

Sierra Leone UPR Second Cycle Stakeholders' Report on the rights of person with disabilities in Sierra Leone

Submitted by: One Family People

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Background information

OneFamilyPeople is a local human right organization established since 2008 by a group of dedicated volunteers whose mission is to fight for the rights of persons with disabilities (pwd) in Sierra Leone. Today OneFamilyPeople is locally and internationally recognised as a disability centre of excellence designed to helping children with disabilities become tomorrow's leaders by breaking barriers and changing mind sets while advocating for the full enjoyment of their rights under national and international human rights obligation.

OneFamilyPeople is dedicated to the promotion and protection of the rights of all people with disabilities using the principle of "leaving no one behind". This is clearly demonstrated by our effort in advancing disability inclusion in national and international development programming and making the UN Convention on the rights of Persons with Disabilities and that of Persons with Disability Act 2011 accessible to persons with disabilities and their representative organizations.

In 2010 OneFamilyPeople was among 19 CSOs trained by Amnesty International-UK (AI-UK) on the UPR process which submitted the first cycle Sierra Leone stakeholder's report to the Human Rights Council pursuant to its Resolution 5/1. OneFamilyPeople also participated in another training in UPR process for CSOs in the Mano River Union basin conducted by International Services for Human Rights (ISHR) headquartered in Geneva.

Subsequent to a two day national sensitisation conference on the first cycle UPR Recommendations accepted by the Government of Sierra Leone organised by Human Rights Commission of Sierra Leone and a follow seminar conducted by Common Wealth put OneFamilyPeople in a better stead among CSOs that established the CSO UPR Monitoring Group- Sierra Leone (CUMG-SL). OneFamilyPeople is therefore a founding member of CUMG-SL and participated in all activities organised by CUMG-SL in particular submission of Mid Term Assessment Report to uprinfo. OneFamilyPeople is therefore preparing individual second cycle report for the attention of the council in its 24th session.

Among the issues OneFamilyPeople raised in the first cycle for the attention of the Council was the discriminatory policies and disability mainstreaming in national and local programming. Although these issues were not raised with the government OneFamilyPeople was however pleased that in 2011 Government of Sierra Leone (GoSL) enacted the Persons with Disability Act 2011 culminating into the establishment of the National Commission for Persons with Disability. With all these efforts there still remain key issues affecting persons with disabilities in Sierra Leone. OneFamilyPeople calls on the Council to raise these issues with the Government of Sierra Leone in its 24th session.

Introduction

1. OneFamilyPeople has prepared this individual report in order to respond to the status of implementation of the Recommendations related to disability accepted by the Government of Sierra Leone during its first cycle review and also to raise concerns about emerging issues affecting the rights of persons with disabilities. Given the outbreak of Ebola which slowed most government efforts in addressing the Recommendations accepted and emerging ones, due consideration was given to issues not addressed as a result of effort of the government to fight the epidemic. Several key issues are raised pertaining to the first cycle Recommendation and those emerged thereafter including discrimination (in access to transportation, employment, infrastructure and housing, health and education), justice and statistical data.

Methodology

2. This report was prepared by OneFamilyPeople in consultation with several partner organisations, including persons with disabilities and their representative organisations. In drafting of this Shadow report focus group discussions were held in Moyamba, Kabala, Kono, Makeni and Western Area. The focus group discussions enabled OneFamilyPeople to obtain on-the-ground situational experiences of the persons with disabilities themselves and our partners. OneFamilyPeople also consulted information available from its field reports submitted by field staff volunteers and interns. Analysis of international and national reports and studies, available data were also part of information gathering. Furthermore The status of national legislation in compliance with international disable rights standards were part of the issues raised. OneFamilyPeople provided technical support for the collation and validation of the feedback received by participants.

Priority Human Rights Issues in Sierra Leone affecting persons with disabilities since the first cycle review:

Discrimination

3. Persons with disabilities in Sierra Leone continue to experience serious discrimination in the area of transportation, employment, infrastructure and housing, health and education. In the first cycle review, the Government of Sierra Leone (GoSL) accepted to ratify Optional Protocol to the Convention on the Rights of Persons with Disabilities and take measures including policies that will ensure full implementation of the UNCRPD especially tackling discrimination against persons with disabilities. The GoSL is under national obligation as provided in the 1991 Constitution to protect persons with disabilities against discrimination¹. GoSL further accepted in the first cycle review to maintain efforts to protect the rights of all persons with disabilities in Sierra Leone.

