevant References

International election observers noted some problems including unequal representation due to electoral constituencies not being redrawn, the inability of persons who turned 18 between January 2009 and May 2010 to vote due to use of the 2009 voters roll, lack of accommodations for persons with disabilities, and lack of legal provisions to provide for domestic election observers. Also various candidates stated that some politicians distributed gifts in their constituencies prior to the May 2010 election, and that some polling materials were not available in Creole, a language spoken by more than 90 percent of the population.

Convention on the Rights of Persons with Disabilities

Mauritius signed the Convention and the Optional Protocol on 25/9/2007. Mauritius ratified the Convention on 8/1/2010.

Mozambique

Constitution and Law

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, but in practice discrimination persisted against women and persons with HIV/AIDS.

Persons with Disabilities

The constitution and law stipulate that citizens with disabilities shall fully enjoy the same rights as all other citizens. However, the government provided few resources to implement this provision, and persons with disabilities frequently could be seen begging at traffic intersections.

There were an estimated 300,000 persons with disabilities in the country. Discrimination was common against them in employment, education, access to health care, and the provision of other state services. Unequal access to employment was often cited as one of their biggest concerns. The law does not mandate access to buildings for persons with disabilities, and although the Ministry of Public Works and Habitation worked to ensure that public buildings in Maputo city provided access for persons with disabilities, progress has been very slow. Electoral law provides for the needs of voters with disabilities in the polling booths.

Concerns of persons with disabilities included lack of access to socioeconomic opportunities and employment, limited access to buildings and transportation, and a lack of wheelchairs. Facilities with special access were rare. There were few job opportunities for persons with disabilities in the formal sector.

The country's only psychiatric hospital was overwhelmed with patients and lacked the means to guarantee basic nutrition, medicine, or shelter. Doctors at the hospital also reported that many families abandoned members with disabilities.

Veterans with disabilities continued to assert non-receipt of pensions.

The Ministry of Women and Social Action is responsible for protecting the rights of persons with disabilities. The four-year National Action Plan in the Area of Disabilities announced in 2006 had not received any financing for implementation by year's end.

The city of Maputo offered free bus passes to persons with disabilities.

Other Relevant References

Because some traditional healers assert that the body parts of persons with albinism contained special curative or sexual strength, such persons could be subjected to violent attacks that resulted in mutilation or death.

MISA reported that despite the press freedom provisions in the constitution and the 1991 Press Law, other legislation inhibits the media. For example, a clause in the law on crimes against state security treats libel against the president, prime minister, and other senior political and judicial figures as a security offense. These laws were not invoked during the year. In response to the September 2010 violent protests, the government temporarily disabled the local cell-phone texting system, the protesters' primary method of communication, and subsequently required that all purchasers and owners of prepaid cell phones register with cellular service providers.

Convention on the Rights of Persons with Disabilities

Mozambique signed the Convention on 30/3/2007. Mozambique ratified the Convention on 30/1/2012.

Namibia

Constitution and Law

The constitution and law prohibit discrimination based on race, creed, gender, language, disability, social status, or religion, and specifically prohibit "the practice and ideology of apartheid"; however, the government did not effectively enforce all these prohibitions.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, health care, education, or the provision of any state services. Enforcement in this area was ineffective, and societal discrimination persisted.

The government does not require special access to public buildings, and some ministries remained inaccessible. However, during the year the government continued to require that all new government buildings include ramps. In addition, some street corners in the capital were outfitted with special signal crossings for the visually impaired.

The Office of the Prime Minister's Disability Advisory Unit was responsible for overseeing concerns of people with disabilities.

Other Relevant References

In contrast to 2010, there were no reports that persons with albinism were murdered and that their body parts were missing or mutilated, factors consistent with ritual killings.

Convention on the Rights of Persons with Disabilities

Namibia signed the Convention and the Optional Protocol on 25/4/2007. Namibia ratified the Convention and the Optional Protocol on 4/12/2007.

Niger

Constitution and Law

The law prohibits discrimination based on race, gender, disability, language, or social status; however, the government did not generally enforce these provisions, in large part because victims did not report discrimination or were pressured into handling it with traditional dispute mechanisms.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with physical and mental disabilities in employment, education, and access to health care and other government services, and the government generally enforced these provisions. The law mandates that the state provide for such individuals, but there were no specific regulations mandating accessibility to buildings, transportation, and education for persons with disabilities. The government provided limited health care to persons with disabilities. Societal discrimination existed against persons with disabilities, particularly mental disabilities and leprosy. The Ministry of Population, Women's Promotion, and Children's Protection is responsible for protecting the rights of persons with disabilities, including those with sensory or intellectual disabilities.

Convention on the Rights of Persons with Disabilities

Niger signed the Convention on 30/3/2007, and signed the Optional Protocol on 2/8/2007. Niger ratified the Convention and the Optional Protocol on 24/6/2008.

Nigeria

Constitution and Law

The constitution and law prohibit discrimination based on community, place of origin, ethnic group, sex, religion, or political opinion; however, the government did not enforce the law effectively. The constitution prohibits discrimination based on the circumstances of a person's birth. However, the constitution does not explicitly prohibit discrimination based on disability.

Persons with Disabilities

The constitution does not prohibit explicitly discrimination based on disability; however, it prohibits discrimination based on the circumstances of one's birth. No laws prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, or the provision of other state services. At year's end the president had not yet signed into law a disabilities bill passed in 2007 that sought to ensure education and accessibility for persons with disabilities. Government responsibility for persons with disabilities falls under the supervision of the Ministry of Women's Affairs and Social Development.

