

Consolidated Disability Findings from the 2010 U.S. State Department Country Reports on Human Rights Practices

Africa

Introduction to the State Department Report on Disability Human Rights

The State Department’s 2010 Country Reports on Human Rights Practices, released April 2011, represent the culmination of the U.S. State Department’s review of the human rights records and situation in 194 countries around the world. The reports are supplied to Congress in accordance with law to assist in matters of foreign affairs.

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

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

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

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Angola

Constitution and Laws

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

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment, education, and access to health care or other state services, but the government did not effectively enforce these prohibitions. The constitution mentions persons with disabilities in articles 23 (principle of equality), 77 (health and social protection), 80 (childhood), 83 (disabled citizens), and 84 (ex-combatants and veterans). Article 83 of the constitution grants persons with disabilities full rights without restrictions. The constitution permits the state to adopt a national policy to prevent, treat, rehabilitate, and integrate persons with disabilities, provide support for their families, remove obstacles to mobility, raise awareness in society, and foster special education and training opportunities. A law to address specific issues for persons with disabilities was drafted in 2004, but never passed. The law would have included access to essential services, social protection, and physical access to buildings.

Persons with disabilities included more than 80,000 land mine victims. Persons with albinism were common victims of discrimination, although church groups worked to eliminate the abuse. The NGO Handicap International estimated that persons with disabilities constituted 10 percent of the population. However, an August study estimated that 2.6 percent of the population had a physical or mental disability. According to government statistics in 2005, there were 170,000 persons with disabilities, most of them between the ages of 25 to 44, and 56 percent were male. Only 30 percent of persons with disabilities were able to take advantage of state-provided services such as physical rehabilitation, schooling, training, or counseling.

There is no legislation mandating accessibility for persons with disabilities to public or private facilities, and it was difficult for such persons to find employment or participate in the education system. MINARS maintained an office to address problems facing persons with disabilities, including veterans with disabilities, and several government entities supported programs to assist individuals disabled by land mine incidents. During the 2008 election, the government provided voting assistance to persons with disabilities. The country had not signed the United Nations Convention on the Rights of Persons with Disabilities by year's end.

Other Relevant References

Violence and discrimination against women, child abuse, child prostitution, trafficking in persons, and discrimination against persons with disabilities and indigenous persons were problems.

The Convention on the Rights of Persons with Disabilities

Angola has not signed the Convention.

Benin

Constitution and Laws

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

Persons with Disabilities

Discrimination against persons with physical and mental disabilities is not prohibited by law; however, the law provides that the government should care for persons with disabilities. There were no legal

requirements for the construction or alteration of buildings to permit access for persons with disabilities. The government operated few institutions to assist persons with disabilities, and many such individuals were forced to beg to support themselves. The Office for the Rehabilitation and the Insertion of Persons with Disabilities under the jurisdiction of the Ministry of Family coordinated assistance to disabled people through the Aid Fund for the Rehabilitation and Insertion of Persons with Disabilities (Fonds Ariph).

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

The Convention on the Rights of Persons with Disabilities

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

Botswana

Constitution and Laws

The constitution and law prohibit governmental discrimination on the basis of ethnicity, race, nationality, creed, sex, or social status, and the government generally respected these provisions in practice. As long as a job applicant is able to perform the duties of the position, he or she may not be discriminated against due to disability or language. However, the law does not prohibit discrimination by private persons or entities, and there was societal discrimination against women; persons with disabilities; minority ethnic groups, particularly the San; persons with HIV/AIDS; persons with albinism; and gays and lesbians.

Persons with Disabilities

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

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

Other Relevant References

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

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

The Convention on the Rights of Persons with Disabilities

Botswana has not signed the Convention.

Burkina Faso

Constitution and Laws

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

Persons with Disabilities

The law prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, the provision of other state services, or other areas; however, the government did not effectively enforce these provisions. There was no government mandate or legislation concerning access to buildings, information, or communication for persons with disabilities. Advocates reported that persons with disabilities often faced societal and economic discrimination. Such persons who were able to work found it difficult to find employment, including in government service, because of deeply entrenched societal attitudes that persons with disabilities should be under the care of their families and not in the workforce.

Programs to aid persons with disabilities were limited. In 2009 and during the year, the National Committee for the Reintegration of Persons with Disabilities conducted sensitizing campaigns and implemented reintegration programs and capacity-building programs to manage income-generating activities better. High commissioners, teachers and NGOs worked together to inform citizens about the rights of persons with disabilities, specifically the rights of children with disabilities. A number of NGOs schooled and provided vocational training to children 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 equal status and protection for all citizens, without distinction based on sex, origin, ethnicity, disability, language, or social status; however, the government failed to implement these provisions effectively, and discrimination and societal abuses continued.

Persons with Disabilities

The constitution prohibits discrimination against persons with physical or mental disabilities; however, the government does not have the resources to protect the rights of persons with disabilities with regard to employment, education, or access to healthcare. Although persons with disabilities were eligible for free healthcare services through social programs targeting vulnerable groups, the benefits were not widely publicized or provided. The employment practice of requiring health certification from the ministry of public health sometimes led to discrimination against persons with disabilities.

The Ministry of Solidarity is the government agency in charge of coordinating assistance and protecting the rights of persons with disabilities. The ministry reported an increase from 500 million francs to one billion francs (\$402,252 to \$804,505) in its budget for disability programs for the year after President Nkurunziza proposed the increase in his December 2009 remarks on the International Day for the

Disabled. Despite increased funding for assistance, 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. Handicap International reported 14 other institutions for persons with disabilities sponsored by religious institutions and NGOs, including four schools for children with sensory disabilities and two for children with mental disabilities. Many schools for children with sensory or mental disabilities were not recognized by the Ministry of Education, making it impossible for students to progress in the educational system. Local and international NGOs expressed concern that persons with disabilities were more vulnerable to rape, assault, and other forms of exploitation than other groups within their communities.

