

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

Africa

Angola

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status, but not sexual orientation or gender identity; 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 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. Article 83 of the constitution grants persons with disabilities full rights without restrictions and calls on the government to adopt national policies to prevent, treat, rehabilitate and integrate people with disabilities, to support their families, to remove obstacles to their mobility, to educate society about disability, and to encourage special learning and training opportunities for the disabled. It does not specifically mention the rights of persons with disabilities with regard to transportation, including air travel.

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. In 2010 the Inter-Ministerial Commission for Demining and Humanitarian Assistance began a comprehensive nationwide survey of mine victims, but as of September it had completed surveys of only six of the 18 provinces.

In 2012 the president created the national council for persons with disabilities to ensure that all disabled persons are protected from discrimination and have access to the same rights and privileges as nondisabled citizens. Persons with disabilities, however, 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 landmine incidents. During the August 2012 election, the government provided voting assistance to persons with disabilities. Persons with disabilities were allowed to select someone of their own choosing to accompany them to the voting booth to fill out the ballot and were allowed to move ahead of others waiting in line to vote.

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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 ratified the Convention on 19/5/14.

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. Legislation is general in nature and addresses equality, equity, and nondiscrimination among all citizens. Several laws, however, including the labor code, the social security code, the Persons and Family Code, and the 2011 law establishing general rules for elections contain specific references to persons with disabilities. The country also has a National Policy for the Protection and Integration of Persons with Disabilities. Children with mental, visual, and physical disabilities, however, continued to suffer social exclusion and had no access to the conventional educational system.

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 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 in May 2012 the decision of the Ministry of Labor and Civil Service discriminated against the woman. Rulings by the Constitutional Court, however, are not binding.

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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.

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 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. The law does not prohibit discrimination by private persons or entities, however, and there was societal discrimination against women; persons with disabilities; minority ethnic groups, particularly the San; LGBT persons; 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. The law does not prohibit discrimination by private persons or entities. The law does not specifically prohibit discrimination against persons with sensory or intellectual disabilities. 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, but civil society sources reported that access for persons with disabilities was limited. The law does not specifically include air travel with other modes of transportation, but in general persons 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 provided access for persons with disabilities.

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.

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There is a department of disability coordination in the Office of the President to assist persons with disabilities. The Department of Labor is responsible for protecting the rights of persons with disabilities in the labor force and investigating claims of discrimination. Individuals may 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.

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, but the government did not effectively enforce these prohibitions. Discrimination against women and persons with disabilities remained a problem.

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, but the government did not effectively enforce these provisions. In July 2012 the Council of Ministers adopted further decrees to protect the rights of persons with disabilities, including in transportation. In 2010 the government enacted legislation to provide persons with disabilities less costly or free healthcare and access to education and employment. The law also includes building codes to ensure access to governmental buildings. Not all of these measures were effectively implemented.

Although some children with disabilities attended primary and secondary school as well as higher institutions of learning, 66 percent of persons with disabilities had no education and only 16.5 percent obtained the primary level education, according to the Burkina Faso Federation for the Promotion of People with Disabilities. 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 labor force.

A May 2012 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

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organizations. Since December 2012 state-owned television has provided newscasts in sign language for persons with hearing disabilities.

Programs to aid persons with disabilities were limited, but 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.

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. Nevertheless, 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 are 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.

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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 constitution prohibits all forms of discrimination. The government did not enforce these provisions effectively, and violence and discrimination against women and girls, trafficked persons, ethnic minorities, and members of the LGBT community were problems.

Persons with Disabilities

The law does not specifically address discrimination against persons with physical, sensory, intellectual, and mental disabilities, although the constitution explicitly forbids all forms of discrimination, providing that “everyone has equal rights and obligations,” and the government made efforts to effectively enforce this with regard to 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.” Children with disabilities attended mostly mainstream schools, although some schools specializing in education for children with visual, hearing, or physical disabilities existed.

Societal discrimination continued against persons with disabilities, especially persons with albinism and individuals with dwarfism or similar conditions resulting in short stature. Such discrimination occurred less frequently than in previous years, but employment opportunities for persons with albinism remained limited.

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Society largely treated persons 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, but violence and discrimination against women and children remained significant problems.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or in the provision of other state services. The government generally enforced these provisions, with problems remaining in a number of areas. For example, persons with disabilities faced daily obstacles that hindered their integration. Physical accessibility, communication means, and public transport appropriate for persons with disabilities often were lacking.

There was no information available during the year regarding abuse of people with intellectual disabilities or mental disabilities in prisons or psychiatric hospitals. People with physical disabilities continued to experience difficulties in accessing prison facilities such as bathrooms and other services. Inmates with mental disabilities did not have access to psychiatric care or specific therapy. The government did not legally restrict the right of persons with disabilities to vote or otherwise participate in civic affairs and public life. According to the 2010 Electoral Code, blind persons or those with physical disabilities that prevent them from voting on their own can be escorted by a citizen of their choice to cast their vote. People with intellectual or mental disabilities, however, are not allowed to vote, according to the National Commission for Elections.

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

Several NGOs worked to protect the interests of persons with disabilities. In February 2012 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.

In June the public television station introduced in its nightly news a sign language interpreter to facilitate access to the news for deaf people who sign. Through a partnership with the National Commission for Human Rights and Citizenship (CNDHC), Handicap International, and the Cape Verdean Federation of Associations of People with Disabilities (FECAD) this pilot program was launched.