Mental health facilities remained almost nonexistent, although officials at individual prisons attempted to include specialized mental health facilities for prisoners with mental conditions. All disabled prisoners stayed with the general inmate population without regard to disability, and no additional services were available.

Persons with disabilities faced social stigma, exploitation, and discrimination, and relatives often regarded them as a source of shame. Many families viewed children with disabilities who could not contribute to family income as liabilities and sometimes severely abused or neglected them. Many indigent persons with disabilities begged on the streets.

The government ran vocational training centers in Abuja and Lagos to train indigent persons with disabilities. Individual states also provided facilities to assist those who were blind and other persons with physical disabilities to become self-supporting. Persons with disabilities established self-help NGOs, such as the Hope for the Blind Foundation in Zaria, Kano Polio Victims Trust Association, Joint National Association of Persons with Disabilities, Albino Foundation, and Comprehensive Empowerment of Nigerians with Disabilities. In 2008 the federal Ministry of Education estimated that there were 3.25 million school-age children with disabilities. Of these, only 90,000 (2.76 percent) enrolled in primary school and 65,000 (1.85 percent) in secondary school.

Other Relevant References

[S]erious human rights problems included sporadic abridgement of citizens' right to change their government, due to some election fraud and other irregularities; politically motivated and extrajudicial killings by security forces, including summary executions; security force torture, rape, and other cruel, inhuman, or degrading treatment of prisoners, detainees, and criminal suspects; harsh and life-threatening prison and detention center conditions; arbitrary arrest and detention; prolonged pretrial detention; denial of fair public trial; executive influence on the judiciary and judicial corruption; infringements on citizens' privacy rights; restrictions on freedom of speech, press, assembly, religion, and movement; official corruption; violence and

discrimination against women; child abuse; female genital mutilation (FGM); the killing of children suspected of witchcraft; child sexual exploitation; ethnic, regional, and religious discrimination; trafficking in persons for the purpose of prostitution and forced labor; discrimination against persons with disabilities; discrimination based on sexual orientation and gender identity; vigilante killings; forced and bonded labor; and child labor.

Prisoners with mental disabilities remained incarcerated with the general prison population. Individual prisons made efforts to provide mental health facilities, but most prisons did not provide mental health care.

Convention on the Rights of Persons with Disabilities

Nigeria signed the Convention and the Optional Protocol on 30/3/2007. Nigeria ratified the Convention and the Optional Protocol on 24/9/2010.

Rwanda

Constitution and Law

The constitution provides that all citizens are equal before the law, without discrimination on the basis of ethnic origin, tribe, clan, color, sex, region, social origin, religion or faith opinion, economic status, culture, language, social status, or physical or mental disability. The government generally enforced these provisions. However, problems remained.

Persons with Disabilities

The constitution prohibits discrimination on the basis of physical or mental disability and establishes the National Council for Persons with Disabilities (NCPD) to assist in coordinating government efforts to provide for the rights of persons with disabilities. The law prohibits discrimination against people with physical, sensory, intellectual, and mental disabilities in regard to employment, education, access to health care, and the provision of other state services, and the government generally enforced these provisions. The law also mandates access to public facilities, accommodations for taking national exams, provision of medical care by the government, and monitoring of implementation by the NHRC. The government generally implemented all of the foregoing provisions. The NCPD designated one member in the Chamber of Deputies. The National Union of Disability Organizations in Rwanda (NUDOR) provided an umbrella civil society platform for advocacy on behalf of persons with disabilities.

In December 2010 MINALOC conducted a census to establish a database of persons with disabilities, to be used as a planning tool for development projects, training for therapists, medical practitioners, and teachers in special education, including vocational training programs.

On August 22, the government launched a campaign to enable people with disabilities to have a barrier-free environment. However, handicap accessibility remained a problem throughout the country.

Some Rwandans viewed disability as a curse or punishment, which could result in social exclusion and sometimes abandonment or hiding of children from the community. From November 26 to December 3, the NCPD organized the first annual Disability Week, culminating in National Disability Day on December 3, to sensitize Rwandans to problems faced by persons

with disabilities. On December 23, the NCPD followed up with the country's first National Day of Children with Disabilities.

There was one government psychiatric referral hospital in Kigali, with district hospitals providing limited psychiatric services. All other mental health facilities were nongovernmental. In general facilities were under-equipped and understaffed. Individuals can be committed by a judge to Ndera Psychiatric Hospital involuntarily but must be referred by district officials after counseling and consultations with family members.

There were numerous claims of employment discrimination against people with disabilities. For example, a recent graduate of the School of Finance and Banking filed a complaint against the brewery Bralirwa after it allegedly refused her a job because she was deaf. NUDOR worked with the NCPD on the resolution of such claims.

Institutes of higher education admitted students with disabilities, but only the National University of Rwanda and the Kigali Institute of Education were able to accommodate students with visual disabilities. However, few disabled students could reach the university level because many primary and secondary schools were unable to accommodate their disabilities.

Convention on the Rights of Persons with Disabilities

Rwanda ratified the Convention and the Optional Protocol on 15/12/2008.

Sao Tome and Principe

Constitution and Law

The constitution provides for the equality of all citizens regardless of gender, race, social origin or status, political views, creed, philosophical convictions, disability, or language; nevertheless, women faced societal discrimination.