4. Since the first cycle GoSL took positive steps towards improving non-discrimination conditions against persons with disabilities in Sierra Leone. The Ministry of Works and Housing was in the process of introducing a new policy to cater for PWD to access all public buildings and infrastructure. Government has enacted Person with Disability Act 2011 protecting persons with disabilities against discrimination in education, transportation, employment, accessibility to public buildings and health services. In the preparation towards the 2018 election the National Electoral Commission has established a desk for persons with disabilities to fully exercise their franchise in all subsequent Local Council, Presidential and Parliamentary elections. The Ministry of Social Welfare, Gender, and Children's Affairs (MSWGCA) has a directorate to handle disability issues. Many other ministries are now establishing a Disability Desk serving as focal point for PWDs to channel their issues.

¹Chapter III of the 1991 Constitution covers 15 human rights provisions. Article 8 of the constitution sets forth social policy objectives for the state that include "the care and welfare of the aged, young and disabled shall be actively promoted and safeguarded"

5. Government is embarking on massive infrastructural development in feeder roads including construction of public buildings for ministries and departments throughout the country since the Person with Disabilities Act was enacted in 2011.

6. With all these efforts, OneFamilyPeople observed that government is not linking them to the UPR Recommendations. There is also no policy framework for full implementation of the provisions in both UNCRPD and Persons with Disabilities Act 2011. And there has been very little effort by government of Sierra Leone to raise public awareness on the existence of provisions in both the Convention and Persons with Disabilities Act 2011. As such disability issues have not been translated into government national agendas.

Infrastructure and Housing

7. Since the PwDs Act was passed in 2011 prohibiting discrimination against PWDs in accessing infrastructure and housing, government has not taken practical steps for its effective implementation. For example, the Wilkinson Road construction in the western Freetown made no provision for wheel chair users and visually impaired. The premises of the Office of National Security, the National Electoral Commission and Human Rights Commission for Sierra Leone all made no provision for wheel chair users. All these premises were constructed after 2011. Most PWDs in Sierra Leone live in isolated and over-crowded, make-shift dwellings, with little or no sanitation due to high level of poverty and therefore rely on street begging for their daily maintenance.

8. On the day of the 2012 elections, a young disabled man was hit by an unknown vehicle along the Freetown - Waterloo highway called Bai Bureh Road (by Akram). He died later due to serious injury he sustained as he was abandoned by the vehicle. Three other PWDs (including a woman with a year old baby) were hit by vehicles and in all incidents these unknown vehicles escaped. To date no compensation was given to these victims. In early 2014, government decided to demolish a disabled home inhabiting more than 100 including women and children located along the Pademba Road Prison. It was only due to the intervention of the CSO UPR Monitoring Group (CUMG-SL) and OFP the decision was suspended awaiting further action.

Recommendations:

9. OFP calls on the Council in its 24th session to urge GoSL to speed up the adoption of access to infrastructure policy for PWDs and put mechanisms for its full implementation and to further promulgate policies and mechanisms for compensation for any disabled person victim of road accidents due to lack of provision for wheel chair users and visually impaired. GoSL to take steps for alternative settlements before demolition of pwd homes and the ministry responsible for transportation to provide special facilities and devise for pwrds ensure at each zebra crossing, the airport and vehicles for all PWDs and promulgate policies imposing administrative responsibility and punitive measures for non-compliance. GoSL to set up a disability unit in all government ministries, department and agencies including primary and secondary and undertake measures aimed at awareness raising among population on elimination of stigma and discrimination against persons with disabilities

Communication and information

10. In 2012 the National Electoral Commission (NEC) made no provision for persons with disabilities to fully exercise their right to vote in the 2012 Presidential, Parliamentary and Local council elections. In March 2012 a disabled youth with speech and hearing impairment was arrested for double registration. He was only released for lack of police evidence against him as NEC could neither sign nor read his statements in court. Also there were no tactile ballot papers to cast their votes in secrecy. Furthermore in all the Family Support Units (FSU) responsible to investigate and prosecute sexual and domestic violence cases and in the entire judiciary in the

country there are no Braille and sign language interpreters. Perpetrators against PWDs most times go unpunished due to this shortfall. During the Ebola crisis persons with visual, speech and hearing impairments were not catered for as most of the information, education and communication materials were not disable friendly. The national TV broadcast does not have equipment and sign language interpreters making national news inaccessible by speech and hearing impaired. Also one pregnant speech and hearing impaired young woman was speedily discharged after delivery eventhough she was complaining minor ailment as a result of information gap between her and medical personnel. She lost her sight after wards until OFP took her to a private hospital for intensive medical attention. Similarly another woman with disabilities was refused medical attention as she could not afford the fees charged before treatment. She therefore sought the assistance of a Traditional Birth Attendant where she gave still birth and later died.