The law stipulates that a quota of 5 percent of educational scholarships should be allocated to people with disabilities, but this percentage had not been reached.

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 transitional charter stipulates that all persons are equal before the law without regard to race and gender, but not with regard to disability, language, and sexual orientation and/or gender identity. The government did not enforce these provisions effectively, and significant discrimination existed.

Persons with Disabilities

The transitional charter provides for equal protection, but it does not explicitly prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to transportation, and access to state services. The law prohibits discrimination against persons with both mental and physical disabilities but does not specify other forms of disabilities. It also requires that in any company employing 25 or more persons, at least 5 percent of its staff must consist of

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sufficiently qualified persons with disabilities, if they are available. Additionally, the law states that at least 10 percent of the total number of newly recruited government civil service personnel should be persons with disabilities. There were no legislated or mandated accessibility provisions for persons with disabilities, and authorities did not provide such access.

The government did not enact programs during the year to ensure access to buildings, information, and communications. No information was available on whether any children with disabilities attended school during the year. The government mandates the Ministry of Labor's Labor Inspectorate with protecting children with 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 that provide for access to public buildings for persons with disabilities. The government operated a few education, employment, and therapy programs for persons with disabilities.

Children with physical disabilities may attend primary, secondary, and higher education institutions. The government supported schools for children with visual or mental disabilities.

The government, in conjunction with NGOs such as the Support Group for the Disabled in Chad, annually sponsors a 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.

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Persons with Disabilities

The constitution and applicable laws, particularly the labor code, prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities. Following the 2012 ratification of the Convention on the Rights of Persons with Disabilities, local law now mandates – but the government does not effectively enforce – improved access to buildings, information, communication, education, air travel, and other transportation for persons with disabilities. Despite the absence of appropriate accommodation for children with disabilities, such children attended mainstream schools, both public and private.

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.

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 race, ethnicity, gender, language, culture, or religion but does not address disability or sexual orientation. The government did not enforce prohibitions against discrimination effectively.

Persons with Disabilities

The constitution prohibits discrimination against persons with physical, intellectual, or mental disabilities; stipulates that all citizens regardless of disability have access to public services, including education; and provides that persons with disabilities be afforded specific government protection. The constitution and law do not address sensory disabilities. The law states that private, public, and semipublic companies may not discriminate against qualified candidates based on intellectual, sensorial, and physical disabilities. The government did not enforce these provisions effectively, and persons with disabilities often found it difficult to obtain employment, education, and government services.

The law does not mandate access to government buildings or services for persons with disabilities. While persons with disabilities may attend public primary and secondary schools and have access to higher education, no special provisions are required of educational facilities to accommodate their special needs. Some schools for persons with disabilities, including persons with visual disabilities, received private and limited public funds to provide education and vocational training. There were no reported patterns of abuse of children with disabilities. Persons with disabilities have the right to vote; there were no reports of any being restricted from doing so.

The Ministry of Social Affairs, in cooperation with other applicable ministries (labor, education, justice, health), had the lead in seeking to provide for the equitable treatment of persons with disabilities.

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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 constitution and law prohibit discrimination on the basis of race, gender, religion, region of origin within the country, place of residence in the country, language, social status, political orientation, or disability; however, the government did not effectively enforce these prohibitions. The law does not prohibit discrimination based on sexual orientation or gender identity.

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 services. The Ministry of Social Affairs is the lead ministry responsible for protecting the rights of persons with disabilities. In 2009 the Ministry of Social Affairs introduced a national plan for providing access to people with disabilities. There are no laws, however, mandating access for persons with disabilities. The government did not take action during the year to provide equal access for persons with disabilities to public spaces or transportation. The government provides special schools for deaf students in Brazzaville and Pointe-Noire. Blind children and children with physical handicaps are mainstreamed into regular public schools.

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.

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Cote d'Ivoire

Constitution and Laws

The law prohibits discrimination based on race, ethnicity, national origin, gender, or religion, but 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 prohibits acts of violence against persons with disabilities and the abandonment of such persons, but 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.

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 and ratified the Convention on 10/1/14.

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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. 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. Results of an official investigation were unavailable regarding a 2012 incident in which police detained and beat a man with mental disabilities, who subsequently died from his injuries at the Central Police Station in Djibouti City (see section 1.c.).

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.

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.

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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 or transportation for persons with disabilities. Many newly constructed government buildings did not make provision for access by persons with disabilities.

Children with disabilities attended primary, secondary, and higher education, although no accommodations were made for students with disabilities. The local Red Cross, with financial support from the government, managed a school for deaf children in Malabo. A privately run school for deaf children affiliated with a foreign religious group also operated in Bata. The first lady gave several donations to help persons with disabilities, including to the private school in Bata. Two privately funded mental health clinics offered limited services in Bata. The government did not routinely audit educational and mental health facilities to ascertain if persons with disabilities were subject to abuse. There were no legal restrictions on the right of persons to vote or participate in civic affairs on the basis of their disability, but lack of access posed a barrier to full participation.

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

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. The constitution did not specify the types of disabilities against which it prohibits discrimination. The government did not effectively enforce these prohibitions, although it did implement programs to assist persons with disabilities. No laws mandate access for persons with disabilities to 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 is responsible for protecting the rights of persons with disabilities including mental 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.