Persons with Disabilities

The law does not prohibit discrimination against persons with physical, sensory, mental, or intellectual disabilities. Nevertheless, there were no reports of discrimination against such persons. The law does not mandate access to buildings, transportation, or services for persons with disabilities.

Convention on the Rights of Persons with Disabilities

Sao Tome and Principe did not sign the Convention.

Senegal

Constitution and Law

The constitution provides that men and women are equal under the law and prohibits discrimination based on race, gender, disability, language, or social status. However, gender discrimination was widespread in practice, and antidiscrimination laws, in particular laws against violence against women and children, generally were not enforced.

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, access to health care, and the provision of other state services, and the government somewhat effectively enforced it. The law also mandates accessibility for persons with disabilities; however, there remained a lack of infrastructure to assist them, including in appropriately accessing voting sites. The Ministry of National Solidarity is responsible for protecting the rights of persons with disabilities.

The law reserves 15 percent of new civil service positions for persons with disabilities. However, according to the Senegalese National Association of People with Physical Disabilities, as of year's end the government failed to issue the executive decree required to make the law operational. The government operated schools for children with disabilities, provided grants for persons with disabilities to receive vocational training, and managed regional centers for persons with disabilities to receive training and funding for establishing businesses.

Several government programs that appeared to be earmarked for persons with disabilities offered services to other vulnerable populations, reducing resources for persons with disabilities. Due to a lack of special education training for teachers and facilities accessible to children with disabilities, only 40 percent of such children were enrolled in primary school.

Mental health treatment was not generally available, and incidents of abuse of the mentally disabled were common.

Other Relevant References

No civilian landmine-related deaths were noted during the year, indicating that awareness campaigns about land mines have been somewhat effective. However, some observers noted an increased use of land mines by the MFDC. Two civilian women were injured in a landmine attack on March 27 in Diakadiou, North Sindian. Handicap International continued work on an antimine campaign under the supervision of and in coordination with the National Mine Action Center, a governmental organization.

Several landmine accidents killed soldiers.

During the 29-year Casamance conflict, tens of thousands of persons left villages in the region due to fighting, forced removal, and land mines. Many persons reportedly became newly displaced during the year. The government estimated that 10,000 IDPs remain in the Casamance, although this number tended to fluctuate with the ebb and flow of the conflict. Some international humanitarian assistance agencies estimated the IDP number to be as high as 40,000. Some IDPs who attempted to return to their villages in rural communities south of Ziguinchor met with hostility from MFDC combatants, who survived on the same natural resources as returning IDPs.

During the year the government supplied food to and enrolled children of IDPs in local schools in Ziguinchor...

...In the Casamance region, talibes working in the fields were exposed to land mines left from the war.

Convention on the Rights of Persons with Disabilities

Senegal signed the Convention and the Optional Protocol on 25/4/2007. Senegal ratified the Convention on 7/9/2010.

Seychelles

Constitution and Law

The constitution and law affirm the right to be free from all types of discrimination but do not prohibit discrimination based on specific factors. In practice, there was no overt discrimination in housing, employment, education, or other social services based on race, gender, ethnicity, nationality, or disability.

Persons with Disabilities

Although the constitution and law provide for the right of persons with disabilities to special protection, including reasonable provisions for improving quality of life, no laws provide for access to public buildings, transportation, or state services, and the government did not provide such services. There was discrimination against persons with disabilities. For example, there were reports that some employers did not pay their employees with disabilities because the latter were already receiving disability social aid. The National Council for Disabled, a government agency under the Ministry of Social Development and Culture, developed work placement programs for persons with disabilities, although few such employment opportunities existed.

Convention on the Rights of Persons with Disabilities

Seychelles signed the Convention and the Optional Protocol on 30/3/2007. Seychelles ratified the Convention on 2/10/2009.

Sierra Leone

Persons with Disabilities

In March Parliament passed the Persons With Disabilities Act of 2011, which prohibits discrimination against persons with disabilities in employment and provision of state services. It further calls for free health care and education for the disabled, equal access to government buildings, housing, and public transportation, and provision of rehabilitation services; however, at year's end only three rehabilitation centers existed. At year's end NGOs supporting persons with disabilities claimed the government had made no headway on implementing the act's provisions. Given the high rate of general unemployment, work opportunities for persons with disabilities were few, and begging by them was commonplace. Children with disabilities were also less likely to attend school than other children.

There is considerable stigma associated with and discrimination against persons with mental health issues. The Sierra Leone Psychiatric Hospital in Kissy, the only inpatient psychiatric institution, had beds for 400 patients but housed only an estimated 100 patients due to staff and resource constraints, as the hospital was poorly funded by the government and received only small donations from private charities. Patients were generally released to their families or

communities as soon as possible and received follow-up counseling on a regular basis. The hospital estimated that 100,000 people suffered severe depression, generally due to socioeconomic problems. Approximately 50,000 people suffered drug and alcohol-induced psychosis, or psychoses caused by diseases like malaria. There were an estimated 100,000 severe drug abusers using alcohol, marijuana derivatives, or cocaine. In addition the hospital estimated there were 25,000 mentally retarded persons and 25,000 people suffering from epilepsy. The vast majorities of these people remained untreated and received no public services. The hospital lacked sufficient beds, and patients easily destroyed mattresses. Patients were not provided sufficient food. Patient restraints were primitive and dehumanizing. The hospital did not have running water and only sporadic electricity due to lack of funds. Basic medications were available, but many drugs targeted at specific problems were lacking. Hospital staff was poorly paid; in September nurses, caterers, and cleaners threatened to strike until their salaries were augmented and they were provided with uniforms and raincoats.

