

INTRODUCTION AND METHODOLOGY

This submission focuses on Divine Group International Foundation (DGI Foundation) and Center for employment of persons with the disability's current work on disability in Ghana with a specific focus on lack of access to public space, the enforcement of disability Act, inaccessible transportation, lack of school enrollment, quality and affordable health, equal employment opportunity.

The information presented in this submission is based on interviews conducted by the DGI Foundation and CEPD with over 200 people in Ghana's state-run health sector, including four disability schools in three regions (Upper West, Eastern and Central Region) as well as with health administrators, health advocates, and civil society groups living and working in these communities. The information was further discussed at a pre-UPR submission workshop on 21st and 22nd March, 2017 which was attended by more than 70 civil society organizations in Accra, and validated by same on 27th March, 2017.

Ghana has ratified international instruments including United Nation Convention on the Rights of Persons with Disabilities UNCRPD, Declaration on the Right of Disable Person as well as domestic laws against disability.

Ghana does not have statistics on persons with disabilities. With the 2011 World Health Organization estimate of 15 percent of every population having some form of disability, however, Ghana out of a population of 28 million have 4.2 million people as persons living with disabilities. This large number of the population cannot be denied their fundamental human rights.

Governments over the years have not shown much commitments even though it passed the Persons with Disability Law in 2006, Act 715 and the implementation of the Convention on the rights of Persons with disabilities. Although, the Abuja Declaration of 2001 which required West Africa governments to commit, at least, 15 percent of their national budgets to health, Education, Transportation, health care, employment and public buildings are not accessible to persons with disabilities in Ghana

1.Lack of access to public space

Per recommendation 125.89 in UPR 2012, Ghana was to “ undertake effective[ly] policy measures and develop the necessary infrastructure to address issues concerning the rights of persons with disabilities” . To date Ghana has not taken steps to address this issue as infrastructure on public spaces continue to be built without due regard for the need to develop infrastructure in line with providing access to people with disabilities. Public buildings do not have elevators etc •

Over ten years since the passage of the law, there has not been an enactment of a single legislative Instrument to make the Law operational. The ten-year moratorium given by the law to make physical environments accessible has also elapsed without any

monitoring, and people are putting up all kinds of building structures without recourse to the law on persons with disabilities.

Obligation:

The government of Ghana is obliged to ensure the implementation of the Act 715 by enacting a Legislative Instrument which will give a full effect to the persons with disability law. The ratification of the UNCPRD in 2012 with its optional protocol, places the responsibility on the government of Ghana to amend the local law to conform to the UNCPRD. The UNCPRD which was enacted by the world assembly in 2006 had considered all other enactments preceding it, including the equalizations of opportunities for persons with disabilities.

Recommendations

The State Party must:

Monitor the implementation of the Disability Law to ensure an accessible environment; including accessible transportation, accessible Health, education and employment.

2.The enforcement of disability Act

Pre recommendation 125.87. “ Improve its domestic legal framework on the rights of persons with disabilities in line with the provisions of the relevant international convention” . To date Ghana has not taken the needed steps to enact the Li into an Act. Ghana ratified the United Nation Convention on the Rights of Persons with Disabilities UNCPRD in 2012, and there after nothing has happened.

The Disability Movement, led by Ghana Federation of Disability Organizations, conducted a GAP analysis UNCPRD and the Ghana PWDs Act 715, and identified a lot of weakness within our Local Law. For example, matters of children with disabilities, women with disabilities, Parents of Children with disabilities, unequal employment opportunities. Lack of provisions for affirmative actions, rights to information, rights to equal recognitions, Humanitarian services as well as political participation of persons with disabilities have all not been covered in the Act.

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Recommendations

The State Party must:

Amend the Act 715 to conform to the UNCRPD by March 2018.