

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

Africa

Angola

Constitution and Laws

The constitution and laws 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, including persons with physical, sensory, intellectual and mental disabilities, in employment, education, and access to health care or other state services, but the government did not effectively enforce these prohibitions. It does not specifically mention the rights of persons with disabilities with regard to transportation, including air travel. 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 and other ERW victims. The NGO Handicap International estimated that in total, up to 500,000 persons lived with disabilities. 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 the Ministry of Assistance and Social Reinsertion statistics published in December 2011, 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. The ministry 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. Women with disabilities were reported to be vulnerable to sexual abuse and abandonment when pregnant. The Ministry of Assistance and Social Reinsertion 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 August election, the government provided voting assistance to persons with disabilities. The country had not signed the United Nations Convention on the Rights of Persons with Disabilities by year's end.

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Other Relevant References

Violence and discrimination against women, child abuse, child prostitution, trafficking in persons, accessible facilities, and discrimination against persons with disabilities in regards to employment and education were problems. The enforcement of new protective measures is slow.

The 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 took some measures to address these problems but fell short of a comprehensive response.

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 persons with disabilities 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.

In June 2011 a blind woman filed an appeal with the Constitutional Court to complain about the Ministry of Labor and Civil Service's rejection of her application to sit for a competitive exam to recruit young magistrates. The ministry claimed it was not equipped to offer the exam in Braille. The Constitutional Court stated on May 3 that the decision of the Ministry of Labor and Civil Service discriminated against the woman. However, rulings by the Constitutional Court are not binding.

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.

Other Relevant References

The traditional practices of killing deformed babies and breech babies continue in the north.

The Convention on the Rights of Persons with Disabilities

Benin signed the Convention and the Optional Protocol on 8/2/2008 and ratified the Convention and Optional Protocol on 5/7/2012.

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Botswana

Constitution and Laws

The constitution and law prohibit governmental discrimination based on ethnicity, race, nationality, creed, sex, or social status, and the government generally respected these provisions in practice. In addition, 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; gays and lesbians; persons with HIV/AIDS; and persons with albinism.

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. Although the law does not specifically prohibit discrimination against persons with sensory or intellectual disabilities, there was little discrimination against these persons in general. The government has a 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. The law does not specifically include air travel with other modes of transportation, but in general people with disabilities were provided access to air transportation. 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 was some discrimination against persons with disabilities and employment opportunities remained limited. Children with disabilities attended school, and there were no patterns of abuse in educational and mental health facilities. The government did not restrict persons with disabilities from voting or participating in civil affairs and made some accommodations during elections to allow for persons with disabilities to vote.

There is a department of disability coordination in the Office of the President to assist persons with disabilities. The department held a workshop in July to teach sign language to labor and home affairs ministry officers.

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.

Other Relevant References

Some human rights problems remained, including [...] discrimination against persons with disabilities, gays and lesbians, persons with HIV/AIDS, and persons with albinism.

While persons with albinism were subject to some social discrimination, individuals were generally able to exercise their rights in practice.

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The 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 2010 the government enacted legislation to provide persons with disabilities with less costly or free healthcare and access to education and employment; the law also includes building codes to ensure access to governmental buildings. Children with disabilities attended primary and secondary school, as well as higher institutions of learning. Nevertheless, persons with disabilities continued to encounter discrimination and reported difficulty finding employment, including in government service. Exacerbating these problems was the common perception that persons with disabilities should be under the care of their families and not in the workforce.

A May 15 decree created the Multi-sectoral National Council for the Promotion and Protection of People with Disabilities, which included 90 members from different ministries, NGOs, and civil society organizations. On July 18, the Council of Ministers adopted further decrees to protect the rights of persons with disabilities, including in transportation. Since December 11, state-owned television provides newscast transcription in sign-language for deaf people.

Programs to aid persons with disabilities were limited. During the year NGOs and the National Committee for the Reintegration of Persons with Disabilities conducted awareness campaigns and implemented integration programs. 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 provided vocational training and equipment to persons with disabilities.

Other Relevant References

Human rights problems included [...] societal violence and discrimination against women and children, including female genital mutilation; trafficking in persons; discrimination against persons with disabilities; and child labor.

The Convention on the Rights of Persons with Disabilities

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

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Burundi

Constitution and Laws

The constitution provides for equal status and protection for all citizens, without distinction based on race, language, religion, sex, or ethnic origin, but the law does not explicitly address distinctions based on sexual orientation or gender identity. The government did not enforce the law in many cases.

Persons with Disabilities

The constitution prohibits discrimination against persons with physical, mental, sensory, or intellectual disabilities; however, the government did not promote or protect the rights of persons with disabilities with regard to employment, education, or access to health care. The law does not address the rights of persons with disabilities to air travel and other transportation. Although persons with disabilities were eligible for free health care 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 resulted in 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 References

Human rights abuses during the year included [...] discrimination against gays and lesbians and persons with albinism; and restrictions on labor rights.

Sporadic killings of persons with albinism, in which the victims' body parts were removed for use in witchcraft, continued.

Children with albinism sometimes faced discrimination in school and within their families. For example, three students with albinism reportedly abandoned their schooling in Makamba Province after their teacher discriminated against them. Officials of Albinos without Borders (ASF) mediated the conflict between the teacher and students, convincing the students to reenroll. Fathers sometimes sent away women who gave birth to children with albinism.

The Convention on the Rights of Persons with Disabilities

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

Cameroon

Constitution and Laws

The law does not explicitly forbid discrimination based on race, language, or social status, but it prohibits discrimination based on gender and mandates that “everyone has equal rights and obligations.” The government did not enforce these provisions effectively, and violence and

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discrimination against women and girls, trafficked persons, ethnic minorities, gays and lesbians, and suspected witches were problems.

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 is tuition-free for persons with disabilities and children born of parents with disabilities, and initial vocational training, medical treatment, and employment must be provided “when possible,” and public assistance “when needed.” In August the ministers of education and social affairs publicly reminded all schoolmasters that children with disabilities and children of parents with disabilities would be admitted to school tuition-free.

Of the 25,000 young, educated citizens recruited during the year by the government to reduce unemployment, especially among youth, approximately 0.1 percent were persons with disabilities.

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.

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

Other Relevant References

Societal violence and discrimination against women and girls, including female genital mutilation, child trafficking, and discrimination against gays and lesbians occurred. Societal discrimination continues against persons with albinism, and employment opportunities for persons with albinism remained limited. Society largely treats those with disabilities as outcasts, and many believe that providing assistance was the responsibility of churches or foreign NGOs.

The 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. Violence and discrimination against women and children remained significant problems.

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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.

However, 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 2012 of abuse of 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 otherwise participate in civic 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 non-enforcement and inadequate regulations continued to be obstacles.

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

The Ministry of Employment, Human Resources, and Youth (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.

Other Relevant References

Persons with disabilities still face daily obstacles, like physical accessibility, communication means, and public transport appropriate for persons with disabilities, which hinder their integration.

The Convention on the Rights of Persons with Disabilities

Cape Verde signed the Convention on 30/3/2007 and 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. Workforce integration practices suffer from non-enforcement and inadequate regulations.

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Persons with Disabilities

The law prohibits discrimination against persons with both mental and physical disabilities but does not specify other forms of 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 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 sporadic 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, including by surgeons, and prostheses to persons with physical disabilities.