While there were no government restrictions on voting by persons with disabilities, most such individuals could not participate in elections during the year due to issues of access. In February the National Independent Electoral Commission denied a request to make polling stations more accessible, claiming limitations in funding and time.

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.

On May 2, in Cendajuru, Cankuzo Province, approximately 10 persons armed with guns, grenades, and machetes attacked the household of a Mr. Vyegura, who lived with his daughter and grandson, both of whom were persons with albinism. The attackers went directly to the daughter and grandson's room, shooting Vyegura when he tried to protect his family. The attackers then killed the daughter and grandson, dismembered their bodies, and took the body parts. On May 3, nine suspects--eight Burundians and one Tanzanian--were arrested in connection with the killings. Following their trial two of the nine received life sentences; the others received sentences of 12, 10, and three years' imprisonment. All nine appealed. They remained in prison at year's end.

On September 30, five attackers raided the home of a widow in Nyamurenza, Ngozi Province, killed her eight-year-old son, and severed his hands and legs. At year's end one Burundian suspect was detained in the Ngozi prison and the investigation continued. Four Rwandan nationals remained at large; the country's authorities were working with their Rwandan counterparts on the case.

During the night of December 30, four unidentified assailants armed with rifles and machetes attacked a family with three children with albinism in Gahweza colline in Kiganda, Muramvya Province. According to the local official, the bandits cut off the left arm of the family's 12-year-old son, Ephraim Havyarimana, before they were forced to flee by the family's screams. Ephraim died before he could reach a hospital. No arrests were made by the end of the year.

During the night of December 31, a five-month-old girl with albinism was kidnapped from her family in Vumwe colline in Kinyinya, Ruyigi Province. Police arrested the girl's father and two other individuals; they remained in detention at year's end. According to the authorities, the father had never accepted his paternity of the girl with albinism.

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

Persons with Disabilities

In April the president promulgated a new law to protect and promote the rights of persons with disabilities due in part to the scarcity of facilities for persons with disabilities and lack of public assistance. The new law provides that both new and existing government and private buildings be designed to facilitate access by persons with disabilities. While all children were entitled to tuition-free primary school, the new law also provides for free secondary public education for persons with disabilities and children born of parents with disabilities. The law also provides for initial vocational training, medical treatment, employment "when possible," and public assistance "when needed."

On February 1, the Ministry of Social Affairs released a guide to educate persons with disabilities on their legal rights and the services available to them. The UN provided some of the financing for a new guide that was released in November.

Society largely treated those with disabilities as outcasts, and many felt 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 law prohibits discrimination based on race, gender, religion, disability, language, or social status; however, the government did not enforce these provisions effectively, and violence and discrimination against women and abuse of children were serious 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, and the government effectively enforced these provisions. There are no laws or programs to provide for access to buildings, information, and communications for persons with disabilities. Several NGOs, including an association for the blind, actively advocated for the rights of persons with disabilities. The government did not restrict the right of persons with disabilities to vote or participate in civic affairs.

The Ministry of Labor, Family, and Social Solidarity (MTSS) is the government agency responsible for protecting the rights of persons with disabilities. The National Council for Persons with Disabilities works under the MTSS as a consulting body and has the role of proposing and overseeing the implementation of the government's policies.

The Convention on the Rights of Persons with Disabilities

Cape Verde signed the Convention on 30/3/2007.

Central African Republic

Constitution and Laws

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

Persons with Disabilities

The law prohibits discrimination against persons with both mental and physical disabilities. It also requires that for any company employing at least 25 persons, at least 5 percent of its staff must consist of sufficiently qualified persons with disabilities, if they are available.

In addition the law states that each time the government recruits new personnel into the civil service, at least 10 percent of the total number of newly recruited personnel should be persons with disabilities. According to the Ministry of Family and Social Affairs, the provision was not automatic and depended on the availability of applications from persons with disabilities at the time of the recruitment decision by the interested ministry.

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

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

Persons with Disabilities

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

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

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

The Convention on the Rights of Persons with Disabilities

Chad has not signed the Convention.

Comoros

Constitution and Laws

The law prohibits discrimination based on race, gender, disability, language, or social status; however, there was discrimination against women.

Persons with Disabilities

The constitution and laws do not prohibit discrimination in employment and public services or mandate access to buildings, information, and communication for persons with disabilities.

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

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

The Convention on the Rights of Persons with Disabilities

Comoros signed the Convention on 26/7/2007.

Congo, Democratic Republic of the

Persons with Disabilities

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

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

During the year children with disabilities were accused of witchcraft and subjected to abuse and abandonment.

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

Persons with Disabilities

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

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

The Convention on the Rights of Persons with Disabilities

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

Cote d'Ivoire

Persons with Disabilities

The law requires the government to educate and train persons with physical, mental, visual, auditory, and cerebral motor disabilities, hire them or help them find jobs, design houses and public facilities for

wheelchair access, and adapt machines, tools, and work spaces for access and use by persons with disabilities. However, wheelchair-accessible facilities for persons with disabilities were not common, and there were few training and job assistance programs for persons with disabilities. The law also prohibits acts of violence against persons with disabilities and the abandonment of such persons; however, there were no reports that the government enforced these laws during the year.

There were no reports during the year that persons with disabilities were specific targets of abuse, but they encountered serious discrimination in employment and education. The government created an additional 300 civil service jobs for persons with disabilities in 2009, bringing the total of civil service jobs for persons with disabilities to 800. No new positions were added during the year. However, in practice government employees sometimes refused to employ persons with disabilities.