In September, in an effort to expand mental health services to areas outside Freetown, the Ministry of Health and Sanitation, in collaboration with the World Health Organization, certified 25 mental health workers in Bo.

The Ministry of Health and Sanitation is responsible for providing free primary healthcare services to persons with polio and diabetic retinopathy as well as those who are blind or deaf. However, these services were not provided consistently, and organizations reported that many persons with disabilities had limited access to medical and rehabilitative care. The National Committee for Social Action provided some support through limited programs to vulnerable communities. The Ministry of Social Welfare, Gender, and Children's Affairs has a mandate to provide policy oversight for issues affecting persons with disabilities but had limited capacity to do so.

Some of the many individuals maimed in the civil war, including those who had their limbs amputated, received special assistance from local and international humanitarian organizations. Such programs involved reconstructive surgery, prostheses, and vocational training to help victims acquire new work skills; however, amputees complained that they did not receive sufficient assistance compared to former combatants.

Other Relevant References

A number of domestic and international human rights groups generally operated without government restrictions, investigating and publishing their findings on human rights cases. Government officials often were cooperative and responsive to the views of local and international NGOs and generally acknowledged the problems raised. They often scheduled forums in conjunction with NGOs to discuss such topics as women's rights and the rights of the disabled.

[H]uman rights problems included abusive treatment by police; arbitrary arrest and detention; some restrictions on freedoms of press and assembly; discrimination and violence against women and girls, including female genital mutilation; official and societal discrimination against lesbian, gay, bisexual, and transgender individuals; discrimination against people with disabilities; and vigilante violence.

Convention on the Rights of Persons with Disabilities

Sierra Leone signed the Convention and the Optional Protocol on 30/3/2007. Sierra Leone ratified the Convention on 4/10/2010.

Somalia

Persons with Disabilities

Neither the TFC, nor the Somaliland constitution, nor the Puntland interim constitution specifically addresses discrimination on the basis of intellectual or physical disabilities, although they discuss support and/or protection for persons with disabilities more broadly. Under the TFC the state is responsible for the welfare of persons with disabilities, along with orphans, widows, war heroes, and the elderly. According to the Somaliland constitution, the state is responsible for the health, care, development, and education of mothers, children, the disabled, persons who have no one to care for them, and persons with mental disabilities. The Puntland interim constitution safeguards and advocates for the rights of orphans, persons with disabilities, and whoever needs the protection of the law. There are no laws to ensure building access for disabled persons.

In the absence of functioning governing institutions, the needs of most persons with disabilities were not addressed. Several local NGOs in Somaliland provided services for persons with disabilities and reported numerous cases of discrimination. Without a public health infrastructure, there were no specialized institutions to provide care or education for the mentally ill. It was common for such persons to be chained to a tree or restrained within their homes.

Other Relevant References

Land mines throughout the country caused civilian deaths...

Fewer cases involving land mines and unexploded ordnance were reported than in previous years. On July 16, on the outskirts of Hudur, Bakol region, two children were killed and another wounded when ordnance they were playing with exploded.

Convention on the Rights of Persons with Disabilities

Somalia has not signed the Convention.

South Africa

Constitution and Law

The constitution and law prohibit discrimination on the grounds of race, disability, ethnic or social origin, color, age, culture, language, sex, pregnancy, sexual orientation, or marital status. However, entrenched attitudes and practices exemplified in gender-based violence and employment inequities often resulted in the denial of these rights in practice.

Persons with Disabilities

The law prohibits discrimination on the basis of physical, sensory, intellectual, and mental disability; however, government and private sector discrimination existed. The law mandates

access to buildings for persons with disabilities, but such regulations were rarely enforced, and public awareness of them remained minimal.

There were more than 100,000 students with disabilities in mainstream schools, and the Department of Basic Education allocated part of its budget for assistive devices, material resources, and assistive technology. In a 2010 speech, Minister of Basic Education Angie Motshekga stated eight schools had been converted to full-service, inclusive schools, and 20 more identified for future conversion. The UN Educational, Scientific and Cultural Organization reported during the year that children with disabilities between the ages of seven and 15 were 20 percent less likely to attend school than children without disabilities.

The law prohibits harassment of persons with disabilities and, in conjunction with the Employment Equity Act, provides guidelines on the recruitment and selection of persons with disabilities, reasonable accommodation for persons with disabilities, and guidelines on proper handling of employee medical information. Enforcement of this law was limited. The law also requires employers with more than 50 workers to create an affirmative action plan with provisions for achieving employment equity for persons with disabilities. Persons with disabilities constituted only an estimated 0.8 percent of the workforce. The Ministry for Women, Children, and Persons with Disabilities launched a Web site linking persons with disabilities with civil service job information, but the government did not meet its target of 2 percent of government positions occupied by persons with disabilities.

The law does not allow persons identified by the courts as mentally disabled to vote. The Mental Health Information Center of South Africa noted that 20 percent of the population suffered from a mental illness that significantly impairs living.

The Ministry for Women, Children, and Persons with Disabilities is charged with protecting the rights of persons with disabilities, enhancing their development opportunities, and monitoring government departments to ensure that disability issues are addressed in policies, hiring practices, building plans, and other matters. All provincial and local governments also have offices charged with protecting the rights of persons with disabilities, and there are representatives advocating for persons with disabilities at the Commission for Gender Equality and the SAHRC. NGOs also advocated for the rights of persons with specific disabilities such as blindness.