The Convention on the Rights of Persons with Disabilities

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

Chad

Constitution and Laws

Although the constitution and law prohibit discrimination based on origin, race, gender, religion, political opinion, or social status, the government did not effectively enforce these provisions. The law does not address discrimination based on sexual orientation or gender identity.

Persons with Disabilities

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

Children with some physical disabilities attended primary, secondary, and higher education institutions. The government supported schools for children with visual or mental disabilities. The country had numerous individuals with disabilities caused by polio, many of whom held high-ranking positions in the government.

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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.

The Convention on the Rights of Persons with Disabilities

Chad signed the Convention and Optional Protocol on 26/9/2012.

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 applicable laws, particularly the labor code, prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities. On February 4, the president signed domestic legislation ratifying the Convention on the Rights of Persons with Disabilities. Consequently, the law now mandates access to buildings, information, communication, education, air travel and other transportation for persons with disabilities. However, the government did not effectively enforce these laws.

Despite absence of appropriate accommodation for children with disabilities, such children attended schools, both public and private. There was little observed stigma or discrimination attached to most visible physical 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, which was recently renovated with help from Australian and other donors, also imported wheelchairs and prostheses.

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

The Convention on the Rights of Persons with Disabilities

Comoros signed the Convention on 26/7/2007.

Congo, Democratic Republic of the

Constitution and Laws

The constitution prohibits discrimination based on ethnicity, gender, or religion. The government did not enforce these prohibitions effectively.

In many cases throughout this section data from prior years are presented because more recent data were not available. In all such cases observers believed that the situation had not materially improved during the year.

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Persons with Disabilities

The 2006 constitution prohibits discrimination against persons with disabilities, stipulates that all citizens regardless of their abilities have access to public services, including education, and provides that persons with disabilities are afforded specific protections by the government. In addition the labor code states that private, public, and semipublic companies cannot discriminate against qualified candidates based on their intellectual, sensorial, and physical disabilities. The government did not effectively enforce these provisions, 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. The Ministry of Social Affairs, together with other applicable ministries (Labor, Education, Justice, Health), has the lead in ensuring persons with disabilities are treated equally.

According to UNICEF, children with disabilities or speech impediments were sometimes branded as witches.

Other Relevant References

Discrimination against persons with albinism was 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. According to a 2007 survey conducted in Kisangani by the UN Development Program, 83 percent of parents of albinos stated that their children were successful in school, but 47 percent said they felt humiliated by having albino children.

According to UNICEF, there was a practice of branding as witches children with disabilities or even speech impediments and learning disabilities; this practice sometimes resulted in parents abandoning their children. According to UNICEF, as many as 70 percent of the street children they assisted claimed to have been accused of witchcraft.

The Convention on the Rights of Persons with Disabilities

The Democratic Republic of the Congo has not signed the Convention.

Congo, Republic of the

Constitution and Laws

The law and constitution prohibit discrimination on the basis of race, gender, language, religion, social status, and disability; however, the government did not effectively enforce these prohibitions. There were documented instances of societal discrimination and violence against women and discrimination against indigenous persons.

Persons with Disabilities

The law specifically 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

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services, although the government generally did not enforce the law. The Ministry of Social Affairs is the lead ministry responsible for this problem.

There were no laws mandating access for persons with disabilities.

The Convention on the Rights of Persons with Disabilities

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

Cote d'Ivoire

Constitution and Laws

The law prohibits discrimination based on race, ethnicity, national origin, gender, or religion; however, the government did not effectively enforce the law. The law does not address discrimination based on disability, language, sexual orientation, gender identity, or social status.

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. Wheelchair-accessible facilities 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 the government 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. While the government reserved 800 civil service jobs for persons with disabilities, government employers sometimes refused to employ persons with disabilities.

The government financially supported special schools, training programs, 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. Although persons with disabilities were not barred from attending public schools, such schools lacked the resources to accommodate students with special needs. Persons with mental disabilities often lived on the street.

The Ministry of Labor, Social Affairs, and Professional Training and the Federation of the Handicapped were responsible for protecting the rights of persons with disabilities. The Ministry of Former Combatants and Victims of War, disbanded in November during the government restructuring, was responsible for providing reparations for those whose disabilities stemmed from violent conflict. The ministry was ineffective, in large part due to insufficient funding and a lack of coordination with other government institutions.

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Other Relevant References

Schools lack the resources to accommodate students with special needs. Persons with mental disabilities often lived on the street.

The 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, social status, sexual orientation, or gender identity.

Persons with Disabilities

The constitution does not prohibit discrimination against persons with disabilities, although the labor code prohibits discrimination in employment against such persons. Both the Ministry of National Solidarity and the Ministry for the Promotion of Women and Family Planning had responsibility specifically to protect the rights of such persons; however, the law was not enforced. The government did not mandate accessibility to buildings or government services for persons with disabilities, and such buildings were often inaccessible. Persons with disabilities had access to health care and education, including primary, secondary, and higher education.

Authorities held prisoners with mental disabilities in separate cells. They received minimal psychological treatment or monitoring. Families could request to have mentally ill relatives confined in prison. In July a man with mental disabilities was taken into police custody at the request of his family and allegedly tortured by police; the victim subsequently died (see section 1.c.). In November an inmate with mental disabilities committed suicide. Societal discrimination against persons with disabilities occurred. The National Human Rights Commission conducted awareness raising campaigns, and 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

Significant human rights abuses in the country included [...] discrimination against persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Djibouti ratified the Convention and Optional Protocol on 18/6/2012.

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Equatorial Guinea

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, religion, language, or social status; neither the law nor the constitution addresses discrimination based on disability or sexual orientation. The government did not enforce the law effectively.

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.

Children with disabilities attended primary, secondary, and higher education, although no accommodations were made for special needs students. The government did not routinely audit educational and mental health facilities to ascertain if students with disabilities were subject to abuse. There were no restrictions on the right of persons to vote or participate in civic affairs on the basis of their disability. The local Red Cross, with financial support from the government, managed the country's school for deaf children. 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 first lady gave several highly publicized donations to help persons living with disabilities.

Although there was no legal mandate, the Ministry of Education and the Ministry of Health worked to ensure that the national health-care system provided wheelchairs and promoted government employment for persons with physical impairments.

The Convention on the Rights of Persons with Disabilities

Equatorial Guinea has not signed the Convention.

Eritrea

Constitution and Laws

The law and unimplemented constitution prohibit discrimination against women and persons with disabilities, and discrimination based on race, language, and social status, but the government did not enforce these provisions. The constitution does not specifically address discrimination based on sexual orientation or gender identity.

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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. This was interpreted as applying specifically to physical disabilities. The government dedicated substantial resources to support and train the thousands of men and women with physical disabilities resulting from the war for independence and the later conflict with Ethiopia. No laws mandate access for persons with disabilities to public roads, public or private buildings, information, and communications. An increasing number of hotels and government offices provided such access or employed guards who offered assistance as needed. The Ministry of Labor and Human Welfare was responsible for protecting the rights of persons with disabilities, and this included persons with mental disabilities.

Other Relevant References

Societal abuse and discrimination against women, members of the Kunama ethnic group, gays and lesbians, members of certain religious groups, persons with disabilities, and persons with HIV/AIDS remained areas of concern

Of the remaining 20 prison inmates of the group still alive at the Era-Ero prison, nine have reportedly become disabled physically or mentally.