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

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

The Convention on the Rights of Persons with Disabilities

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

Djibouti

Constitution and Laws

The constitution and law prohibit discrimination on the basis of race, gender, or language; however, government enforcement of such laws was ineffective. The constitution and law do not directly address discrimination based on disability or social status.

Persons with Disabilities

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

Other Relevant References

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

The Convention on the Rights of Persons with Disabilities

Djibouti has not signed the Convention.

Equatorial Guinea

Constitution and Laws

The constitution and law prohibit discrimination based on race, gender, religion, disability, language, or social status; however, the government did not enforce these provisions effectively. Nonetheless, numerous public outreach efforts were undertaken to improve public awareness of the issues

associated with violence and discrimination against women and children, discrimination against ethnic minorities, and discrimination against those with HIV/AIDS.

Persons with Disabilities

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

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

The Ministries of Education and Health have primary responsibility for protecting the rights of persons with disabilities. Public service announcements regarding rights of persons with disabilities continued to be broadcast.

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, persons with disabilities, and discrimination based on race, language, and social status, but the government did not enforce these provisions.

Persons with Disabilities

The law and unimplemented constitution prohibit discrimination against persons with disabilities in employment, education, or in the provision of other state services. Unlike previous years, there were some reports of discrimination against persons with disabilities, especially in rural areas. Schools involved with the education of persons with disabilities reported that job discrimination was common. The government dedicated substantial resources to support and train the thousands of men and women with physical disabilities that resulted from the war for independence and the conflict with Ethiopia. There are no laws mandating access for persons with disabilities to public thoroughfares or public or private buildings, but many newly constructed buildings provided such access. The Ministry of Labor and Human Welfare was responsible for the rights of persons with disabilities.

Other Relevant References

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

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

The Convention on the Rights of Persons with Disabilities

Eritrea has not signed the Convention.

Ethiopia

Persons with Disabilities

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

The Right to Employment of Persons with Disabilities Proclamation, gazetted in 2008, prohibits employment discrimination on the basis of disability. It also states that employers are 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, the government assigned interpreters for hearing-impaired civil service employees.

The Ethiopian Building Proclamation, gazetted in May 2009, contains an article that mandates building accessibility and accessible toilet facilities for persons with physical disabilities. In addition landlords are required to give persons with disabilities preference for ground-floor apartments, and this was respected in practice.

Women with disabilities were more disadvantaged than men in education and employment. An Addis Ababa University study showed that female students with disabilities were subjected to a heavier burden of domestic work than their male peers. The enrollment rate for girls with disabilities was lower than for boys at the primary school level, and this gap increased at higher levels of education. Girls with disabilities also were much more likely to suffer physical and sexual abuse than able-bodied girls.

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

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

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.

Persons with Disabilities

There are no laws that prohibit discrimination against persons with disabilities or provide for access to buildings or services; however, there were no reports of official discrimination against persons with

disabilities. Societal discrimination against persons with disabilities 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.

Persons with Disabilities

The constitution protects persons with disabilities--specifically stating "disabled or handicapped" persons--against exploitation and discrimination, in particular as regards access to health services, education, and employment. The law also provides that in any judicial proceedings in which a disabled person is a party, the procedure shall take into account his or her condition. The Department of Social Welfare is responsible for ensuring that persons with disabilities are not denied these rights. There were no reports of persons with disabilities being involved in any judicial proceedings. The department also worked with international donors to supply wheelchairs to some persons with disabilities. However, there was some societal discrimination. Persons with severe disabilities subsisted primarily through private charity. Persons with less severe disabilities were accepted fully in society, and they encountered little discrimination in employment for which they were physically capable. There were no laws to ensure access to buildings for persons with disabilities, and very few buildings in the country were accessible to them. The Department of Social Welfare worked with the Gambia Organization for the Visually Impaired and the School for the Deaf and Blind to help educate handicapped children and to promote relevant skills. There are no laws or specific programs to ensure that persons with disabilities have access to information and communications.

On June 18, police arrested an unknown number of beggars and mentally disabled persons loitering the streets of Banjul. They were loaded onto a police truck and driven away. The government issued no statement; the action is assumed to be a continuation of the government's efforts to end street begging, which it views as a public nuisance. Leaders of the Gambia Federation of the Disabled urged authorities to review their policy regarding persons with disabilities. They were instrumental in obtaining the release of several detained beggars with disabilities.

The media continued to report on the rights of persons with disabilities, and several NGOs sought to improve awareness of these rights, including by encouraging the participation of persons with disabilities in sports and physical activities. The NHRU specifically sought to promote the rights of women with disabilities. Persons with disabilities were given priority access to polling booths on election days.

The Convention on the Rights of Persons with Disabilities

The Gambia has not signed the Convention.

Ghana

Constitution and Laws

The constitution prohibits discrimination on the basis of race, gender, disability, language, or social status; however, enforcement was generally inadequate. Limited financial resources and a generally

permissive societal attitude toward such discrimination contributed to its perpetuation. Courts were empowered specifically to order enforcement of these prohibitions.

Persons with Disabilities

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

Persons with mental and physical disabilities were frequently subjected to abuse and intolerance; however, unlike in the previous year, there were no reports of persons with disabilities being killed for ritual purposes.

In March 2009 four persons appeared in court on murder charges in connection with the July 2008 killing of Yakubu Busanga, a hunchback. The attack may have been motivated by a desire to obtain body parts for use in ritual practices. At year's end there was no new information on this case.

In July 2009 a two-year-old albino boy was stolen from his mother for ritual purposes. An 18-year-old woman was arrested for the kidnapping and detained in prison custody. She claimed that she was hired to steal the child. At year's end there was no new information on the case.