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, but the government did not fully promote and protect these rights. The constitution does not address discrimination based on disability, sexual orientation, or gender identity.

Persons with Disabilities

The constitution does not mandate equal rights for persons with disabilities. The law prohibits discrimination against persons with physical and mental disabilities in employment and mandates access to buildings. It is illegal for deaf persons to drive.

The law 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.

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The law mandates building accessibility and accessible toilet facilities for persons with physical disabilities, although specific regulations that define the accessibility standards were not 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.

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. Of sexually experienced girls with disabilities, 33 percent 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 with 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.

The Ministry of Labor and Social Affairs worked on disability-related problems. The CSO law continued to affect negatively several domestic associations, such as the Ethiopian National Association of the Blind, the Ethiopian National Association of the Deaf, and the Ethiopian National Association of the Physically Handicapped, like other civil society organizations.

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, including access to polling centers for participation in elections. Most public buildings did not provide adequate access, however. The law subsumes sensory disabilities under congenital and “accidental” disabilities, but does not recognize the concept of intellectual disability. The law provides for the rights of persons with disabilities to education, health care, and transportation. Enforcement was limited, and no programs provided access to buildings, information, and communications for persons with disabilities. Children with disabilities generally attended school at all levels, including mainstream schools. Specialized schools provided education to some children with significant disabilities. Information was unavailable regarding problems of abuse of persons with disabilities in schools and mental health facilities. Accommodations were made to allow for access to air travel but not for ground transportation.

Societal discrimination occurred, and employment opportunities and treatment facilities for persons with disabilities were limited.

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. Nevertheless, discrimination against women remained a problem.

Persons with Disabilities

The constitution prohibits discrimination or exploitation of persons with disabilities – but does not expressly reference the kinds of disabilities protected, 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. There were no laws or programs to ensure that persons with disabilities had access to information or communications. The law requires that judicial proceedings involving a person with disabilities take into account the disability.

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. Most children with disabilities, however, do not attend school. 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 generally permissive societal attitude toward such discrimination contributed to its perpetuation. Courts were empowered to order specific enforcement of these prohibitions.

Persons with Disabilities

The law explicitly prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, health care, air travel and other transportation, and other domains. The National Council on Persons with Disability, mandated by law, was inaugurated in 2009. 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 Gender, Children, and Social Protection, the Ministry of Education, and the Center for Democratic Development.

The law provides that persons with disabilities should have access to public spaces with “appropriate facilities that make the place accessible to and available for use by a person with disability.” Activists supporting the rights of persons with disabilities, including Voice Ghana (a disability advocacy organization), complained of slow implementation of the law, especially the lack of legislative instruments to implement it. Despite 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 2012 parliament passed a Mental Health Bill, which then President Mills signed into law in May. According to a 2012 Human Rights Watch report, 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.

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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. There were reports that children with disabilities were tied to trees or under market stalls and caned regularly, and that family members killed some children with disabilities.

Human rights activists expressed concerns about prayer camps in which individuals believed to be possessed by evil spirits were chained 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 them of evil spirits. Some victims were thought to be as young as six years old. Families sent members to be exorcised of evil spirits or cured of their physical or mental illnesses for periods often lasting until the persons held at the camps were considered healed. Reports indicated that these practices occurred in the Greater Accra, Eastern, Central, Western, Ashanti, and Brong Ahafo regions. In 2012 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.

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 race or gender, the government did not enforce these provisions uniformly. The law does not provide antidiscrimination protections for persons with disabilities or based on sexual orientation and/or gender identity.

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. The government made special

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provisions to assist persons with disabilities in the voting process during the September 28 legislative elections, including providing assistance to the visually impaired and providing assistance at polling stations that lacked stairs. Many persons with disabilities 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 had one school for children with disabilities in Conakry. There was no additional government support for children with disabilities 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. Most children remained at home because schools rarely functioned. 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 signed the Convention on 24/9/13.

Kenya

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. Government authorities did not effectively enforce many of these provisions, and discrimination against women, lesbian, gay, bisexual, and transgender (LGBT) persons, individuals with HIV/AIDS, persons with disabilities, persons suspected of witchcraft, and certain ethnic groups 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.

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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 in 2012 that schools enrolled fewer than 10 percent of children with special needs, and that no curriculum existed for teaching children with learning disabilities.

During the year IMLU issued a first-ever survey on discrimination against and torture of persons with mental disabilities. The survey found the highest rates of physical assault on the mentally disabled occurred in schools, with more than 60 percent of respondents reporting they had experienced caning and other violence, often due to failure to perform adequately on academic tests rather than due to bad behavior. Torture, degrading treatment, inhuman conditions, and sexual abuse of persons with mental disabilities were high at police stations and in prisons. More than 58 percent of patients surveyed had experienced torture or inhumane treatment in their homes. There was also a high prevalence of abuse of mentally disabled patients in hospitals, including assault by both hospital staff and fellow patients and denial of adequate facilities for bathing and sleeping.

There were reported killings of persons with disabilities during the year, and the government took action in some cases. On September 4, a Nairobi court sentenced a woman to six years in jail for pushing her five-year-old deaf and dumb son into a pit where he was later found dead.