The Convention on the Rights of Persons with Disabilities

Eritrea has not signed the Convention.

Ethiopia

Constitution and Laws

The constitution provides all persons equal protection without discrimination based on race, nation, nationality or other social origin, color, gender, language, religion, political or other opinion, property, birth, or status. However, in practice the government did not fully promote and protect these rights.

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 based on 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 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

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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 2010 Population Council Young Adult Survey found young persons with disabilities were less likely to have ever attended school than young persons without disabilities. The survey indicated girls with disabilities were less likely than boys with disabilities to be in school; 23 percent of girls with disabilities were in school, compared to 48 percent of girls without disabilities and 55 percent of boys without disabilities. Overall, 47.8 percent of young persons with disabilities surveyed reported not going to school due to their disability. Girls with disabilities also were much more likely to suffer physical and sexual abuse than girls without disabilities. Thirty-three percent of sexually experienced disabled girls reported having experienced forced sex. According to the same survey, some 6 percent of boys with disabilities had been beaten in the three months prior to the survey, compared to 2 percent of boys without disabilities.

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.

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, like other civil society organizations, continued to be affected negatively by the CSO law.

Other Relevant References

Human rights abuses reported during the year included [...] societal discrimination against persons with disabilities and religious and ethnic minorities.

The Convention on the Rights of Persons with Disabilities

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

Gabon

Constitution and Laws

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. The constitution and law do not prohibit discrimination based on sexual orientation or gender identity.

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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. Sensory disabilities are subsumed under congenital and accidental disabilities in law, but the concept of intellectual disability is not recognized. The law provides for the rights of persons with disabilities to education, health care, and transportation, but enforcement was limited and there were no programs to ensure access to buildings, information, and communications. While schools and mental facilities did not address the special needs of persons with disabilities, there were no reports of abuse. Such individuals had equal access to health care. Accommodations were made to allow for access to air travel but not for ground transportation.

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 2011 the Ministry of Health funded income generation projects for 194 persons with disabilities. The program was transferred to the Ministry of Social Affairs during the year.

The Convention on the Rights of Persons with Disabilities

Gabon signed the Convention on 30/3/2007 and 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 discrimination or exploitation of disabled persons, particularly as regards access to health services, education, and employment, and these provisions were effectively enforced. Access to air travel and other transportation are not specifically mentioned. There were no laws to ensure access to buildings for persons with disabilities, and very few buildings in the country were accessible to them. Neither the constitution nor laws explicitly prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities. The law also 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.

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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.

The Convention on the Rights of Persons with Disabilities

The Gambia has not signed the Convention.

Ghana

Constitution and Laws

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 specifically to order enforcement of these prohibitions.

Persons with Disabilities

The law explicitly prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, health care, air travel and other transportation, and other domains. The National Council on Persons with Disability (NCPD), 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.

In March parliament passed a Mental Health Bill, which then president Mills signed into law in May. In August the country ratified the United Nations Convention on the Rights of Persons with Disabilities. More than five million people with disabilities lived in the country, one-fifth of the total population, including 2.8 million people with mental disabilities.

Persons with both mental and physical disabilities were frequently subjected to abuse and intolerance. 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.

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

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. During the year Human Rights Watch released a report on prayer camps based on interviews with current and former inmates, family members, and healthcare professionals. The report noted that some families caring for mentally ill members had limited financial resources and viewed prayer camps as an accessible treatment option. Human Rights Watch and other NGOs 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

Human rights problems included the following: [...] societal discrimination against women, persons with disabilities, gays and lesbians, and persons with HIV/AIDS.

The Convention on the Rights of Persons with Disabilities

Ghana signed the Convention and Optional Protocol on 30/3/2007 and ratified the Convention and Optional Protocol on 31/7/2012.

Guinea

Constitution and Laws

Although the law states that all persons are equal before the law regardless of gender, race, ethnicity, language, beliefs, political opinions, philosophy, or creed, the government did not enforce these provisions uniformly.

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Persons with Disabilities

The law does not prohibit discrimination against persons with disabilities in employment, education, air travel and other transportation, 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. There were no special provisions to assist persons with disabilities in the voting process. 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. The country has one school for disabled children in the nation's capital. There was no additional government support for disabled children to attend school.

The 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 Optional Protocol on 8/2/2008.

Guinea-Bissau

Constitution and Laws

The law prohibits discrimination, but does not designate the kinds of discrimination the prohibition covers. The government did not enforce prohibitions against discrimination.

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, or other provisions of state services. There were no government efforts to mitigate discrimination against persons with disabilities or ensure their access to buildings, information, and communications. Some children with disabilities may have attended primary and perhaps secondary schools; higher education was not functioning during the year. There were no reports of children experiencing abuse in schools or in mental health facilities. 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. Provisions existed to allow blind and illiterate voters to participate in the electoral process, but voters with intellectual disabilities could be restricted from voting.

The Convention on the Rights of Persons with Disabilities

Guinea-Bissau has not signed the Convention.

Kenya

Constitution and Laws

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

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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 national and local government 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. While the law provides that persons with disabilities should have access to public buildings, and some buildings in major cities had wheelchair ramps and modified elevators and restrooms, the government did not enforce the law, and new construction often did not include accommodations for persons with disabilities. Government buildings in rural areas generally were not accessible 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 opportunities 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 carried out a survey on the status of the rights of persons with disabilities in Uasin Gishu and Elgeyo Marakwet counties during the year, visiting learning institutions, hospitals, law courts, government buildings, and prisons. According to the KNCHR report, most government buildings in these counties were inaccessible to persons with disabilities, and lack of sign language interpretation and Braille at public places, police stations, and the courts created significant barriers and prevented persons with disabilities from meaningful public participation. Negative societal attitudes also posed significant challenges to persons with disabilities, as most families tended to abandon relatives with disabilities in hospitals or in special schools for children with disabilities, which lacked the funds either to educate or care for them. The report noted that a cash-transfer program from the Disability Fund was being implemented in Elgeyo Marakwet, but that it targeted few households and the amount of 1,500 shillings (\$17) distributed monthly was very inadequate.

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.

Few facilities provided interpreters or other accommodations to the deaf or those with other 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 often were delayed or forced

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to adjourn due to the lack of standby interpreters, according to an official with the Deaf Outreach Program.

Not all polling stations were equipped with accommodations for persons with disabilities. However, during recent by-elections the Kenya Society for the Mentally Handicapped and the Disabled Voters of Kenya Alliance worked closely with the Interim Independent Electoral Commission of Kenya, the predecessor to the IEBC, 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. The Association for the Physically Disabled of Kenya carried out advocacy campaigns on behalf of persons with disabilities, distributed wheelchairs, and worked with public institutions to promote the rights of persons with disabilities. The KNCHR noted that awareness of the rights of persons with disabilities had increased as a result in some counties, but it faulted the government for not ensuring equal protection of the rights of persons with disabilities throughout the country.

In December the Office of the Prime Minister organized a conference on disability issues that was attended by approximately 350 disability activists from around the country as well as the permanent secretaries of various government ministries. The conference enabled disability leaders to communicate their concerns directly to leaders of the coalition government.