Some religious groups believed that persons with mental disabilities were afflicted by demons that should be exorcised. The abuse of children with disabilities was common. In previous years there were reports that children with disabilities were tied to trees or under market stalls and caned regularly and of family members killing children with disabilities.

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

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

Other Relevant References

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

The Convention on the Rights of Persons with Disabilities

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

Guinea

Persons with Disabilities

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

The 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

Persons with Disabilities

The law does not specifically prohibit discrimination against persons with disabilities, mandate building access for them, or provide for equal access to employment and education. There were no government efforts to mitigate discrimination against persons with disabilities or ensure their access to buildings or streets. However, there were no reports of overt societal discrimination. 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.

The Convention on the Rights of Persons with Disabilities

Guinea-Bissau has not signed the Convention.

Kenya

Constitution and Laws

The new constitution provides for the representation in parliament of women, youth, persons with disabilities, ethnic minorities, and marginalized communities. The constitution and law prohibit discrimination based on race, sex, pregnancy, marital status, health status, ethnic or social origin, color, age, disability, religion,

Persons with Disabilities

The law prohibits discrimination against persons with physical or mental disabilities in employment, education, access to health care, or the provision of other state services; however, the government did not effectively enforce these provisions. The Ministry of Health is the lead ministry responsible for implementing the law, but implementation was slow. The government equipped some public buildings with wheelchair ramps, and wheelchair-accessible elevators and sanitary facilities. The government assigned each region a sign-language interpreter for court proceedings.

Provisions for persons with disability existed but not in all polling stations. During the most recent by-elections the Kenya Society for the Mentally Handicapped (KSMH) and the Disabled Voters of Kenya Alliance worked closely with the IIEC to ensure that all persons were able to cast their votes.

In 2008 the KNCHR ordered the Kenya Commercial Bank (KCB) to reinstate an employee who had been terminated due to mental illness. The KCB filed a suit objecting to the judicial powers held by the KNCHR; the Attorney General's Office supported the KCB's claims. The court issued an injunction against further intervention which barred future action from the KNCHR in employee rights matters.

NGOs reported that persons with disabilities were affected disproportionately by postelection violence, especially in IDP camps. However, NGOs reported that camp administrators often failed to recognize those with mental disabilities.

The education ministry permanent secretary stated that only 35,000 of the 147,000 children with special needs were enrolled in school, while the KNCHR commissioner contended that fewer than 10 percent of children with special needs were enrolled in school.

The KNCHR also stated that the Kenya National Examination Council (KNEC) failed to provide adequate testing facilities and resources for students with disabilities. The KNEC claimed that it provided special accommodations, such as exams in Braille and in large print for visually impaired candidates, and extra time to complete exams. The government was developing disability-specific curricula, but the process was slow because the government failed to allocate sufficient resources and staff.

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 the formal legal code prohibit discrimination based on race, gender, disability, language, or social status. However, the constitution recognizes customary law as a parallel legal system, and under it women remained disadvantaged with regard to property rights, inheritance, contracts, and succession rights.

Persons with Disabilities

The constitution and law prohibit discrimination against persons with sensory and intellectual disabilities in employment, education, access to healthcare, or the provision of other state services. The government enforced these laws within its limited ability. Although societal discrimination was common, the tradition of hiding children with disabilities from the public was no longer commonly accepted. The Association of the Disabled actively promoted the rights and needs of persons with disabilities.

Laws and regulations stipulate that persons with disabilities should have access to public buildings. Buildings completed after 1995 generally complied with the law. According to John Motloko, executive director of the Lesotho National Federation of Organizations of the Disabled, government efforts to modify buildings were hampered by the lack of a national disability and rehabilitation policy, which has been in draft form since 2000. The Ministry of Health and Social Welfare is responsible for the bill.

Information for the blind in the form of Braille and JAWS (a computer software used by visually impaired persons) was not widely available. Sign language was not provided by service providers in the government or private sector, so signing individuals could not access many services. There were limited facilities for training deaf persons.

The government did not effectively implement laws to ensure that persons with disabilities had access to information and communications. Media reports indicated that persons with disabilities experienced societal abuse; however, there were no reports of such abuse in prisons, educational facilities, or mental health facilities.

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

The Ministry of Health and Social Welfare is responsible for protecting the rights of persons with disabilities. In partnership with the NGO Skillshare International, the government provided leadership-training workshops for persons with disabilities and community-based rehabilitation (training community members to provide services to persons with disabilities). The community-based training assisted teachers in working with students with disabilities. The Skillshare–government partnership supported 20 income-generating projects with a minimum starting capital of 10,000 maloti (\$1,428). There was also advocacy and awareness training about the rights of persons with disabilities. These events usually centered on international events, such as Sign Language Day, White Cane Day, and Braille Day. The partnership also provided aids such as prescription eyeglasses, wheelchairs, and canes.

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, ethnic origin, or political opinion; however, the government did not enforce these provisions effectively.

Persons with Disabilities

Although it is illegal to discriminate against persons with physical and mental disabilities, such persons did not enjoy equal access to government services. No laws mandate access to public buildings. Streets, schools, public buildings, and other facilities were generally in poor condition and inaccessible to persons with disabilities. Many citizens had permanent disabilities as a result of the civil war. Persons with disabilities faced societal discrimination, particularly in rural areas.

The National Commission on Disabilities and the Ministry of Health and Social Welfare were responsible for protecting the rights of persons with disabilities; however, they did not do so effectively. During the year the commission and ministry conducted a series of sensitization programs about persons with disabilities. NGOs provided some services to persons with disabilities.