In 2012 the KNCHR carried out a survey on the status of the rights of persons with disabilities in Uasin Gishu and Elgeyo Marakwet counties. 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 to educate or care for them. The report noted that a cash-transfer program from the Disability Fund was

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being implemented in Elgeyo Marakwet, but it targeted few households, and the amount of KSh 1,500 (\$17.34) distributed monthly was 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 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. During by-elections in 2012, however, 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 try to ensure that all persons were able to cast their votes in the March elections.

Under the new government structure, the former Ministry of Gender, Children, and Social Development was subsumed into other ministries, and the Ministry for Devolution and Planning became the lead ministry for implementation of the law to protect persons with disabilities. The quasi-independent but government-funded parastatal National Council for Persons with Disabilities assisted the ministry. Neither entity received sufficient resources to address effectively 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.

During the year Isaac Mwaura became the first person with albinism to serve in parliament when his party nominated him for a seat in the National Assembly designated for marginalized persons. Mwaura led other nominated and elected parliamentarians with disabilities in forming the Kenya Disability Parliamentary Caucus, which was formally launched in June. Caucus members issued a strategy statement focusing on improving economic empowerment and physical access for persons with disabilities as well as integrating disability rights into county government policies.

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

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which could be sold for significant sums. The government carried out a census of persons with albinism in 2012 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. During the year the National Council of Persons with Disabilities and the Kenya Albino Child Support Program, in partnership with the government, began an awareness campaign to combat discrimination and continued to distribute sunscreen.

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. The constitution recognizes customary law as a parallel legal system, however, under which women remain disadvantaged with regard to property rights, inheritance, and succession rights.

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 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.

Persons with disabilities were disadvantaged regarding access to public buildings, employment, education, air travel and other transportation, information and communications, and health care. Laws and regulations stipulate that persons with disabilities should have access to public buildings. Public buildings completed after 1995 generally complied with the law, but many older buildings remained inaccessible. There was no accommodation for persons with disabilities in air or other transportation. Information for blind people in the form of Braille and JAWS (computer software used by people with visual disabilities) was not widely available. Service providers in the government or private sector did not provide sign language interpreters, 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 children with visual disabilities, 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.

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Media reports indicated that persons with disabilities experienced societal abuse. Although there were no publicly reported cases of such abuse in prisons, educational facilities, or mental health facilities, abuse likely occurred.

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.

Liberia

Constitution and Laws

The constitution prohibits discrimination based on ethnic background, sex, creed, place of origin, disability, or political opinion; however, the government did not enforce these provisions effectively. The constitution, however, enshrines discrimination on the basis of race, since 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 employment and provides for access to health care, these provisions were 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. The National Union of Organizations of the Disabled (NUOD) argued against the passage of new legislation that would allow schools to exclude children with disabilities from free and compulsory education.

The University of Liberia and other public schools discriminated against students with disabilities, arguing resources and equipment were insufficient to accommodate them. In 2012 a blind student passed the university’s entrance exam but was denied entry on the basis that the university did not have proper equipment to support persons with disabilities. The NUOD sought redress, noting the privately run African Methodist University and United Methodist University admitted blind students.

Many citizens had permanent disabilities as a result of the civil war. Persons with disabilities faced societal discrimination, particularly in rural areas. Few children with disabilities had access to education; a 2008-09 survey found only 0.8 percent of students enrolled in school were identified as having

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disabilities. The government included persons with disabilities in its December 2012 Vision 2030 national development strategy meeting and panel discussions.

Students with serious disabilities were exempt from compulsory education.

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 that based on race, gender, disability, language, and social status; the law does not specifically address discrimination based on sexual orientation or gender identity. 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 the rights of persons with disabilities and provides for a national commission and regional subcommissions 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 clients with disabilities. 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.” Persons with disabilities also have the right to employment and training opportunities, although the law does not address air travel.

Authorities rarely enforced the rights of persons with disabilities, and the legal framework for promoting accessibility remained perfunctory. According to a comprehensive study commissioned by a local NGO, key themes such as accessibility, autonomy, personal mobility, equality, access to justice, the ability to participate in public life and politics – in addition to the specific rights of women and children with disabilities – are all excluded from the current legal framework covering disability rights. In general access to education and health care for persons with disabilities also was limited, due to lack of adequate infrastructure, specialized institutions, and personnel. Nevertheless, disability advocates reported there were more than 60 integrated classrooms across the country that included children with

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mental disabilities. According to press reports, local officials also accommodated students with disabilities during official high school exams.

Persons with disabilities also were more likely to become victims of crime, particularly sexual abuse.

There were reports that some persons with disabilities were deterred from voting in the presidential and legislative elections due to the perceived inaccessibility of voting stations. The presence of stairs, uneven pavements, potholes, and the fear of standing in line for long periods were significant deterrents. The electoral code provides that individuals with disabilities be assisted in casting their ballots but contains no other provisions to accommodate voters with disabilities. Despite the law's ambiguity, observers from the handicapped community reported that, during the October 25 elections, voters with disabilities of all types received accommodation at various polling stations and could be assisted by a person of their choice in casting their ballots.

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 forbids discrimination based on race, color, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth, or other status. The law does not specifically mention sexual orientation. The capacity of government institutions to enforce the law was limited.