At year's end there were 16 persons with disabilities with seats in the upper and lower houses of parliament.

Other Relevant References

Rape, including spousal rape, is illegal but remained a serious and pervasive problem. Minimum sentencing for rape convictions is 10 years in prison for the first offense, 15 years for the second, and 20 for the third. Under certain circumstances--such as multiple rapes, gang rapes, or the rape of a minor or a person with disabilities--conviction results in a minimum sentence of life imprisonment (25 years), unless substantial and compelling circumstances exist to justify a lesser sentence. Perpetrators with previous rape convictions and perpetrators aware of being HIV-positive at the time of the rape also face a minimum sentence of life imprisonment, unless substantial and compelling circumstances exist to justify a lesser sentence. According to the

2010-11 SAPS annual report, there were 56,272 reported cases of rape and indecent assault during the year and a total of 66,196 reported sexual offense cases; many of the victims were elderly women. The true incidence of rape was thought to be much higher. According to a 2008 study by SAPS and the Centre for the Study of Violence and Reconciliation, only 4.1 percent of reported rape cases resulted in conviction.

Women, particularly black women, typically had lower incomes and less job security than men. Most women were engaged in poorly paid domestic labor and microenterprises, which did not provide job security or benefits. The Department of Trade and Industry (DTI) provided incentive grants to promote the development of small- and medium-size businesses and microenterprises for women, young persons, and persons with disabilities. DTI also operated the Isivande Women's Fund to improve women's access to formal finance in the absence of personal savings and in the face of gender-biased institutions.

[H]uman rights problems included arbitrary arrest; lengthy delays in trials and prolonged pretrial detention; forcible dispersal of demonstrations; pervasive violence against women and children; societal discrimination against women, persons with disabilities, and the lesbian, gay, bisexual, and transgender (LGBT) community; trafficking in persons; violence resulting from racial and ethnic tensions and conflicts with foreigners; and child labor, including forced child labor and child prostitution.

Convention on the Rights of Persons with Disabilities

South Africa signed the Convention and the Optional Protocol on 30/3/2007. South Africa ratified the Convention and the Optional Protocol on 30/11/2007.

South Sudan

Constitution and Law

The transitional constitution prohibits discrimination on race, gender, disability, language, and social status; however, the government did not effectively enforce the law.

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services. The government has not implemented programs to ensure access to buildings for persons with disabilities. There were no mental health hospitals or institutions, and persons with mental illnesses were held in prisons.

Other Relevant References

Land mines planted by RMGs resulted in deaths and injuries. For example, on April 19, prior to the July 9 independence of South Sudan, the UN reported that an Adventist Development and Relief Agency truck carrying more than 56 metric tons of food detonated a land mine between Abeimnom and Mayom in Unity State. The driver and a passenger were injured.

On August 19 and 20, the detonation of two land mines in Bentiu, Unity State, resulted in at least five civilian deaths and injuries to numerous others. The government continued to

cooperate with the UN Mine Action Group and other demining groups to remove land mines in the South.

Security forces and RMGs operating in South Sudan restricted the movement of UN personnel and other humanitarian groups. Conflict in intertribal areas impeded the delivery of assistance to vulnerable populations, particularly prior to independence on July 9. Trucks carrying humanitarian supplies were vulnerable to land mines and hijackings. For example, a World Food Program truck on its way to deliver food to schools was hijacked during the year. Establishing the identity of perpetrators was often difficult.

The government's capacity to assist IDPs and refugees was extremely limited, and most humanitarian aid was provided by the international community or host families and communities. The UN High Commissioner for Refugees (UNHCR), other UN agencies, international NGOs, domestic NGOs, and other donors provided shelter, emergency health-care services, water and sanitation services, food assistance, nonfood items, and livelihood assistance for IDPs. However, conflict along the border, RMG activity, attacks, lack of infrastructure and road access, land mines, heavy rains, and flooding impeded the delivery of assistance to refugees inside and outside conflict zones. UN assessments consistently concluded that some areas of South Sudan's border with Sudan remained unsafe for the return of IDPs.

Convention on the Rights of Persons with Disabilities

South Sudan has not signed the Convention.

Sudan

Constitution and Law

The interim national constitution prohibits discrimination based on race and gender, but the government did not effectively enforce these provisions. The law does not address discrimination based on disability, language, or social status.

Persons with Disabilities

While the law does not specifically prohibit discrimination against persons with disabilities, it stipulates "the state shall guarantee to persons with special needs the enjoyment of all the rights and freedoms set out in the constitution, access to suitable education, employment, and full participation in society." The government has not enacted laws or implemented effective programs to ensure access to buildings for persons with disabilities. Credible sources noted prisoners with mental disabilities were chained 24 hours a day if they were considered a danger to themselves. Mentally disabled prisoners were not exempted from trial, although their cases could be deferred during treatment.

Other Relevant References

The UN reported both the SAF and Sudan Peoples' Liberation Army-North (SPLA-N) allegedly laid antipersonnel land mines in Kadugli, resulting in civilian deaths.

Convention on the Rights of Persons with Disabilities

Sudan signed the Convention on 30/3/2007. Sudan ratified the Convention and the Optional Protocol on 24/4/2009.

Swaziland

Constitution and Law

The constitution prohibits discrimination based on race, gender, disability, age, ethnicity, religion, political opinion, or social status; however, the government did not consistently enforce the law.