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. 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 2010. Also in 2010 a man was arrested for trafficking a person with albinism to Tanzania and attempting to sell him for 400 million Tanzanian shillings (\$260,000). The government carried out a census of persons with albinism and provided them with sunscreen but offered little health care or other support. Due to societal discrimination, employment opportunities for persons with albinism were limited.

The 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 Laws

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

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women remain disadvantaged with regard to property rights, inheritance, and succession rights. Persons with disabilities were disadvantaged regarding access to buildings, employment, education, air travel and other transportation, information and communications, and health care. In June the government created the new Ministry of Social Development, pulling offices from the old Ministry of Health and Social Welfare, to improve focus on the needs of persons with disabilities, orphans, and other disadvantaged members of the community.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with disabilities in employment, education, access to health care, or the provision of other state services. The constitution does not refer to specific disabilities or to access to air travel and other transportation. The minister of social development issued a public appeal to transport operators to provide at least one vehicle per bus route that accommodated persons with special needs. The national disability policy establishes a framework for inclusion of persons with disabilities in poverty reduction and social development programs, but by year's end the government had not incorporated objectives or guidelines in the implementation of these programs. The Association of the Disabled promoted the rights and needs of persons with disabilities.

Laws and regulations stipulate that persons with disabilities should have access to public buildings. Public 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. Service providers in the government or private sector did not provide sign language, so signing individuals could not access state services. There were limited facilities for training persons with disabilities. Children with physical disabilities attended school; however, facilities to accommodate them in primary, secondary, and higher education were limited. Two schools accommodated visually impaired children, two schools accommodated children with hearing and speech disabilities, and one school accommodated children with intellectual disabilities.

The government did not effectively implement laws that provide for persons with disabilities to 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, but it was believed to occur.

As indicated previously, the government created a new Ministry of Social Development from offices within the old Ministry of Health and Social Welfare. The new ministry focuses on the protection of the rights of persons with disabilities, orphans, and other vulnerable groups.

Other Relevant References

The following human rights abuses were reported including [...] stigmatization of persons with disabilities and HIV/AIDS.

The Convention on the Rights of Persons with Disabilities

Lesotho ratified the Convention on 2/12/2008.

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Liberia

Constitution and Laws

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. The constitution, however, enshrines discrimination on the basis of race, and as noted previously only persons who are “Negroes” or of “Negro descent” may become citizens and own land. Lebanese born in the country over several generations, for example, remained noncitizens based on this law.

Differences stemming from the country’s civil war continued to contribute to social and political tensions among ethnic groups.

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. While the constitution prohibits discrimination against persons with physical, sensory, intellectual, or other mental disabilities in the employment sector and provides for access to health care, this prohibition was not always enforced. 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. However, the University of Liberia denied entrance to a blind man, asserting it did not have the resources to accommodate his needs in the classroom. The National Commission on Disabilities conducted an assessment on eight special schools in the greater Monrovia area during the year; its results were not available at year’s end. The government included persons with disabilities in its December Vision 2030 development strategy national meeting and panel discussions.

The Journal of the American Medical Association published a Harvard Humanitarian Initiative study that concluded that 65 percent of the population had posttraumatic stress disorder or other mental disabilities.

The government identified an estimated 16 percent of the population as having disabilities, but the number was believed to be higher because of injuries inflicted during 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 and took a few steps to do so. The commission completed its work plan for the rights of persons with disabilities and engaged the government in

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implementing the plan. The government ratified and submitted the UN Convention on the Rights of Persons with Disabilities. The commission was unsuccessful in getting statistics from the Ministry of Labor on disabled persons working in each government ministry and agency. The ministry provided employment opportunities for such persons under its short-term job program.

The commission also continued to work with the Ministry of Education to train teachers to help integrate disabled students into regular classrooms instead of separating them.

Other Relevant References

In some instances of labor exploitation, women and children were forced to work as street vendors, domestic servants, or beggars on behalf of disabled or blind relatives in return for assistance in pursuing educational or other opportunities.

The Convention on the Rights of Persons with Disabilities

Liberia signed the Convention and the Optional Protocol on 30/3/2007 and ratified the Convention and the Optional Protocol on 26/7/2012.

Madagascar

Constitution and Laws

The constitution and law prohibit all forms of discrimination, including due to race, gender, disability, language, and social status. However, no specific governmental institutions were designated to enforce these provisions, and the laws were not effectively enforced.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities, although there is no specific mention of sensory and intellectual disabilities. Legislation broadly defines rights of persons with disabilities and provides for a national commission and regional sub-commissions to promote their rights. By law persons with disabilities are entitled to receive health care and education and have the right to training and employment. Educational institutions are “encouraged” to make necessary infrastructure adjustments to accommodate disabled clients. The law also specifies that “the State must facilitate, to the extent possible, access to its facilities, public spaces, and public transportation to accommodate persons with disabilities.” By law persons with disabilities also have the right to employment and training opportunities, although the legislation does not address air travel.

Authorities rarely enforced these rights, and the legal framework for promoting accessibility remained perfunctory. In December, for example, press reports decried the failure of authorities to apply a reduced bus fare to persons with disabilities, as they do for students and the elderly. They also called for reserved spaces on public transportation. In general access to education for persons with disabilities was also limited, due to lack of adequate infrastructure, specialized institutions, and teachers.

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Persons with disabilities were more likely to become victims of crime, particularly sexual abuse. One NGO reported that 80 percent of women with disabilities were also single mothers, facing a number of societal ills alone, including abuse. The de facto government did not provide them with protection against such abuses. On January 26, de facto Minister of Population Olga Vaomalala publicly referred to disabled persons as “votsa” (pejorative for “incapable” or “slow”) and stated that this issue was not a priority for the de facto government or the Transitional Parliament.

The Convention on the Rights of Persons with Disabilities

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

Malawi

Constitution and Laws

The law specifically provides for equal rights for women, forbids discrimination based on race, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth or other status and provides for equality and recognition before the law for every citizen. The law does not specifically mention sexual orientation. However, the capacity of government institutions to ensure equal rights for all citizens was limited.

Persons with Disabilities

In August, President Banda signed the Disability Bill providing equal opportunities for persons with disabilities by promoting and protecting their rights. Under the law, “disability” is defined as a long-term physical, mental, intellectual, or sensory impairment. The law prohibits discrimination in education, health care, social services, the workplace, housing, political life, and cultural and sporting activities for persons with disabilities. The law also calls for the government to take appropriate measures to ensure access for such persons to transportation, information, and communication and provides for the establishment of a Disability Trust Fund to support programs focused on disability issues. The Employment Act prohibits discrimination in employment. Although the law provides for the social protection and support of persons with disabilities through greater access to public places, fair opportunities, and full participation in all spheres of society, limited resources prevented the government from protecting these rights.

The Ministry of Disability and Elderly Affairs 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.

During International Deaf Week in September, the Malawi National Association of the Deaf, with support from the minister of information, organized training in sign language basics for police officers, health care staff, and secondary school teachers at Masongola.

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The Convention on the Rights of Persons with Disabilities

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

Mali

Constitution and Laws

The constitution and law prohibit discrimination based on social origin and status, color, language, gender, or race but not disability, sexual orientation, or gender identity. Citizens were generally 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 Humanitarian Action, Solidarity, and the Elderly was 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 fell under the government's responsibility, but authorities' support and resources were practically nonexistent. There were no significant reported cases of discrimination against persons with disabilities, nor was amelioration of their conditions a major priority for the government.