Persons with Disabilities

The law prohibits discrimination in education, health care, social services, the workplace, housing, political life, and cultural and sporting activities for persons with disabilities, defined as a long-term physical, mental, intellectual, or sensory impairment. The law prohibits discrimination against those with disabilities in political and public life. The law calls for the government to take measures to ensure access for such persons to transportation, information, and communication and provides for the establishment of a Disability Trust Fund to support persons with disabilities. The law applies to all public facilities, both governmental and private. Although the law became effective during the year after passage in 2012, the government had neither adopted specific standards for its enforcement nor plans for its implementation.

The law prohibits discrimination against persons with disabilities in employment and 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.

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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 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

The constitution and law do not specifically protect the rights of persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, or in the provision of other state services. There is no law mandating accessibility to public buildings. While persons with disabilities have access to basic healthcare, the government did not place a priority on protecting the rights of persons with disabilities, and few resources were available. Many such individuals relied on begging. Most NGOs working with persons with disabilities had to suspend their programs during the year due to the conflict in the north.

The Ministry of Humanitarian Action, Solidarity, and the Elderly is responsible for protecting the rights of persons with disabilities. The ministry sponsored activities to promote income-earning opportunities for persons with disabilities and worked with NGOs, such as the Malian Federation of Associations for Handicapped Persons, which provided basic services. Although the government was responsible for a Bamako-based school for the deaf, it provided almost no support or resources.

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 based on 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.

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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 law also provides for access to information, communication, existing buildings through retrofitting, and future buildings through amendments to the building code. This law, however, was not enforced, and persons with disabilities generally did not have access to buildings, information, and communications. There were no other government programs to provide such access. The law provides for access to air transport and other transportation at reduced rates, yet such access was often not available.

The law provides access to mainstream schools for children with disabilities, and there was one primary school in Nouakchott for children with hearing and vision disabilities. There were no reports of abuses in educational or mental health facilities. People with disabilities have the opportunity to receive training. The Ministry of Technical and Vocational Training opens and makes available vocational and educational training institutions for persons with disabilities.

Since 2008 the government has allocated 70 million ouguiya (\$230,000) per year to 30 national associations and NGOs working on disabilities issues, as well as 30 million ouguiya (\$98,360) in technical assistance. The government did not mandate preference in employment, education, or public accessibility for persons with disabilities, although it provided some rehabilitation and other assistance for such persons. The Ministry of Social Affairs, Children, and the Family oversees social reintegration programs for persons with disabilities. It develops training programs and validates the certificates issued by the institutions created by professional associations of persons with disabilities.

Persons with disabilities may file complaints with the Ministry of Social Affairs, Children, and the Family and may seek additional recourse with the Court of Justice. During the year the ministry received six complaints.

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

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Persons with Disabilities

The law prohibits discrimination in employment, education, access to health care, or the provision of other state services against persons with physical, sensory, intellectual, and mental disabilities. Such prohibited discrimination includes access to transportation, including by air. The law is not effectively enforced with respect to public conveyances where, for example, heavily used public buses presented particular problems to the physically challenged due to their high steps and narrow doors. Enforcement of the law was deficient also since many older buildings remained inaccessible to persons with disabilities despite a legal requirement that all buildings be accessible for persons with disabilities. The Training and Employment of Disabled Persons Board is an advocacy agency promoting participation in the workplace of people with disabilities, and discouraging discrimination against them in either job recruitment or advancement.

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 broadcast 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, although lack of accessible transportation posed a barrier to some voters with disabilities. In 2012, for the first time, the government made provisions to render polling stations more accessible to disabled and elderly persons by providing wheelchairs. Children with physical disabilities attended mainstream schools wherever appropriate facilities existed; however, children with mental disabilities attended specialized schools that received minimal government funding.

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.

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Persons with Disabilities

The constitution and law prohibit discrimination against citizens with disabilities but does not differentiate between physical, sensory, intellectual, and mental disabilities. The government provided few resources to implement this provision.

There were an estimated 475,000 persons with disabilities. Such individuals frequently engaged in begging at city street intersections.

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. The government had not effectively implemented programs to provide access to information and communication for persons with disabilities. Educational opportunities for disabled children were generally poor, especially 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. The Mozambican Association for the Disabled (ADEMO) reported that teacher training programs do not include techniques on how to address the needs of students with disabilities. ADEMO also observed school buildings fell short of international standards for accessibility, and public tenders were not designed to support the participation of persons with disabilities. ADEMO noted, however, the introduction this year of a sign language course at the Universidade Eduardo Mondlane, the country's second largest university.

Electoral law provides for access and assistance to voters with disabilities in the polling booths, including the right for them to vote first.

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 non-receipt 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 million) 2012-19 National Action Plan in the Area of Disabilities received approval in September 2012. The plan is intended to provide funding, monitoring, and assessment of implementation by various organizations that support people with disabilities.

The city of Maputo offered free bus passes to persons with disabilities. Buses in Maputo do not have special accessibility features. Because public transportation is limited, many citizens ride in private

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minibuses and in the backs of pickup trucks, hazardous for persons with or without disabilities. Ramps are rare, and sidewalks are hazardous for pedestrians to traverse.

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.” The government did not effectively enforce all these prohibitions.