Recommendations:

10. OFP calls on the Council in its 24th session to urge GoSL to develop an information, communication and education policy for the speech, visually and hearing impaired and to ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

Health

11. The Free health care initiative makes provision for pregnant women, lactating mothers and under five children. Also the PwD Act 2011 provides free health care services for PWDs. However, the implementation of these provisions is still a serious challenge. Not all health care workers fully comply with these provisions. Women with disabilities are often required to pay the full cost of their medical services. Women with disabilities have a right to establishment and reproduction of family, plan number of children and intervals between children. Most medical facilities lack assistive devices (birthing chair, beds, wardens, toilets, etc.) as the only National Rehabilitation Centre run by the MOHS is poorly equipped to respond to the high demand. In the entire Sierra Leone only one mental health facility (Sierra Leone Mental Home) is available with poor services and located in the capital city. PWDs therefore rely on traditional healers for medication. In the entire Sierra Leone with a population of over six million people, there are only three physiotherapists and one psychiatrist, and no facilities for training of other nationals. In early 2014 a disabled girl in Grafton could not continue to attending school due to non maintenance of her wheelchair and her guardian could not afford to buy a new one.

Recommendations:

12. OFP calls on the Council to urge GoSL during its 24th session to strengthen and decentralize the National Rehabilitation Center to ensure availability of devices especially couches, gynaecological chairs with the controls, ramps and elevators and to subsidise the cost of assistive devices for persons with disabilities. GoSL to ensure full implementation of Free Health Care and the right to health for PWDs including provision of disability certificate²

Education

13. Government has adopted the Education Sectorial Plan (ESP 2007-2012) which prioritizes children with disabilities' special needs in teacher training and training materials, increases social support and monitoring by social workers. Government also has a policy for free tuition fees for all children with disabilities. However implementation of these policies poses serious challenges. To date about 300,000 children with disabilities do not access education due to high costs for uniforms, books and maintenance. Children with disabilities face serious challenges in educational institutions. Most schools in Sierra Leone are not disability friendly. For example ninety percent (90%) of educational institutions are not accessible to children with disabilities and 80-

² Person with disability Act 2011 provides for award of disability certificate to all PWDs which guarantees their access to free public services

90% of them lack appropriate teaching and learning materials such as Braille or tactile and sign language texts. There is only one government primary school for the speech and hearing impaired in the country located in Freetown (called School for the Deaf). Equally in most schools water and sanitation facilities are not accessible to children with disabilities. In certain cases parents or care givers prefer their disabled children to beg in the street than to stay in the schools due to abuse and stigmatisation they face by school authorities. Girls with disabilities continue to drop out of school due to lack of support, teacher abuse and pregnancy. According to a World Bank report (2009) 62% of all children with disabilities attend schools, opposed to 77% of all children.

Recommendations:

14. OFP calls on the Council to urge GoSL to ensure that all fees for educational institution are free and accessible to all children with disabilities and tailored to meet their needs; seek international support to develop an inclusive education policy including provisions for inclusive learning environments and funding for implementation.

Work and employment

15. GoSL in 2012 adopted the Agenda for Prosperity (2012-2017) policy. However the policy does not provide for the rights of PWDs. As a result the majority of school trained and qualified PWDs rely on street begging as a means of livelihood. There are over 500 youths with disabilities trained in blacksmithing, food processing and other livelihood skills but are largely unemployed. They still rely on NGOs, families and for their daily survival.

Recommendations:

16. OFP calls on the Council to urge GoSL to develop a national employment scheme for all PWDs including provision of skills training; to put in place a mechanism for monitoring full implementation; to gather comprehensive statistical data on PWDs by age, sex, type of work; and to adopt an employment quota policy to ensure the right to work of PWDs.

Conclusion:

17. OneFamilyPeople strongly believe that if all issues and recommendations highlighted above are addressed by the Council and accepted by the GoSL it will tremendously improve the human rights challenges faced by PwDs and ensure their full participation in everyday life complementing the UN agenda "Leave no One Behind".