Persons with Disabilities

The constitution provides for the rights of persons with disabilities, but it does not differentiate between physical and mental disabilities and requires parliament to enact relevant implementing legislation, which parliament has not done. Parliament had not passed laws to prohibit discrimination against persons with disabilities in employment or to provide access to health care or other state services by year's end. Persons with disabilities complained of government neglect. No law mandates accessibility for persons with disabilities to buildings, transportation, or government services, although government buildings under construction included some improvements for those with disabilities, including access ramps. Public transportation was not user friendly for disabled persons, and the government does not provide any means of alternative accessible transport.

The Office of the Deputy Prime Minister and its Department of Social Welfare are responsible for protecting the rights of persons with disabilities.

On February 11, the *Swazi Observer* reported that police officers turned away Shadrack Nyaka, a person with disabilities who had come to register a charge of assault against his landlord. According to police, Nyaka was turned away because he could not speak, and police could not understand him since there are no sign language experts in the police stations.

There is one school for the deaf and one special education alternative school for children with physical or mental disabilities. Only 25 percent of adults with disabilities were employed, mostly in the private sector, according to a 2006 study conducted by the Ministry of Health and Social Welfare. The hospital for persons with mental disabilities, located in Manzini, was overcrowded and understaffed.

Other Relevant References

There was social stigma attached to albinism. Several people with albinism stated they were discriminated against, called names, and were at risk of being killed for ritual purposes. The government condemned such acts but took no further action.

Child abuse, including rape of children and incest, was a serious problem, but the crime was rarely reported, the government seldom punished perpetrators of abuse, and penalties seldom matched the crime. Many children became HIV positive as a result of rape. Most sexual assaults on girls occurred at home; fewer than half of sexual assaults were reported. Children with disabilities, children out of school, and orphans were at particular risk. According to a recent

report by the Swaziland Violence Surveillance System, at least 2,619 children were reported abused from January to June this year. Punishment for child abuse was minimal, and even perpetrators of abuse that resulted in death were generally fined no more than 200 emalangi (\$29)

Convention on the Rights of Persons with Disabilities

Swaziland signed the Convention and the Optional Protocol on 25/9/2007.

Tanzania

Constitution and Law

The constitution prohibits discrimination based on nationality, ethnicity, political affiliation, race, social status, or religion. Discrimination based on gender, age, or disability was not explicitly prohibited by law but was discouraged publicly in official statements and by government policies. Discrimination against women, refugees, minorities, and persons with HIV/AIDS or disabilities persisted, and ethnic tensions continued in some parts of the country.

Persons with Disabilities

The constitution prohibits discrimination against persons with disabilities. In 2010 the government passed the Persons with Disability Act to address the overall protection of disabled persons. Previous implementing legislation focused on specific, disjointed areas such as employment and access to healthcare, but most employers believed that disabled individuals were incapable of working, and most persons with disabilities remained unemployed.

Approximately 9 percent of the population consisted of persons with a disability, and persons with physical disabilities were effectively restricted in employment, education, access to health care, and other state services by physical barriers and inadequate financial resources. Although the government mandates access to public buildings, transportation, and government services for persons with disabilities, few buildings were accessible. New public buildings were being built in compliance with the law, but funds to retrofit existing structures were unavailable.

There were five members of mainland parliament with disabilities. One member of parliament elected in 2010, Salum Bar'wan, was the first with albinism. During the election campaign, his opponents repeatedly claimed that people with albinism lack vitamin C and therefore do not have the ability to think clearly.

The Ministries of Education, Justice, and Labor are responsible for enforcing the rights of persons with disabilities for education, legal claims, and labor rights, respectively. The Department of Social Welfare has responsibility for coordinating matters related to persons with disabilities.

Other Relevant References

There were three persons with disabilities in the Zanzibar House of Representatives...

Following death sentences given to 10 persons in 2010 for killing persons with albinism, this type of violence decreased significantly. In the Lake Zone, practitioners of witchcraft previously sought albino body parts in the belief that they could be used to create power and wealth. During the year, however, police confirmed only one killing connected to albinism. CHRAGG reported that it did not receive any complaints concerning albinism issues.

In March the district commissioner of Muheza intervened in the case of a young woman with albinism whose parents had kept her locked in a room for three years. The district commissioner negotiated her release and treatment in a local hospital.

On October 14, a man in the Geita region attacked Adam Robert, a 12-year-old with albinism. The assailant used a machete to sever three of Robert's fingers. At year's end the assailant was missing, but the police arrested five persons in connection with the attack, including Robert's father, stepmother, and a witch doctor who allegedly planned the attack. At year's end the case was pending in court...

The union and Zanzibar governments have separate labor laws. Workers on the mainland have the right to form and join independent trade unions, conduct legal strikes, and bargain collectively. In practice, however, some private mining and construction companies did not allow workers to form unions and in some cases terminated their employment. During the year the Tanzania Mines, Energy, Construction and Allied Workers' Union (TAMICO) recorded more than 200 unfair terminations of active unionized workers. Trade unions must consist of more than 20 employees and are required to register with the government. A trade union or employers' association must register within six months of its establishment; failure to register is a criminal offense. The law provides the registrar in the Ministry of Labor with significant control over trade unions, including the right to deregister unions if there is overlap within an enterprise. Unions have to submit financial records and a membership list to the registrar annually. The registrar can suspend a trade union if it determines that the union violates the law or endangers public security. Association with an international trade union requires government approval. Although the law does not specifically prohibit antiunion discrimination, in practice it is treated like other forms of legally defined discrimination (based on disability, religious affiliation, etc.). Trade Union Congress of Tanzania (TUCTA) officials stated that there were many instances of discrimination of union workers, particularly in mining companies. Disputes on grounds of antiunion discrimination must appear before the Commission for Mediation and Arbitration (CMA). Reinstatement is not mandatory.