The Convention on the Rights of Persons with Disabilities

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

Madagascar

Constitution and Laws

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

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities, broadly defines their rights, and provides for a national commission and regional subcommissions to promote the rights of persons with disabilities. In practice, however, these rights were rarely enforced, and the legal framework for promoting accessibility remained perfunctory. A 2005 study conducted by the NGO Handicap International found that persons with disabilities seldom had access to health care, education,

employment, or accommodation for communication or other basic services, and women and girls with disabilities were often victims of physical violence. The Association Sembana Mijoro, advocating for rights of persons with disabilities, reported that children with disabilities represent only 0.5 percent of children attending school. In general, access to education for persons with disabilities was limited due to lack of adequate infrastructure, specialized institutions, and teachers.

The Ministry of Health is responsible for protecting the rights of persons with disabilities. Isolated projects at the community level had some success. In 2008 a public market in the city of Majunga gained special handicapped access; a health and transportation benefits program with identity cards was developed in the city of Fianarantsoa; and persons with disabilities had been successfully integrated into public schools in some areas where they previously had no access. With international funding in 2008, the city of Antsiranana worked to make city hall, health centers, and other administrative buildings accessible. However, reports continued that schools often rejected students with disabilities, claiming their facilities were not adequate. Local NGOs also provided evidence that persons with disabilities were routinely refused access and verbally abused by teachers throughout the education system, from primary school to university. In June 2009 a study on the integration of children with disabilities in the educational system found that their attendance rate was only 0.26 percent in 631 schools surveyed, due to the lack of specialized programs, poor understanding of the children's needs, and insufficient resources.

The Convention on the Rights of Persons with Disabilities

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

Malawi

Constitution and Laws

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

Persons with Disabilities

The Employment Act prohibits discrimination in employment; however, there is no comprehensive law governing discrimination against persons with disabilities. The law provides for the support of persons with disabilities through greater access to public places, fair opportunities in employment, and full participation in all spheres of society; however, extremely limited resources prevented the government from protecting these rights in practice. Reported violations were taken seriously, and the president publicly declared that students with disabilities should have equal access to education and other government services. The government had not mandated accessibility to buildings and services for persons with disabilities.

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

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. In spite of relevant legislation, citizens were generally reluctant to file complaints or press charges of discrimination, based largely on cultural factors. Absent complaints or lawsuits, the government did not aggressively pursue violations of these laws.

Persons with Disabilities

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

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

Persons with Disabilities

The law prohibits discrimination against persons with physical disabilities in education, employment, or the provision of other state services, and there were no reports of governmental or societal discrimination against persons with disabilities. Persons with disabilities generally did not have access to buildings, and there were no government programs to provide such access. The government did not mandate preference in employment, education, or public accessibility for persons with disabilities, although it did provide some rehabilitation and other assistance for such persons. The MASEF oversees social reinsertion programs for persons with disabilities. On June 10, the Council of Ministers approved a decree on the organization and function of the National Multisectoral Commission for the Promotion of Handicapped People. The commission was not operational by year's end.

The Convention on the Rights of Persons with Disabilities

Mauritania has not signed the Convention.

Mauritius

Constitution and Laws

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

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, or the provision of other state services. The Training and Employment of Disabled Persons Board effectively enforced the law. The law requires that buildings be accessible for persons with disabilities; however, many older buildings remained inaccessible. The law requires organizations employing more than 35 persons to set aside at least 3

percent of their positions for persons with disabilities, and the government enforced this law. The government effectively implemented programs to ensure that persons with disabilities had access to information and communications. The state-run television station aired a weekly news program for persons with disabilities. The government does not restrict the right of persons with disabilities to vote or participate in civic activities; however, during the May 5 legislative elections, private radio stations reported that a few such persons were not able to vote because the polling stations were not accessible.

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 in practice discrimination persisted against women and persons with HIV/AIDS.

Persons with Disabilities

The constitution and law stipulate that citizens with disabilities shall fully enjoy the same rights as all other citizens. However, the government provided few resources to implement this provision, and persons with disabilities frequently could be seen begging at traffic intersections, often accompanied by able-bodied persons. Discrimination was common against persons with disabilities in employment, education, access to health care, and the provision of other state services. The law does not mandate access to buildings for persons with disabilities, but the Ministry of Public Works and Habitation worked to ensure that public buildings in Maputo city provided access for persons with disabilities. Electoral law provides for the needs of voters with disabilities in the polling booths.

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

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

Veterans with disabilities continued to complain about not receiving pensions.

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

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

Other Relevant References

Because some traditional healers assert that 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.

Namibia

Constitution and Laws

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

Persons with Disabilities

While discrimination on the basis of disability is not addressed in the constitution, the law prohibits discrimination against persons with physical and mental disabilities in employment, health care, education, or the provision of any state services. Enforcement in this area was ineffective, and societal discrimination persisted.

The government does not require special access to public buildings, and some ministries remained inaccessible. However, during the year the government continued to require that all new government buildings include ramps. In addition, some street corners in the capital were outfitted with special signal crossings for the visually impaired. In September the chief executive officer of the City of Windhoek toured the city in a wheelchair to test the city's accessibility for persons with disabilities. While he found that most establishments catered sufficiently to persons with special needs, he recommended some changes, such as lowering the height of customer counters.

The Office of the Prime Minister's Disability Advisory Unit was responsible for assisting persons with disabilities.

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.

Other Relevant References

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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 constitution and statutes prohibit discrimination based on race, gender, disability, language, or social status, and the government generally effectively enforced these prohibitions.

Persons with Disabilities

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

There were no reports of abuse of persons with disabilities in educational facilities. In May the country adopted a law determining regulations for the social protection of persons with disabilities.