The Convention on the Rights of Persons with Disabilities

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

Mauritania

Constitution and Laws

The constitution and law provide for equality for all citizens regardless of race, national origin, sex, or social status and prohibits racial or ethnic propaganda, but the government often favored individuals on the basis of racial and tribal affiliation, social status, and political ties. Societal discrimination against women, trafficking in persons, and racial and ethnic discrimination were problems, as was the potential death penalty for male same-sex sexual activity.

Persons with Disabilities

A 2006 law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in education, employment, or the provision of other state services, and there were no reports of governmental discrimination against persons with disabilities. The corresponding implementing law required to fully apply the law was awaiting approval from parliament at year's end. Once passed, the text would create a funding mechanism for individuals and organizations to apply for funds to conduct activities to comply with the 2006 law. The law also provides for access to buildings,

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information, and communication; in practice, 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 law provides for access to air transport and other transportation at reduced rates, but in practice such access was often not available.

The law provides access to schools for children with disabilities, and there is one primary school in Nouakchott for hearing and visually impaired children. There were no reports of abuses in educational or mental health facilities. People with disabilities, who by the nature or severity of their disability cannot attend regular training, have the opportunity to receive appropriate training. The Ministry of Technical and Vocational Training opens and makes available training institutions for persons with disabilities, both physical accessibility as educational programs and techniques.

Since 2008 the government has allocated 70 million ouguiya (\$233,000) per year to national associations and NGOs working on disabilities issues as well as 30 million ouguiya (\$100,000) in technical assistance. 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. For example, on September 19, the Ministry of Housing donated 200 plots of land in the districts of Arafat and Toujounine to persons with disabilities. The Ministry of Social Affairs, Children, and the Family oversees social reintegration programs for persons with disabilities. The ministry develops training programs and validates the certificates issued by these institutions created by professional associations of persons with disabilities.

Persons with disabilities may file complaints with the director for persons with disabilities in the Ministry of Social Affairs, Children, and the Family and may seek additional recourse with the Court of Justice. In 2011 the ministry received 10 complaints.

In April two sign-language television news programs began broadcasting daily on Mauritanian national television.

The Convention on the Rights of Persons with Disabilities

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

Mauritius

Constitution and Laws

The constitution and law specifically prohibit discrimination on the basis of race, caste, place of origin, social status, political opinion, color, gender, disability, language, or sexual orientation. 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,

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including transportation by air or other transportation. However, public buses, a popular means of transportation, presented particular problems due to high steps and narrow doors. The Training and Employment of Disabled Persons Board effectively enforced the law. 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, but the government was not always effective in enforcing 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 did not restrict the right of persons with disabilities to vote or participate in civic activities. Unlike in previous elections, the government made provisions to render polling stations more accessible to disabled and elderly persons by providing wheelchairs. Children with disabilities attended specialized schools.

Other Relevant References

Problems noted by international observers in the May 5 election included [...] lack of accommodation to facilitate voting for persons with disabilities; and lack of legal authority to provide domestic election observers.

The Convention on the Rights of Persons with Disabilities

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

Mozambique

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, but discrimination persisted against women and persons with HIV/AIDS. Discrimination based on sexual orientation is not cited except in labor law, which specifically prohibits discrimination in the workplace based on sexual orientation.

Persons with Disabilities

The constitution and law prohibit discrimination against citizens with disabilities but does not differentiate between physical, sensory, intellectual, and mental disabilities. However, the government provided few resources to implement this provision. The government has not effectively implemented programs to provide access to information and communication for persons with disabilities. Persons with disabilities frequently engaged in begging at city street intersections. There were an estimated 475,000 persons with disabilities. Discrimination in employment, education, access to health care, and the provision of other state services was common. Observers often cited unequal access to employment as one of the biggest concerns. The law requires access to public buildings for persons with disabilities, and although the Ministry of Public Works and Habitation worked to fulfill that goal in Maputo city, progress was very slow. Educational opportunities for disabled children were generally poor, especially

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for those with developmental disabilities, although the government sometimes referred parents of children with disabilities to private schools with more resources to provide for their children. Electoral law provides for access and assistance to voters with disabilities in the polling booths, including the right for the disabled to vote first.

According to the Committee to Protect Journalists, the parents of a wheelchair-bound fourth grader at the Beira International Primary School claimed the school expelled their child in retaliation for their complaints that it did not have a handicapped access ramp, as required by law.

The only psychiatric hospital was overwhelmed with patients and did not provide adequate basic nutrition, medicine, or shelter. Doctors also reported many families abandoned members with disabilities at the hospital.

Veterans with disabilities continued to report nonreceipt of pensions.

The Ministry of Women and Social Action is responsible for protecting the rights of persons with disabilities. The 890.6 million meticaís (\$30.1 million) 2012-19 National Action Plan in the Area of Disabilities received approval in September. The plan is intended to provide funding, monitoring, and assessment of implementation by various organizations that support people with disabilities. Implementation had not begun 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 their body parts contained special curative or sexual strength, persons with albinism were the subject of violent attacks that resulted in mutilation or death. LDH researchers reported that attacks had increased and that children were frequent victims of these mutilations.

The Convention on the Rights of Persons with Disabilities

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

Namibia

Constitution and Laws

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.

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Persons with Disabilities

The constitution protects the rights of “all members of the human family,” which is understood by domestic legal experts to also prohibit discrimination against persons with disabilities. The law prohibits discrimination against persons with physical and mental disabilities in employment, health care, education, or the provision of other state services. The Labor Act prohibits discrimination in any employment decision based on a number of factors, including any “degree of physical or mental disability.” However, the act makes exception in the case of a person with a disability if that person is, as a consequence of disability, unable to perform the duties or functions associated with the employment or occupation in question. Enforcement in this area was ineffective, and societal discrimination persisted. The government’s National Disability Council of Namibia (NDCN) announced in June that 22 cases of discrimination have been registered with the organization since its establishment in 2004, and it is pursuing legal action in at least some of these. Aside from helping implement the government’s National Policy on Disability and raise awareness among the public, the NDCN published a booklet, *Mainstreaming Disability in the Namibian Public Sector*.

The government does not require special access to public buildings, and some ministries remained inaccessible. However, the government continued to require that all new government buildings be accessible and include ramps and other features. Additionally, some street corners in the capital were outfitted with special signal crossings for the visually impaired although there appear to be no sidewalk cutouts for those using wheelchairs. The Office of the Prime Minister’s Disability Advisory Unit was responsible for overseeing concerns of people with disabilities.

Other Relevant References

During the year there were reports that two albino persons were killed and that their body parts were missing or mutilated – factors consistent with ritual killings. No arrests had been made by year's end.

The Convention on the Rights of Persons with Disabilities

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

Niger

Constitution and Laws

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 through traditional dispute mechanisms.

The constitution enacted in 2010 provides for new and strengthened democratic institutions. It also provides for the elimination of all forms of discrimination against women and introduces basic standards of respect for economic and social rights, such as the right to safe and adequate food and drinking water.

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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 new labor code adopted on September 25 calls for the promotion of employment opportunities for persons with disabilities. 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. On July 31, the ministry celebrated the National Day of Handicapped Persons with events on the theme "Handicapped Women's Role in the Development of Niger: Rights, Responsibilities, Challenges."