[H]uman rights problems included restrictions on freedoms of press and assembly; some limitations on religious freedom, primarily in Zanzibar; restrictions on the movement of refugees; official corruption, including judicial corruption and inefficiency, particularly in the lower courts; societal violence against women and persons with albinism; child abuse, including female genital mutilation (FGM); and discrimination based on sexual orientation. Trafficking in persons, both internal and international, as well as child labor were problems.

Convention on the Rights of Persons with Disabilities

Tanzania signed the Convention on 30/3/2007, and signed the Optional Protocol on 29/9/2008. Tanzania ratified the Convention and the Optional Protocol on 10/11/2009.

Togo

Constitution and Law

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status; however, the government did not enforce these provisions effectively.

Persons with Disabilities

The law prohibits discrimination against persons with physical, mental, and sensory disabilities in employment, education, access to health care, or in the provision of other state services, but the government did not effectively enforce these provisions. There was no overt government discrimination against persons with disabilities, and such persons held government positions, but societal discrimination against persons with disabilities was a problem. The government does not mandate accessibility to public or private facilities for persons with disabilities, although some public buildings had ramps. While the law nominally obliges the government to aid persons with disabilities and shelter them from social injustice, the government provided only limited assistance.

The Agency for Handicapped Persons, under the Ministry of Social Action and National Solidarity, is responsible for protecting the rights of persons with disabilities. During the year the ministry held awareness campaigns to fight discrimination and to promote equality; it also distributed food and clothing and provided some skills training to persons with disabilities.

Other Relevant References

[H]uman rights abuses included arbitrary arrest and detention, including lengthy pretrial detention, and executive influence over the judiciary. The government infringed on citizens' privacy rights and restricted freedoms of press, assembly, and movement. Official corruption was pervasive. Discrimination and violence against women were problems. Child abuse, including female genital mutilation (FGM) and sexual exploitation, occurred. Trafficking in persons and societal discrimination against persons with disabilities were problems. Official and societal discrimination persisted against persons with disabilities; regional and ethnic groups; and members of the lesbian, gay, bisexual and transgender (LGBT) community. Societal discrimination against persons with HIV was significant. Child labor, including forced child labor, was a problem

Convention on the Rights of Persons with Disabilities

Togo signed the Convention and the Optional Protocol on 23/9/2008. Togo ratified the Convention and the Optional Protocol on 1/3/2011.

Uganda

Constitution and Law

The law prohibits discrimination based on race, gender, disability, language, or social status. The government did not enforce the law in matters of locally or culturally prevalent discrimination against women, children, persons with disabilities, or certain ethnic groups.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, or mental disabilities in employment, education, access to health care, and the provision of other state services. The government did not enforce the law effectively, and persons with disabilities faced societal discrimination and limited job and educational opportunities. The UHRC also received complaints of discrimination in employment and access to transport and other public services. Most schools in the country did not accommodate persons with disabilities. There was no statutory requirement that buildings be accessible to persons with disabilities. While the law requires that children with disabilities be given necessary special facilities, a September survey conducted by the National Council on Disability showed that 80 percent of hospitals and health centers lacked access ramps.

The law reserves five seats in parliament for representatives of persons with disabilities. However, a government-sponsored NGO managed elections to these five seats in a process that was not transparent. Government agencies responsible for protecting the rights of persons with disabilities included the Ministry of State for Disabled Persons and the Ministry of Gender, Labor, and Social Development, but both agencies lacked sufficient funding to undertake any significant initiatives

Other Relevant References

According to the UNHCR, only 30,000 IDPs, or about 1.6 percent of the 1.8 million persons internally displaced by the 20-year LRA conflict, remained in four camps in the North at year's end as the vast majority of IDPs continued a difficult reintegration into their original communities. Authorities continued the process of closing IDP camps, 247 of which have been closed in recent years. Conditions in IDP camps improved as a result of the lowered IDP population. Many who remained in IDP camps were considered "extremely vulnerable individuals" due to age or disabilities, according to international humanitarian organizations.

The law requires elections through electoral colleges for the seats reserved for special-interest groups in parliament: 112 seats were reserved for women, five for organized labor, five for persons with disabilities, five for youth, and 10 for UPDF. However, the five persons with disabilities were selected via an opaque "electoral college" process organized by a single government-supported NGO.

Other Relevant References

The three most important human rights problems in the country were lack of respect for the integrity of the person (including unlawful killings, torture, and other abuse of suspects and detainees); unwarranted restrictions on civil liberties (freedom of assembly, the media, and association); and violence and discrimination against marginalized groups (women, including female genital mutilation victims; children, including victims of sexual abuse and ritual killing; persons with disabilities; and the lesbian, gay, bisexual, and transgender community).

Convention on the Rights of Persons with Disabilities

Uganda signed the Convention and the Optional Protocol on 30/3/2007. Uganda ratified the Convention and the Optional Protocol on 25/9/2008.