The Convention on the Rights of Persons with Disabilities

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

Nigeria

Constitution and Laws

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

Persons with Disabilities

The constitution does not prohibit explicitly discrimination based on disability; however, it does prohibit discrimination based on the circumstances of one's birth. No laws prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, access to health care, or the provision of other state services. There were no laws requiring physical accessibility, or access to information or communications for persons with disabilities. Mental health facilities were almost nonexistent. All disabled prisoners were kept 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 they were often regarded by their families as a source of shame. Many families viewed children with disabilities who could not contribute to family income as liabilities and sometimes severely abused or neglected them. Many indigent persons with disabilities begged on the streets.

The government ran vocational training centers in Abuja and Lagos to train indigent persons with disabilities. Individual states also provided facilities to assist 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, the Kano Polio Victims Trust Association, the Joint National Association of Persons with Disabilities, the Albino Foundation, and Comprehensive Empowerment of Nigerians with Disabilities.

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 on the basis of [...] physical or mental disability. The government generally enforced these provisions; however, problems remained.

Persons with Disabilities

The law specifically prohibits discrimination against persons with disabilities in regard to employment, education, and access to social services, and the government generally enforced these provisions. The constitution prohibits discrimination on the basis of physical or mental disability. The law also mandates access to public facilities, accommodations for taking national exams, provision of medical care by the government, and monitoring of implementation by the NHRC; the government generally implemented these provisions. The National Federation for People with Disabilities (FENAPH) appointed one member of the chamber of deputies. The legislature passed an amendment to the constitution on June 17 to establish a national council for persons with disabilities to assist in coordination of government efforts to provide for the rights of persons with disabilities. Some persons view disability as a curse or punishment, which can result in social exclusion and sometimes abandonment or hiding of children from the community. FENAPH has held several conferences to sensitize teachers and communities to these abuses.

There is one government psychiatric referral hospital in Kigali; all other mental health facilities are nongovernmental. In general facilities are underequipped and understaffed. Individuals can be committed to mental health facilities involuntarily with no hearing. There have been no claims of employment discrimination against persons with disabilities.

The National University of Rwanda and the Kigali Institute of Education admit students with visual 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 provides for the equality of all citizens regardless of gender, race, social origin or status, political views, creed, philosophical convictions, disability, or language; nevertheless, women faced discrimination.

Persons with Disabilities

The law does not prohibit discrimination against persons with physical or mental disabilities; however, there were no reports of discrimination against such persons. The law does not mandate access to buildings, transportation, or services for persons with disabilities. Local NGOs that criticized the government in the past for not implementing accessibility programs for such persons were not active during the year.

The Convention on the Rights of Persons with Disabilities

Sao Tome and Principe has not signed the Convention.

Senegal

Persons with Disabilities

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

The law reserves 15 percent of new civil service positions for persons with disabilities. However, according to the Senegalese National Association of People with Physical Disabilities, as of year's end,

the government had not issued an executive decree required to make the law operational. The government operated schools for children with disabilities, provided grants for persons with disabilities to receive vocational training, and managed regional centers for persons with disabilities to receive training and funding for establishing businesses.

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

On May 26, the National Assembly passed a law to protect the rights of persons with disabilities. The law offers more possibilities for persons with disabilities to seek legal redress in case of discrimination. It also grants rights in education, health, access to public buildings, and employment. The government has submitted three decrees relating to the establishment of commissions on special education, equal opportunity, and financial support; these are necessary for the provisions of the law to take effect. A fourth decree concerning the establishment of a high commissioner for the rights of persons with disabilities was pending at year's end.

The Convention on the Rights of Persons with Disabilities

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

Seychelles

Constitution and Laws

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

Persons with Disabilities

The constitution and law provide for the right of persons with disabilities to special protection, including reasonable provisions for improving the quality of life; however, there are no laws providing for access to public buildings, transportation, or state services, and the government did not provide such access for persons with disabilities. There was no discrimination reported against persons with disabilities in housing, employment, education, or in the provision of other state services. The National Council for Disabled, a government agency under the Ministry of Social Development and Culture, developed work placement programs for persons with disabilities.

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

Persons with Disabilities

The law does not prohibit discrimination against persons with physical and mental disabilities, and offers no specific protections for such persons. The law does not mandate accessibility of buildings or assistance to disabled persons. There was no government policy or program to assist persons with disabilities; public facility access and discrimination against persons with disabilities were not considered public policy priorities.

Although there was no formal discrimination against persons with disabilities in employment, education, access to health care, or in the provision of other state services, an April survey by a UK-based NGO found in practice persons with disabilities had less access to such services. In addition given the high rate of general unemployment, work opportunities for persons with disabilities were few, and begging by persons with disabilities was commonplace. Children with disabilities were also less likely to attend school than other children due to the lack of an official inclusive education policy. There is considerable stigma associated with and discrimination against persons with mental health issues. The Sierra Leone Psychiatric Hospital in Kissy, the country's only in-patient psychiatric institution, had beds for 400 patients but housed only 100 patients due to staff and resource constraints, as the hospital was poorly funded by the government and received only small donations from private charities. Patients were generally released to their families or communities as soon as possible, and received follow-up counseling on a regular basis. The hospital estimated that 550,000 citizens needed some form of psychiatric care due to posttraumatic stress disorder arising from the 1991-2002 civil war, depression due to socio-economic problems, and drug abuse. Men and women were housed in separate wards, and there was no mingling between the sexes. The hospital lacked adequate beds and mattresses which are easily destroyed by the patients and could not provide sufficient food to sustain them. Patient restraints were primitive due to lack of resources. The hospital did not have running water and only sporadic electricity due to lack of funds to buy fuel for the facility's generator. Basic medications were available, although the hospital suffered from a lack of a variety of drugs targeted at specific problems.