Persons with Disabilities

The constitution protects the rights of “all members of the human family,” which domestic legal experts understand to 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 law prohibits discrimination in any employment decision based on a number of factors, including any “degree of physical or mental disability.” It makes an exception in the case of a person with a disability if that person is, because 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 had 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 requires that all new government buildings be accessible and include ramps and other features. The government, however, neither mandates access to public buildings generally nor requires retrofitting of government buildings. Some ministries thus remained inaccessible. Some street corners in the capital were outfitted with special signal crossings for persons with vision disabilities, and there were sidewalk cuts for those using wheelchairs.

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Children with disabilities attend mainstream schools. The rights of persons with disabilities to vote and otherwise participate in civic affairs are not restricted by law, but infrastructural challenges at public venues had a practical effect on the ability of persons with disabilities to participate in civic life.

The Office of the Prime Minister's Disability Advisory Unit was responsible for overseeing concerns of persons 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. The government generally did not enforce these provisions, however, because victims in large part did not report discrimination or were pressured into handling complaints 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. There are no laws on sexual orientation and gender identity.

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. The government generally enforced these provisions. The law does not specifically mention air travel and other transportation, but authorities generally enforced similar antidiscriminatory provisions. The 2012 labor code calls for promoting employment opportunities for persons with disabilities. The law mandates that the government accommodate such individuals, but there were no specific regulations in place mandating accessibility to buildings, transportation, and education for persons with disabilities. The government provided limited health care to such persons. 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.

In September persons with albinism created the National Association of Niger's Albinos to promote and protect their rights, to educate the population about their plight, to register all persons with albinism nationwide, and to help care for their members.

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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, but the government did not enforce the law effectively. The constitution prohibits discrimination based on the circumstances of a person's birth, but it does not explicitly prohibit discrimination based on disability.

Persons with Disabilities

The constitution does not prohibit explicitly discrimination based on disability, but it prohibits discrimination based on the circumstances of one's birth. No federal 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. Plateau and Lagos states have laws that provide for protections for the rights of persons with disabilities. Government responsibility for persons with disabilities falls under the National Human Rights Commission and the Ministry of Women's Affairs and Social Development, although the federal government announced that plans for a Persons With Disabilities Commission had been completed on October 17. These institutions advocated for the Nigerian Disability Bill, which was passed by the Senate but not the House of Assembly by year's end.

Mental health services were almost nonexistent. Officials at a small number of prisons used private donations to provide separate mental health facilities for prisoners with mental disabilities. All prisoners with disabilities stayed with the general inmate population without regard to disability, and no additional services were available.

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

The government operated 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 Ministry of Education estimated there were 3.25 million school-

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age children with disabilities. Of these, an estimated 90,000 enrolled in primary school and 65,000 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, although problems remained.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in 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 examinations, 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 create a barrier-free environment for persons with disabilities, 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 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, in 2012 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.

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There was one government psychiatric referral hospital in Kigali, with district hospitals providing limited psychiatric services. All other mental health facilities were nongovernmental. Facilities were often underequipped and understaffed, although the government worked to improve staffing and equipment in health facilities throughout the country. Individuals may be committed by a judge to Ndera Psychiatric Hospital involuntarily but must first be referred by district officials after counseling and consultations with family members. Gikondo Transit Center officials reported committing persons with disabilities to Ndera involuntarily and without review.

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.

The Pan African Network of People with Psychosocial Disabilities (PANPPD) reported that in January police detained a mentally disabled man, Jean Bosco Nsengiyumva, using chains that restricted circulation to his hands, and then denied him access to medical care, resulting in the amputation of both hands. Local police were charged with torturing Nsengiyumva, and the Court of Appeal of Rusororo awarded him 230 million Rwandan francs (\$350,000). The police appealed the verdict, which was pending at year's end. Nsengiyumva was transferred to Iwawa Island, where PANPPD alleged he was being detained without charge.

The National Council for Persons with Disabilities, which assisted government efforts to provide for the rights of persons with disabilities, designated one member with disabilities in the Chamber of Deputies. The National Union of Disability Organizations in Rwanda provided an umbrella civil society platform for advocacy on behalf of persons with disabilities. A disabilities coordination forum was organized every trimester. In 2012 the Ministry of Health formed a Department of Injuries and Disabilities within the Noncommunicable 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. The government did not effectively enforce the law.

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Persons with Disabilities

The law does not prohibit discrimination against persons with physical, sensory, mental, or intellectual disabilities. The law does not mandate access to buildings, transportation, or services for persons with disabilities. Children with disabilities attended school.

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. Nevertheless, discrimination was widespread, and antidiscrimination laws, in particular laws against violence against women and children, generally were not enforced. There are 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 offered funding for establishing businesses. Due to a lack of special education training for teachers and facilities accessible to children with disabilities, authorities enrolled only 40 percent of such children in primary school. Anecdotal evidence indicated that children with disabilities who do not attend school generally stay at home and, in some cases, beg on the streets. Support for persons with mental disabilities was not generally available, and incidents of abuse of persons with mental disabilities 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.

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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. There was no overt discrimination in housing, employment, education, or other social services based on race, gender, ethnicity, nationality, or disability. Nevertheless, there were anecdotal reports that discrimination based on political affiliation 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 did not attend mainstream school and were segregated into specialized schools. The National Council for Disabled, a government agency under the Ministry of Community Development, 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.