The Convention on the Rights of Persons with Disabilities

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

Nigeria

Constitution and Laws

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, air travel and other transportation, 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 Ministry of Women's Affairs and Social Development.

Mental health facilities were almost nonexistent. Officials at a small number of prisons attempted to include separate mental health facilities for prisoners with mental conditions, usually through private donations. 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

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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 there were 3.25 million school-age children with disabilities. Of these, an estimated 90,000 (2.76 percent) enrolled in primary school and 65,000 (1.85 percent) in secondary school.

Other Relevant References

Prisoners with mental disabilities were incarcerated with the general prison population, and no mental health care was provided.

Human rights problems included [...] discrimination against persons with disabilities.

The Convention on the Rights of Persons with Disabilities

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

Rwanda

Constitution and Laws

The constitution provides that all citizens are equal before the law, without discrimination based on 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 constitution and law are silent on sexual orientation and gender identity. The government generally enforced these provisions; however, problems remained.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities regarding employment, education, air travel and other transportation, 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. Despite a continuing campaign to enable persons with disabilities to have a barrier-free environment, accessibility remained a problem throughout the country.

Few students with disabilities reached the university level because many primary and secondary schools were unable to accommodate their disabilities. Many children with disabilities did not attend primary or

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secondary school. The Ministry of Education and UNICEF collaborated to train teachers to be more sensitive in responding to the needs of children with disabilities. For example, Murama Primary School in Bugesera District appointed a UNICEF-supported special needs education coordinator for students with hearing and speech disabilities and waived lunch and school supply expenses for children with disabilities as an incentive to keep them in school. 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.

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 underequipped 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. Gikondo Transit Center officials reported committing detainees to Ndera involuntarily and without review of any kind.

Some citizens viewed disability as a curse or punishment, which could result in social exclusion and sometimes abandonment or hiding of children from the community. In January UNICEF reported the 2010 MINALOC census found that despite legislative improvements, persons with disabilities, particularly children, continued to face discrimination and stigma. According to a February Handicap International Rwanda research document, the prevailing cultural stereotype was that persons with disabilities could only survive through begging and dependence.

There were numerous claims of employment discrimination against persons with disabilities. For example, the School of Finance and Banking appointed a recent graduate of the school to join the university faculty because of her high examination score but fired her on her third day of work because she was deaf. The National Union of Disability Organizations in Rwanda (NUDOR) worked with the National Council for Persons with Disabilities (NCPD) on the resolution of such claims.

During the year there were several reports of violence against persons with disabilities. Police were sometimes less responsive if the victim had disabilities. For example, NUDOR reported police failed to pursue the case of a deaf woman in Nyanza District who became pregnant and contracted HIV as a result of rape. NUDOR claimed police failed to pursue the case because of the victim's disability.

From November 26 to December 3, the NCPD organized the second annual Disability Week, culminating in the second National Day of Children with Disabilities and the International Day of Persons with Disabilities to sensitize citizens to problems faced by persons with disabilities.

The NCPD, which assisted government efforts to provide for the rights of persons with disabilities, designated one member with disabilities in the Chamber of Deputies. NUDOR provided an umbrella civil society platform for advocacy on behalf of persons with disabilities. A disabilities coordination forum

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was organized every trimester. During the year the Ministry of Health formed a Department of Injuries and Disabilities within the Non-Communicable Diseases Division of the Rwanda Biomedical Center.

Persons with mental disabilities were required to submit a medical certificate before they were allowed to vote. Some disabilities advocates complained that requirements for electoral candidates to hold secondary education diplomas or higher degrees, depending on position, disadvantaged persons with disabilities.

The 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 Laws

The constitution prohibits discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status, but the government did not effectively enforce the law.

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. Children with disabilities attended school and did so without fear of abuse.

The Convention on the Rights of Persons with Disabilities

Sao Tome and Principe has not signed the Convention.

Senegal

Constitution and Laws

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, discrimination was widespread in practice, and antidiscrimination laws, in particular laws against violence against women and children, generally were not enforced. There were no laws to prevent discrimination based on sexual orientation.

Persons with Disabilities

Although the constitution does not explicitly prohibit discrimination against persons with disabilities, the law prohibits discrimination against persons with disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The government did not enforce these provisions adequately. The law also mandates accessibility for persons with disabilities, but there remained a lack of infrastructure to assist them.

The government provided grants for persons with disabilities to receive vocational training, managed regional centers for persons with disabilities to receive training, and funding for establishing businesses.

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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.

Persons with disabilities struggled to access voting sites. A 2010 law reserves 15 percent of new civil service positions for persons with disabilities, but the Senegalese National Association of People with Physical Disabilities reported the government failed to issue the executive decree required to make the law operational.

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

The Convention on the Rights of Persons with Disabilities

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

Seychelles

Constitution and Laws

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; however, there were anecdotal reports that discrimination based on political membership occurred.

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 if the latter were already receiving disability social aid. Most children with disabilities attended specialized schools. The National Council for Disabled, a government agency under the Ministry of Community Development and Social Affairs and Sports, developed work placement programs for persons with disabilities, although few employment opportunities existed.

The Convention on the Rights of Persons with Disabilities

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

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Sierra Leone

Constitution and Laws

Citizenship is generally limited to persons of Negro-African descent, but non-Africans who have lived in Sierra Leone for at least eight years (two years for foreigners married to Sierra Leonean citizens) may apply for naturalization, subject to presidential approval. The law otherwise prohibits discrimination based on race, tribe, sex, place of origin, political opinions, color, or creed.

The government did not effectively enforce the prohibition of discrimination based on gender as it affected women and girls, and a number of legal acts and customary laws contravened the constitutional provision.

Persons with Disabilities

In March 2011 parliament passed the Persons With Disabilities Act, 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. NGOs supporting persons with disabilities reported that the government had made some headway in implementing the act's provisions, specifically noting the appointment of a Chairman for the National Commission on Persons with Disability and a promise to launch the commission in early 2013. 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 was considerable discrimination against persons with mental health issues. The Sierra Leone Psychiatric Hospital in Kissy, the only inpatient psychiatric institution, had beds for 200 patients but housed only an estimated 95 patients due to staff and resource constraints, as the government poorly funded the hospital, and it received only small donations from private charities. Patients were not provided sufficient food. Patient restraints were primitive and dehumanizing. The hospital did not have running water and only sporadic electricity. Basic medications were available, but many drugs targeted at specific problems were lacking. Hospital staff was poorly paid. The hospital generally released patients to their families or communities as soon as possible, and they received follow-up counseling on a regular basis. The vast majority of persons with mental health disabilities remained untreated and received no public services.

In January in an effort to expand mental health services to areas outside Freetown, a EU-sponsored mental health coalition and the University of Makeni trained and certified 35 new mental health workers. The EU also sponsored eight mental health coalition members to attend short training courses at the University of Ibadan, Nigeria. 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, the ministry did not provide these services consistently, and organizations

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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.

The Convention on the Rights of Persons with Disabilities

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

Somalia

Constitution and Laws

The TFC, Somaliland constitution, provided equal protection and benefit in regards to race, birth, language, religion, sex, and political affiliation, but did not prohibit other forms of discrimination. The provisional federal constitution states all citizens, regardless of sex, religion, social or economic status, political opinion, clan, disability, occupation, birth, or dialect shall have equal rights and duties before the law. The provisional constitution does not prohibit discrimination based on sexual orientation or gender identity. Antidiscrimination provisions were not effectively enforced in any of the regions.