The Ministry of Health and Sanitation is responsible for providing free primary health care services to persons with polio and diabetic retinopathy as well as those who are blind or deaf. However, these services were not provided consistently, and organizations reported that many persons with disabilities had limited access to medical and rehabilitative care. The National Committee for Social Action provided some support through limited programs to vulnerable communities. The Ministry of Social Welfare, Gender, and Children's Affairs has a mandate to provide policy oversight for issues affecting persons with disabilities but had limited capacity to do so. Some of the many individuals maimed in the civil war, including those who had their limbs amputated, received special assistance from local and international humanitarian organizations. Such programs involved reconstructive surgery, prostheses, and vocational training to help victims acquire new work skills; however, amputees complained that they did not receive sufficient assistance compared to former combatants, who received aid through the demobilization process. In response to TRC's recommendations, the government accepted in principle the need to develop an aid program for war wounded, amputees, and victims of sexual violence; however, assistance to these groups remained limited and mostly funded by outside entities.

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

Persons with Disabilities

The TFC, Somaliland constitution, and Puntland interim constitution all prohibit discrimination on the basis of intellectual or physical disabilities. None of the three administrations restrict the right of people with disabilities to vote or participate in civic affairs.

The TFC reads that the state is responsible for the welfare of persons with disabilities, along with orphans, widows, heroes who contributed to and fought in defense of the country, and the elderly.

The Somaliland constitution notes that the state is responsible for the health, care, development, and education of mothers, children, the disabled, persons who have no one to care for them, and mentally handicapped persons. The Puntland interim constitution safeguards and advocates for the rights of

orphans, disabled persons, and whoever needs the protection of the law. There are no laws in any of the three areas to ensure building access. In the absence of functioning governing institutions, the needs of most persons with disabilities were not addressed. Several local NGOs in Somaliland provided services for persons with disabilities. Associations of persons with disabilities reported numerous cases of discrimination.

There was widespread abuse of persons with mental illness. Without a public health infrastructure, there were no specialized institutions to provide care or education for the mentally ill. It was common for such persons to be chained to a tree or restrained within their homes.

The Convention on the Rights of Persons with Disabilities

Somalia has not signed the Convention.

South Africa

Constitution and Laws

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

Persons with Disabilities

The law prohibits discrimination on the basis of physical, sensory, intellectual, and mental disability; however, government and private-sector discrimination in employment existed. The law mandates access to buildings for persons with disabilities, but such regulations were rarely enforced, and public awareness of them remained minimal.

There were more than 100,000 students with disabilities in mainstream schools, and the Department of Basic Education allocated part of its budget for assistive devices, material resources, and assistive technology. To date, eight schools had been fully converted to full-service, inclusive schools, with 20 more identified for future conversion.

The law provides persons with disabilities protection from harassment and, in conjunction with the Employment Equity Act, also provides guidelines on the recruitment and selection of persons with disabilities, reasonable accommodation for persons with disabilities, and guidelines on proper handling of employee medical information. Enforcement of this law was limited. The law also requires employers with more than 50 workers to create an affirmative action plan with provisions for achieving employment equity for persons with disabilities. Persons with disabilities constituted 7.9 percent of the general population, but only an estimated 0.9 percent of the public service workforce and 1 percent of the private sector workforce. The Ministry for Women, Children and Persons with Disabilities launched a Web site linking persons with disabilities with civil service positions, but the government did not meet its target of 2 percent of government positions occupied by persons with disabilities.

The law does not allow persons with mental disabilities to vote.

The Ministry for Women, Children, and Persons with Disabilities is charged with protecting the rights of persons with disabilities, enhancing their development opportunities, and monitoring government departments to ensure that disability issues are addressed in policies, hiring practices, building plans, and other matters.

NGOs also advocated for the rights of persons with specific disabilities such as blindness.

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.

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 interim constitution of Southern Sudan prohibits discrimination on race, gender, language, and social status. It does not address discrimination based on disability.

Persons with Disabilities

While the law does not specifically prohibit discrimination against persons with disabilities, it stipulates that "the state shall guarantee to persons with special needs the enjoyment of all the rights and freedoms set out in the constitution, access to suitable education, employment, and full participation in society." The government has not enacted laws or implemented effective programs to ensure access to buildings for persons with disabilities. Credible sources noted that prisoners with mental disabilities were chained 24 hours a day, and mentally disabled prisoners were not exempted from trial. In the South there were no mental health hospitals or institutions, and persons with mental illnesses were held in prisons.

The Convention on the Rights of Persons with Disabilities

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

Swaziland

Constitution and Laws

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

Persons with Disabilities

The constitution provides protection for persons with disabilities, but does not differentiate between physical and mental disabilities and requires parliament to enact relevant implementing legislation. The

deputy prime minister is responsible for upholding the law. However, parliament had not passed laws to prohibit discrimination against persons with disabilities in employment or to provide access to health care or other state services by year's end. Persons with disabilities have complained of government neglect. There are no laws that mandate accessibility for persons with disabilities to buildings, transportation, or government services, although government buildings under construction included some improvements for those with disabilities, including access ramps. Public transport was not user friendly to disabled persons, and the government does not provide any means of alternative accessible transport.

The Deputy Prime Minister's Office and its Social Welfare section are responsible for protecting the rights of persons with disabilities. In 2008 a visually impaired man was appointed as a senator, marking the first time a person with disabilities served in parliament. In August the government purchased computer equipment, which included a text scanner, Braille printer, control panel unit tower, keyboard, and speakers to assist the senator to perform his parliamentary duties.