Zambia

Constitution and Law

The constitution and law prohibit discrimination based on race, ethnic group (tribe), gender, place of origin, marital status, political opinion, color, disability, language, social status, or creed. However, the government did not effectively enforce the law, and violence and discrimination against women and children, discrimination based on sexual orientation, trafficking in persons, and discrimination against persons with disabilities remained problems.

Persons with Disabilities

The law prohibits discrimination in general, but there is no law that specifically prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, the provision of other state services or in other areas. Although the government did not restrict persons with physical or mental disabilities from voting or participating in civic affairs, the law prohibits those with mental disabilities from holding public office. Persons with disabilities faced significant societal discrimination in employment and education.

The Ministry of Education, Science and Vocational Training, and the Ministry of Community Development, Mother and Child Health have responsibility for ensuring the welfare of persons with disabilities. However, public buildings, schools, and hospitals rarely had facilities to accommodate persons with disabilities. The government did not mandate accessibility to public buildings and services for persons with disabilities. No patterns of abuse of persons with disabilities in prisons were reported.

Other Relevant References

[S]erious human rights problems included long trial delays; arbitrary interference with privacy; restrictions on freedom of speech, press, assembly, and association; government corruption; violence and discrimination against women; child abuse; trafficking in persons; discrimination based on sexual orientation and against persons with disabilities; restrictions on labor rights; forced labor; and child labor.

Convention on the Rights of Persons with Disabilities

Zambia signed the Convention on 9/5/2008, and signed the Optional Protocol on 29/9/2008. Zambia ratified the Convention on 1/2/2010.

Zimbabwe

Constitution and Law

The constitution and law provide that no person can be deprived of fundamental rights, such as the right to life, liberty, and security of person, based on one's race, tribe, place of origin, political opinions, color, creed, gender, or disability. Nevertheless, the constitution allows for discrimination, primarily against women, on the grounds of "customary law." Discrimination against women and persons with disabilities persisted. The government and ZANU-PF continued to infringe on the right to due process, citizenship, and property ownership in ways that affected the white minority disproportionately.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, access to public places, and the provision of services, including education and health care. Nevertheless, the law was not widely known or implemented by government institutions. The lack of resources devoted to training and education severely hampered the ability of persons with disabilities to compete for scarce jobs. The law stipulates that government buildings be accessible to persons with disabilities, but implementation was slow. NGOs continued to lobby to include persons with albinism in the definition of “disabled” under the law. Persons with disabilities faced harsh societal discrimination. Traditional belief viewed persons with disabilities as bewitched and, consequently, as persons who should be locked away. Children with disabilities often were hidden when visitors arrived.

Children with disabilities were discriminated against in educational institutions. The unavailability of essential services, including sign language interpreters, Braille materials, and ramps, prevented children with disabilities from attending school. Many schools refused to accept children with certain disabilities.

According to the National Association of Societies for the Care of the Handicapped, persons with disabilities were a forgotten and invisible group in society. The organization also reported that only 33 percent of children with disabilities had access to education.

Persons with mental disabilities also suffered from inadequate medical care and general provision of health services. There were eight centralized mental health institutions in the country with a capacity of more than 1,300 patients, in addition to the three special institutions run by the ZPS for long-term patients and those considered to be dangerous to society. Inpatients in the eight centralized institutions received cursory screening, and most waited for at least one year for a full medical review. A shortage of drugs and adequately trained mental health professionals resulted in patients not being properly diagnosed and not receiving adequate therapy. There were fewer than 10 certified psychiatrists working in public and private clinics and teaching in the country. There was a 50 percent vacancy rate for psychiatric-trained nurses. More than 90 percent of the available psychiatric services were provided at the mental institution in Bulawayo. NGOs reported patients subjected to deplorable living conditions due in part to shortages of food, water, clothing, and sanitation. Budgetary constraints and limited capacity at these institutions resulted in persons with mental disabilities being kept at home and cared for by family, normally in chains and without treatment.

Prison inmates in the three facilities run by the ZPS were not necessarily convicted prisoners. Inmates with psychiatric conditions were examined by two doctors, who were required to both confirm a mental disability and recommend that a patient either be released or returned to a mental institution. In practice prisoners with mental disabilities routinely waited as long as three years before being evaluated. Prisoners with confirmed mental disabilities were increasingly sent to prison rather than mental institutions due lack of capacity in those institutions.

The five-year program launched in 2009 by the National Association of Societies for the Care of the Handicapped provided civic education to persons with disabilities with the goal of encouraging greater civic participation.

Other Relevant References

Due to a lack of health care professionals and medications, prisoners with confirmed mental disabilities were generally sent to prison rather than mental institutions.

ZANU-PF's control and manipulation of the political process effectively negated the right of citizens to change their government. Prison conditions were harsh. Lengthy pretrial detention was a problem. Executive influence and interference in the judiciary continued, and the government infringed on citizens' privacy rights. Freedoms of speech, press, assembly, association, and movement were restricted, and the government continued to evict citizens, invade farms, and demolish homes and informal marketplaces. The government impeded nongovernmental organization (NGO) efforts to assist those displaced and other vulnerable populations. The government arrested, detained, and harassed NGO members. Government corruption remained widespread, particularly at the local level. Violence and discrimination against women; child abuse; trafficking of women and children; and discrimination against persons with disabilities, racial and ethnic minorities, the lesbian, gay, bisexual, and transgender (LGBT) community, and persons with HIV/AIDS were problems. Government interference with labor-related events occurred. Child labor, including the worst forms of child labor, was a problem.

Convention on the Rights of Persons with Disabilities

Zimbabwe has not signed the Convention.