Persons with Disabilities

The TFC did not address discrimination on the basis of disabilities, although it did state the government shall guarantee the welfare of persons with disabilities. The provisional federal constitution provides equal rights before the law for those with disabilities, and prohibits the state from discriminating against those with disabilities. This was not enforced in practice. The provisional federal constitution does not specifically discuss intellectual, mental, or sensory disabilities.

There are no laws to ensure building access for disabled persons.

The needs of most persons with disabilities were not addressed. A report by the World Health Organization and Swedish International Development Aid (SIDA) estimated up to 15 percent of the population was physically disabled. In 2011 SIDA found 75 percent of all public buildings were not designed to include accessibility for wheelchair users, and there were no public transportation facilities with wheelchair access.

Several local NGOs in Somaliland provided services for persons with disabilities and reported numerous cases of discrimination. Without a public health infrastructure, there were few specialized institutions to

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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.

The Convention on the Rights of Persons with Disabilities

Somalia has not signed the Convention.

South Africa

Constitution and Laws

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 often resulted in gender-based violence and employment inequities.

Persons with Disabilities

The law prohibits discrimination in employment, access to health care, and education on the basis of physical, sensory, intellectual, and mental disability. Department of Transportation policies on providing services to persons with disabilities were consistent with the constitution's prohibition on discrimination. Nevertheless, 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 country had 413 specialized schools for students with special needs. In 2011 UNESCO reported, however, that South African children with disabilities between the ages of seven and 15 were 20 percent less likely to attend school than children without disabilities. The Department of Basic Education allocated part of its budget for assistive devices, material resources, and assistive technology; however, it noted resources were inadequate and that teachers reported insufficient skills in special needs education. For example, many blind and deaf children in mainstream schools received only basic care rather than education.

The law prohibits harassment of persons with disabilities and, in conjunction with the Employment Equity Act, also 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. Nevertheless, 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 to civil service positions, but the government had not met its target of filling 2 percent of government positions with persons with disabilities by year's end.

Persons with disabilities were sometimes subject to abuse and attacks. For example, on March 31, in Soweto, Gauteng Province, seven persons between ages 13 and 20 digitally recorded themselves raping a 17-year-old girl with mental disabilities. According to press reports, the attackers laughed and joked

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during the assault, even while the victim begged them to stop. One of the perpetrators was filmed offering the girl R2 (\$0.22) for her agreement not to report the rape. On April 17, police arrested the seven, six of whom were awaiting trial at year's end; the seventh, who was 13 years old, was judged "not criminally capable" and was released. The victim's mother said her daughter, who was missing from the time of the attack until April 18, had been raped multiple times since 2009.

Prisoners with mental disabilities often received no psychiatric care. On June 1, the JICS reported that Isak Coetzee, a prisoner with mental disabilities in the Springbok Correctional Center in Northern Cape Province, had been held as a remand detainee for more than four years without appearing before a judge. A JICS investigation revealed that Coetzee had received no medical attention because there were no psychiatric hospitals in the province. Following the investigation, Coetzee was transferred to psychiatric care.

At year's end there were 21 persons with disabilities in the upper and lower houses of parliament. The law does not allow persons identified by the courts as mentally disabled to vote.

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.

The Mental Health Information Center of South Africa noted that 20 percent of the population suffered from a mental illness that significantly impaired living.

Other Relevant References

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.

A number of governmental bodies, particularly the Gender Commission and the Ministry for Women, Children and Persons with Disabilities, and numerous NGOs monitored and promoted women's rights.

Principal human rights problems included [...] 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.

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.

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The Convention on the Rights of Persons with Disabilities

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

South Sudan

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, 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. Nearly 23,000 children with special needs were estimated to be enrolled in primary schools. There were no restrictions on the right of persons with disabilities to vote and otherwise participate in civic affairs. There were no mental health hospitals or institutions, and persons with mental disabilities were held often in prisons. Limited mental health services were available at Juba Teaching Hospital.

The Convention on the Rights of Persons with Disabilities

South Sudan has not signed the Convention.

Sudan

Constitution and Laws

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. The law criminalizes sodomy, and antigay sentiment is pervasive in society. A few small lesbian, gay, bisexual, and transgender (LGBT) organizations existed but operated underground due to fear of official and societal discrimination.

The government has made efforts to improve its prosecution of crimes involving trafficking in persons. Local and state authorities stepped up enforcement activities against trafficking gangs operating along the Eritrean-Sudanese border. However, it was difficult to know how much enforcement actually occurred because of lack of transparency, anemic information sharing, and restrictions on international access for NGOs such as the IOM.

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with disabilities, but 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 provide for access to buildings for persons with disabilities. Children with disabilities attended public schools, and there were some other educational institutions for those with disabilities. However, social stigma and official apathy towards the needs of persons with disabilities often limited the resources allocated to those facilities,

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and accommodations for persons with disabilities were rare in most rural areas. Several NGOs advocated on behalf of persons with disabilities. Credible sources noted prisoners with mental disabilities were chained 24 hours a day if considered a danger to themselves or others. Prisoners with mental disabilities were not exempted from trial, although their cases could be deferred during treatment.

The Convention on the Rights of Persons with Disabilities

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

Swaziland

Constitution and Laws

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 does not differentiate between physical, sensory, intellectual, and mental disabilities and requires parliament to enact relevant implementing legislation, which parliament has not done. The Office of the Deputy Prime Minister is responsible for upholding the law and for protecting the rights of persons with disabilities. However, 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. There are no laws that mandate accessibility for persons with disabilities to buildings, transportation (including air travel), information, communications, or public 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 did not provide any means of alternative accessible transport.

There is one school for the deaf and one special education alternative school for children with physical or mental disabilities. The hospital for persons with mental disabilities, located in Manzini, was overcrowded and understaffed.

Other Relevant References

Child abuse, including rape of children and incest, is a serious problem. According to UNICEF, approximately one in four girls experienced physical violence, and three in 10 experienced emotional abuse. According to the MICS, 12 percent of children were subjected to "severe physical punishment," with students with disabilities in particular risk.

The Convention on the Rights of Persons with Disabilities

Swaziland signed the Convention and Optional Protocol on 25/9/2007 and ratified the Convention and Optional Protocol on 24/9/2012.

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Tanzania

Constitution and Laws

The constitution prohibits discrimination based on nationality, tribal identity, political ideology, race, religion, gender, or social status. There is no provision prohibiting discrimination based on sexual orientation or language. Discrimination based on age or disability is 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. The law addresses the overall protection of persons with disabilities. It defines a person with disability to include persons with physical, intellectual, sensory, or mental impairment and whose functional capacity is limited due to attitude or environmental and institutional barriers. Previous implementing legislation focused on specific, disjointed areas such as employment and access to healthcare. Most employers believed that individuals with disabilities were incapable of working, and most persons with disabilities remained unemployed. Persons with physical disabilities, who comprised approximately 9 percent of the population, 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 (including air travel), 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 the mainland parliament with disabilities. One MP elected in 2010, Salum Bar'wan, was the first with albinism. During the election campaign his opponents repeatedly claimed that persons with albinism did not have the ability to think clearly.