There is one school for the deaf and one special education alternative school for children with physical or mental disabilities. Only 25 percent of adults with disabilities were employed, mostly in the private sector, according to a 2006 study conducted by the Ministry of Health and Social Welfare. In 2006 the minister for enterprise and employment found that of 10,600 visually impaired persons in the country, only three were employed. Despite the former minister's 2006 pledge to introduce a bill compelling employers to create specific jobs for the visually impaired, no bill had been introduced by year's end. The hospital for persons with mental disabilities, located in Manzini, was overcrowded and understaffed.

The Convention on the Rights of Persons with Disabilities

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

Tanzania

Constitution and Laws

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

Persons with Disabilities

The constitution prohibits discrimination against persons with disabilities. During the year the government passed the Persons with Disability Act, although implementing regulations had not been promulgated by year's end. Approximately

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

There were five members of the mainland parliament with disabilities, including one elected member of parliament from Lindi who has albinism.

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

In 2009 the government started an education initiative to integrate students with disabilities into mainstream schools; however, the program lacked adequate funding. For example, braille paper and tape recorders were generally not available for blind students.

Other Relevant References

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

The Convention on the Rights of Persons with Disabilities

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

Togo

Constitution and Laws

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

Persons with Disabilities

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

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

Uganda

Constitution and Laws

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

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory or mental disabilities in employment, education, access to health care, and the provision of other state services; however, the government did not enforce the law effectively. Persons with disabilities also faced societal discrimination and limited job and educational opportunities. There was no statutory requirement that buildings be accessible to persons with disabilities; however, the law requires that children with disabilities be given necessary special facilities.

The UHRC continued to receive complaints of discrimination in employment and access to transport, cell phone, and other public services from persons with disabilities. Most schools in the country did not accommodate persons with disabilities.

No action was taken to assist the 40 prison inmates with impaired hearing who had been denied a trial, health services, and education because they could not communicate.

The government supported the right of persons with disabilities to vote and participate in civic affairs. Five seats in parliament were reserved for representatives of persons with disabilities; however, a government-sponsored NGO managed election to these five seats in a process that was not transparent.

Government agencies responsible for protecting the rights of persons with disabilities included the Ministry of State for Disabled Persons and the Ministry of Gender, Labor and Social Development, but both agencies lacked sufficient funding to undertake or support any significant initiatives. In August 2009 President Museveni appointed members to the Equal Opportunities Commission, which is responsible for enforcing laws that protect persons with disabilities and ensuring that they have equal access to public office. In April the government released 1.5 billion shillings (\$647,388) to accelerate ongoing projects being undertaken to increase incomes and improve livelihoods of persons with disabilities in 48 districts.

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, or creed. However, the government did not effectively enforce the law, and violence and discrimination against women and children, discrimination based on sexual orientation, trafficking in persons, and discrimination against persons with disabilities remained problems.

Persons with Disabilities

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

The MCDSS has responsibility for ensuring the welfare of persons with disabilities. Public buildings, schools, and hospitals rarely had facilities to accommodate persons with disabilities. The government did not mandate accessibility to public buildings and services for persons with disabilities. In September 2009 The Post reported that conditions at the country's only mental health facility, Chainama Hills Mental Hospital, were generally good. No patterns of abuse of persons with disabilities in prisons were reported.

Other Relevant References

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

The Convention on the Rights of Persons with Disabilities

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

Zimbabwe

Constitution and Laws

The constitution and law provide that no person can be deprived of fundamental rights, such as the right to life, liberty, and security of person, based on one's race, tribe, place of origin, political opinions, color, creed, gender, or disability; however, the constitution allows for discrimination, primarily against women, on the grounds of "customary law." Discrimination against women and persons with disabilities persisted.

Persons with Disabilities

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

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

According to the National Association of Societies for the Care of the Handicapped, persons with disabilities continued to be a forgotten and invisible group in society. For example, although an estimated 10 percent of citizens had disabilities, they were marginalized from HIV/AIDS intervention programs. The organization also reported that only 33 percent of children with disabilities had access to education.

Persons with mental disabilities also suffered from inadequate medical care and general provision of health services. There were eight centralized mental health institutions in the country with a holding capacity of more than 1,300 patients. The eight institutions were allocated approximately 1 percent of the Ministry of Health's budget. Inpatients received cursory screening, and most waited for at least one year for a full medical review. A shortage of drugs and adequately trained mental health professionals resulted in patients not being properly diagnosed and not receiving adequate therapy. There were fewer than 10 certified psychiatrists working in public and private clinics and teaching in the country. There was a 50 percent vacancy rate for psychiatric-trained nurses; more than 90 percent of the available psychiatric services were provided at the mental institution in Bulawayo. NGOs reported patients being subjected to deplorable living conditions in terms of food, water, clothing, and sanitation. Budgetary constraints and low holding capacity at these institutions resulted in persons with mental disabilities being kept at home and cared for by family, normally under chains and without treatment. No social workers worked on the issue of reintegration for recovering patients.

The amendments to electoral laws changed voting procedures for persons with disabilities. In 2008 the ZEC issued a notice explaining that "only the presiding officer and two other electoral officers or employees of the commission will assist any voter who requests to be assisted." Some groups complained that this ruling violated persons with disabilities' right to cast their votes in secret. Ahead of the June 2008 run-off election, there were widespread reports that ZANU-PF militias and war veterans instructed voters to claim blindness at the polling place in order to be assisted to vote for Mugabe. In 2009 the National Association of Societies for the Care of the Handicapped launched a five-year program to provide civic education to persons with disabilities with the goal of encouraging greater civic participation. The government broadcast a regular, prime-time program on state radio to promote awareness of the rights of persons with disabilities.

Other Relevant References

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

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

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

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

The Convention on the Rights of Persons with Disabilities

Zimbabwe has not signed the Convention.