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 opinion, 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

The Persons With Disabilities Act, which prohibits discrimination against persons with disabilities in employment and provision of state services, calls further for free health care and education for the disabled, equal access to government buildings, housing, and public transportation, and provision of rehabilitation services. At year's end only three rehabilitation centers existed. The government made progress in implementing the act's provisions, launching the National Commission on Persons with Disability in February. The commission, however, was substantially underfunded. In January, President Koroma appointed the vision-impaired Mustapha Bai Attila as deputy minister of social welfare, making

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Attila the most senior ranking disabled individual in recent memory. 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 capacity for 400 patients, but beds for only 200 patients. As of September the hospital housed 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. The hospital has one consulting psychiatrist. 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.

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. The ministry did not provide these services consistently, however, and organizations reported that many persons with disabilities had limited access to medical and rehabilitative care. The National Committee for Social Action provided some support through limited programs to vulnerable communities. The Ministry of Social Welfare, Gender, and Children's Affairs has a mandate to provide policy oversight for issues affecting persons with disabilities but had limited capacity to do so.

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

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or gender identity. Authorities did not enforce antidiscrimination provisions effectively in any of the regions.

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 provision was not enforced. The provisional federal constitution does not specify whether this provision applies specifically to physical, intellectual, mental, or sensory disabilities. It does not discuss discrimination by nongovernment actors, including in relation to employment, education, air travel and transportation, or healthcare. No laws provide for access to buildings, information, and communications for persons with disabilities.

The needs of most persons with disabilities were not addressed. A report by the World Health Organization and Swedish International Development Aid (SIDA) estimated that 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 and abuse. These NGOs reported that persons with mental and physical disabilities faced widespread discrimination, particularly within the education sector at the behest of other pupils. According to these NGOs, it is common and condoned by the community for students without disabilities to beat and harass students with disabilities. Mentally and physically women with disabilities were raped often with impunity.

Without a public health infrastructure, there were few specialized institutions to provide care or education for the mentally ill. It was common for such persons to be chained to a tree or restrained within their homes. Local organizations advocated for the rights of persons with disabilities with negligible support from local authorities.

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. Nevertheless, entrenched attitudes and practices often resulted in gender-based violence and employment inequities.

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Persons with Disabilities

The law prohibits discrimination in employment, access to health care, and education based on 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 disabilities. In 2011, however, UNESCO reported 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, but it noted resources were inadequate and 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, 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 2.3 percent of the workforce. The Ministry for Women, Children, and Persons with Disabilities launched a website 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.

The six persons accused of digitally recording themselves raping a 17-year-old mentally disabled girl in March 2012 were released on bail during the year. One of the six, who was 13 years old when the crime was committed, was declared psychologically unfit to stand trial and the charges were dismissed; the other five were awaiting trial at year's end.

Persons with disabilities were sometimes subject to abuse and attacks, and prisoners with mental disabilities often received no psychiatric care.

There were 19 persons with disabilities in the upper and lower houses of parliament. Tshililo Michael Masutha, born with a visual disability, was appointed deputy minister of science and technology on July 9. 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

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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 had mental disabilities 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.

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

Constitution and Laws

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

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 provide access to buildings for persons with disabilities. NGOs reported that persons with disabilities were routinely subjected to discrimination by community and family as well as in access to public services. Observers estimated that nearly 23,000 children with disabilities were enrolled in primary schools. There were no legal restrictions on the right of persons with disabilities to vote and otherwise

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participate in civic affairs, although lack of physical accessibility constituted a barrier to effective participation. There were no mental health hospitals or institutions, and persons with mental disabilities were often held 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 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. According to the UNHCR, Sudanese authorities prosecuted 40 human trafficking cases in 2012 and during the year.

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 participation in society." On November 22, the Ministry of Social Welfare, Women, and Child Affairs and the National Council for Persons with Disabilities launched an initiative to improve access to public sector jobs and encourage respect for the constitutional rights of persons with disabilities. The Ministry of Education established a special education department. The ministry was developing a national education strategy for children with disabilities. Children with disabilities attended public schools, and there were some other educational institutions for persons with disabilities, including two schools for the blind. Social stigma and official apathy towards the needs of persons with disabilities, however, often limited the resources allocated to those facilities, and accommodations for persons with disabilities were rare in most rural areas. The government had not enacted laws or implemented effective programs to provide for access to buildings for persons with disabilities. Several NGOs advocated on behalf of persons with disabilities. Credible sources noted prisoners with mental disabilities who were considered a danger to themselves or others were chained 24 hours a day. 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.

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Swaziland

Constitution and Laws

The constitution prohibits discrimination based on race, gender, disability, age, ethnicity, religion, political opinion, or social status, but 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. Parliament, however, did not by year's end pass laws to prohibit discrimination against persons with disabilities in employment or to provide access to health care or other state services. Persons with disabilities complained of government neglect. No laws 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 persons with disabilities, including access ramps. Public transportation was not accessible for persons with disabilities, and the government did not provide any means of alternative accessible transport.

During the year the Federation of the Disabled in Swaziland expressed its disappointment that sign language interpreters were not made available during important national events including the official opening of parliament. A Nhlangano businessman with disabilities was denied a royal audience because he had one leg and was therefore unable to kneel before the king as required by custom. Polling stations for the elections were not uniformly accessible to persons with disabilities.

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, gender, or social status. No provisions prohibit 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 disabilities 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 constituted 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.

The government reportedly took 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 vision disabilities; however, 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 within the Ministry of Health and Social Welfare has responsibility for coordinating matters related to persons with disabilities.