A survey carried out in 2010 by Comprehensive Community Based Rehabilitation in Tanzania found that the government was taking steps to improve election participation by persons with disabilities. These improvements included preparation of a guidebook on election procedures, shorter waiting times for persons with disabilities at polling stations, and preparation of tactile ballots for persons with visual impairment; however, the survey noted a number of shortcomings continued to limit the full participation of persons with disabilities in the election process. These included inaccessible polling stations, lack of available information, limited involvement of persons with disabilities in political parties, failure of the National Electoral Commission to implement its directives, and stigma towards persons with disabilities.

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

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within the Ministry of Health and Social Welfare has responsibility for coordinating matters related to persons with disabilities.

Other Relevant References

The Zanzibar House of Representatives has 50 elected seats, 20 women's special seats, and eight appointed at-large seats. Two of the eight appointed seats were held by women. There are two women ministers and four deputy ministers. There were three persons with disabilities in the Zanzibar House of Representatives.

The Convention on the Rights of Persons with Disabilities

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

Togo

Constitution and Laws

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, intellectual, and sensory disabilities in employment, education, access to health care, transportation, 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. Children with disabilities attended schools at all levels, with some attending schools specifically for those with disabilities. There was no reported pattern of abuse in these facilities. The right of persons with disabilities to vote and participate in civic affairs is not restricted.

The Ministry of Social Action and National Solidarity (MSANS), the Ministry of Health, and the Ministry of Education are responsible for protecting the rights of persons with disabilities. During the year the MSANS held awareness campaigns to fight discrimination and promote equality; it also distributed food and clothing and provided skills training to persons with disabilities.

Other Relevant References

Human rights problems in the country included: [...] societal discrimination against persons with disabilities; official and societal discrimination against homosexual persons; societal discrimination against persons with HIV; and forced labor, including by children.

The 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 Optional Protocol on 1/3/2011.

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Uganda

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status but is silent on sexual orientation and gender identity. The penal code, however, prohibits “unnatural offenses.” 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, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. However, the government did not enforce the law effectively, and persons with disabilities faced societal discrimination and limited job and educational opportunities.

On April 1, the government launched a new program on special needs and inclusive education to enhance education of children with disabilities. With the exception of nine Kampala-based television stations, stations did not comply with the June 30 UCC deadline to carry sign language interpretation for all programming. The government took no action against these stations. 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.

A July report released by the National Council on Disability (NCD) indicated 55 percent of persons with disabilities lacked functional literacy skills, and only 33 percent studied to primary grade seven. The report found some children with mental disabilities were sometimes denied food and were tied to trees and beds with ropes in order to control their movements. The report further stated the needs of children with autism and learning difficulties were ignored due to an insufficient number of special needs schools.

While the law requires access to special facilities for children with disabilities, a September 2011 survey conducted by the NCD indicated 80 percent of hospitals and health centers lacked access ramps.

The law reserves five seats in parliament for representatives of persons with disabilities. However, the NCD reported participation by persons with disabilities in elections was minimal as they could not access polling centers because of physical barriers; election materials did not accommodate persons with visual impairments; and polling stations lacked support services such as guides, helpers, and sign language interpreters. The NCD also noted the civic education offered by the government to citizens was inaccessible to many persons with disabilities since it was done through electronic and print media.

Government agencies responsible for protecting the rights of persons with disabilities included the Ministry of State for Disabled Persons, the NCD, and the Ministry of Gender, Labor, and Social Development, but these entities lacked sufficient funding to undertake any significant initiatives.

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Other Relevant References

The law requires elections through electoral colleges for the seats reserved for special-interest groups in parliament: 80 seats were reserved for women; five for organized labor; five for persons with disabilities; and five for youth. However, the UPDF High Command and President Museveni selected the 10 army representatives, and the five persons with disabilities were selected by an electoral college organized by a single government-supported NGO.

Serious human rights problems in the country included [...] violence and discrimination against persons with disabilities and homosexual persons; restrictions on labor rights; and forced labor, including child labor.

The Convention on the Rights of Persons with Disabilities

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

Zambia

Constitution and Laws

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, and creed but does not address discrimination based on sexual orientation or gender identity. The government did not effectively enforce the law; violence and discrimination against women and children, discrimination based on sexual orientation or gender identity, and discrimination against persons with disabilities remained problems.

Persons with Disabilities

The law prohibits discrimination in general, but no law specifically prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. Although the government did not restrict persons with physical or mental disabilities from voting or otherwise 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, Vocational Training, and Early Education and the MCDMCH have responsibility for ensuring the welfare of persons with disabilities. However, public buildings, schools, and hospitals rarely had facilities to accommodate such persons. By law the government must provide reasonable accommodation for all persons with disabilities seeking education and ensure “any physical facility at any public educational institution is accessible.” Five schools were designated for children with special needs. Some children with physical disabilities attended ordinary schools. No patterns of abuse of persons with disabilities in schools and prisons were reported.

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Other Relevant References

Human rights problems included [...] discrimination based on sexual orientation and against persons with disabilities; restrictions on labor rights; forced labor; and child labor.

The Convention on the Rights of Persons with Disabilities

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

Zimbabwe

Constitution and Laws

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, government institutions did not widely know or implement the law, which does not specify physical, sensory, mental, or intellectual disabilities. 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 and exclusion, as well as poor service delivery from state bodies. For example, the National Council for the Hard of Hearing reported that access to justice in courts was compromised for the hearing impaired due to a lack of sign-language interpreters.

Most people holding traditional beliefs viewed persons with disabilities as bewitched and, consequently, as persons who should be locked away. Families often hid children with disabilities when visitors arrived.

Educational institutions discriminated against children with disabilities. 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 75 percent of children with disabilities had no access to education.

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

Government programs like Basic Educational Assistance Module (BEAM), intended to benefit children with disabilities, failed to address adequately the root causes of the systematic exclusion of disabled children. For example, despite BEAM's provision that all children with disabilities are eligible for educational assistance, in Manicaland province it only paid fees for 13 percent of deaf children.

Persons with mental disabilities also suffered from inadequate medical care and a lack 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 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. The mental institution in Bulawayo provided more than 90 percent of the available psychiatric services. NGOs reported that patients were subjected to extremely poor 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. Prisoners with mental disabilities routinely waited as long as three years before being evaluated.

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

The following human rights violations also continued: [...] violence and discrimination against women; trafficking of women and children; discrimination against persons with disabilities, ethnic minorities, the lesbian, gay, bisexual, and transgender (LGBT) community, and persons with HIV/AIDS; harassment and interference with labor organizations critical of government policies; child labor; and forced labor, including by children.

The mentally disabled were the most affected by the collapsed medical infrastructure within the ZPS. Inmates with psychiatric conditions were examined by two doctors, who must both confirm a mental disability and recommend that a patient either be released or returned to a prison facility. However, prisoners with mental disabilities routinely faced long waiting periods, as much as three years, before being evaluated. It also became more common for prisoners with mental disabilities to be sent to prison instead of mental institutions.

Consolidated Disability Findings from the 2012 U.S. State Department Country Reports on Human Rights Practices

The criminal code defines sexual offenses as rape, sodomy, incest, indecent assault, or immoral or indecent acts with a child or person with mental disabilities and provides for penalties up to life in prison for sexual crimes.

The rights of an accused person apply to all citizens, including women, indigenous groups, and persons with disabilities.

The Convention on the Rights of Persons with Disabilities

Zimbabwe has not signed the Convention.