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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, 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 law 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 law does not restrict the right of persons with disabilities to vote and participate in civic affairs, although lack of accessible buildings and transportation posed barriers.

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. The government did not enforce the law effectively, however, and persons with disabilities faced societal discrimination and limited job and educational opportunities. The UHRC also received complaints of discrimination in employment and access to transport and other public services.

Most schools in the country did not accommodate persons with disabilities. In April 2012 the government launched a program on special needs and inclusive education to enhance education of children with disabilities.

The UCC noted a decline in compliance with its June 2012 deadline for all television programming to carry sign language interpretation. UCC officials reported that only five Kampala-based stations partially complied with the requirement, using sign language interpreters only on Sunday. On September 30, the UCC threatened to revoke the licenses of broadcasting stations if they did not comply but subsequently took no action against the stations.

In March health officials reported that parents in the West Nile region hid children with disabilities, claiming they were an embarrassment to the community. As a result many were neglected and left without adequate access to health care.

On April 23, the National Union of Disabled Persons of Uganda released a report that indicated gaps in the legal system caused persons with disabilities to face challenges in accessing justice. The report indicated that many courts were inaccessible and did not provide sign language interpreters.

An August study conducted by architects in Kampala indicated that 95 percent of the buildings in the city were inaccessible to persons with special needs. Study findings showed that most buildings did not have ramps or elevators.

A July 2012 report released by the National Council on Disability (NCD) indicated that 55 percent of persons with disabilities lacked functional literacy skills and that only 33 percent studied to primary grade seven. The report found that some children with mental disabilities were sometimes denied food

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and were tied to trees and beds with ropes to control their movements. The report further stated that the needs of children with autism and learning difficulties were ignored due to an insufficient number of special needs schools.

The law reserves five seats in the National Assembly for representatives of persons with disabilities. The NCD, however, reported that participation by persons with disabilities in elections was minimal because they could not access polling centers due to physical barriers, election materials did not accommodate persons with visual disabilities, and polling stations lacked support services such as guides, helpers, and sign language interpreters. The NCD also noted that 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.

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 problematic

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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. The Persons with Disabilities Act of 2012 mandates the Ministry of Community Development, Mother, and Child Health to oversee the government's implementation of policies that address general and specific needs of persons with disabilities in education, health care, access to physical infrastructure, electoral participation, and other areas. The Zambia Agency for Persons with Disabilities oversaw the act's implementation.

The country's active disability rights movement was led by an umbrella organization, the Zambia Federation of Disability Organizations, whose primary role was advocacy and awareness-raising. Organizations cited the lack of data and statistics on the number of persons with disabilities and types of disabilities as a major impediment to the inclusion of persons with disabilities in government programming and policy. 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 Ministry of Community Development, Mother, and Child Health have responsibility for ensuring the welfare of persons with disabilities. 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 disabilities. Some children with physical disabilities attended mainstream schools.

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 bill of rights in the new constitution provides that no person can be deprived of fundamental rights, such as the right to life, personal liberty, security of person, freedom of assembly and association, equality, and political and socioeconomic rights. It prohibits discrimination based on one's race, tribe, place of origin, political opinions, color, creed, gender, or disability. The bill of rights cannot be arbitrarily

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amended and, in the section on the rights of women, states that all “laws, customs, traditions, and practices that infringe the rights of women conferred by this constitution are void to the extent of the infringement.” Nevertheless, 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. Government institutions often were uninformed and did not 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 persons with hearing disabilities due to a lack of sign-language interpreters.

Although the law provides for the appointment of representatives of persons with disabilities to Parliament, Parliament rarely addressed issues affecting them. Parliament does not provide specific line items for persons with disabilities in the various social service ministries’ budgets.

Most people holding traditional beliefs viewed persons with disabilities as bewitched and, in extreme cases, families hid children with disabilities when visitors arrived.

There were very few government-sponsored education facilities dedicated to persons with disabilities. Educational institutions discriminated against children with disabilities. Essential services, including sign language interpreters, Braille materials, and ramps, were not available, which prevented children with disabilities from attending school. Many schools refused to accept children with certain disabilities. Schools that accepted students with disabilities offered very little in the way of nonacademic facilities for those accepted as compared to their nondisabled counterparts.

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 reported that 75 percent of children with disabilities had no access to education.

Government programs, such as BEAM, which were intended to benefit children with disabilities, failed to address adequately the root causes of the systematic exclusion of children with disabilities. For example, despite BEAM’s provision that all children with disabilities are eligible for educational assistance, in 2012 BEAM paid fees for only 13 percent of deaf children in Manicaland Province.

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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 ZPCS 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 a 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, sometimes in chains and without treatment.

Prison inmates in the three facilities run by the ZPCS 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.

A 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.

There were minimal legal or administrative safeguards to allow participation in the electoral processes by people with disabilities. Administrative arrangements for voter registration at relevant government offices were burdensome, involving long queues, several hours or days of waiting, and necessary return visits, which effectively served to disenfranchise some persons with disabilities. On election day, the voting stations in many rural areas were located in places inaccessible to the disabled. While the law permits the blind to bring a person of their choice to assist them in marking their ballots, police officers also witnessed the marking of such ballots, thus indirectly infringing on the secrecy of the ballot.

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,

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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.

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 ratified the Convention on 23/9/13.