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The situation of persons with disabilities

Exact statistics on persons with disabilities is lacking, but available data from a UNICEF study from 1997 show that 16 per cent of the population have a disability. Of these 61 per cent have a mobility disability, 24 per cent are visually impaired, 7 per cent are deaf and 8 per cent have an intellectual or psychosocial disability. The disability prevalence is probably closer to 20 per cent due to the effects of the civil war, meaning around 800 000 persons.

The civil war greatly has exacerbated the sufferings of persons with disabilities and made huge numbers of people disabled. In addition, the Ebola outbreak in 2014 has taken almost all the attention of donors and authorities in the past year. Persons with disabilities are generally perceived to constitute a liability to the public, and are excluded from public debate. Discrimination is a structural problem, caused by stereotypes, negative and hostile attitudes, particularly with regard to persons with intellectual disabilities and mental health difficulties.

The 14-year civil war caused thousands of cases of psychological trauma both among former soldiers and civilians. People with diagnoses such as schizophrenia and depression are stigmatised and accused of witchcraft, or the disability is believed to be the divine punishment for cruel deeds they committed.

Disabled people's organisations (DPOs) estimate that 99 per cent of persons with disabilities live in extreme poverty, mainly due to exclusion from education, skills training, work and income generation opportunities. This can be compared to the 48 per cent of the Liberian population that according to UN live in extreme poverty.

The Agenda for Transformation 2012-17 (PRS) conclude that "There are cultural biases against persons with disabilities, as well as many physical and logistical barriers to their accessing

economic, social, cultural, medical, and educational facilities and opportunities. Their views are not reflected in national policies and there is a lack of adequate data on them. Families of persons with disabilities have difficulty improving their life chances and are limited by above-average rates of illiteracy, unemployment and underemployment, and below-average occupational mobility, nutritional status, and immunisation coverage. The lack of access to information and resources, and the social marginalisation of persons with disabilities reflect the social, cultural and economic barriers against them."

Legal and policy frameworks

Liberia has taken some legislative and policy steps that indicate commitment to advancing the rights of persons with disabilities. In terms of binding **international commitments**, these steps include:

- Signing and ratifying (in 2012) the UN Convention on the Rights of Persons with Disabilities (CRPD) - but is yet to ratify the Optional Protocol. The CRPD is the first international, legally binding treaty aimed at protecting the human rights of persons with disabilities. Read the Convention at www.un.org/disabilities/convention/conventionfull.shtml
- Signing and ratifying other treaties that advance the rights of people, including those with disabilities, for example the UN Convention on the Rights of the Child, the African Charter on Human and People's Rights, the Convention on the Elimination of All Forms of Discrimination against Women – all of which make some reference to protecting the rights of persons with disabilities to fair treatment, appropriate care, inclusion and full participation in society.

The African Commission on Human and Peoples' Rights has drafted a Protocol on the Rights of Persons with Disabilities. It was released for comment in April 2014 and once finalised, is likely to become part of Liberia's policy framework for advancing disability rights. Other important upcoming tools in 2014 are the CRPD Toolkit for Africa and the Accountability Framework for Africa which is part of the Common African position for Post 2015 Development.

In terms of **national laws and policies**, the following have the most direct bearing on the rights of persons with disabilities:

The 1986 Constitution is under review. According to the Constitutional Review Committee, the new Constitution will specifically address the rights of persons as indicated in a reply on its Facebook page (December 2014):

- *The Committee ensured that the revised Constitution of Liberia be Human Right Based in line with the UNCRPD, other Treaties and International Documents to which Liberia is signatory;*
- *That a specific Chapter addresses issues that concern the well-being of persons with disabilities within the revised Constitution;*
- *That Article 63 and 64 in the present Constitution be clearly modified to protect persons with disabilities against discriminations;*
- *That Chapter 3, which has to do with Fundamental Rights be revised to include Articles on 'Education' for persons with disabilities as "Fundamental Rights";*
- *That Constituencies / Seats provisions for the Representation of persons with disabilities at the level of Parliament be consider in the revised Constitution;*
- *That a Claim Court be established to address issues of violations;*
- *That all persons with disabilities should obtained a National Social Security ID Card;*
- *That Disability be defined in the revised Constitution.*

However, the constitutional and legal protection of persons with disabilities is still weak. There are some exceptions, in the area of labour where there are a few provisions, e.g. a disability pension for insured workers, targets of a 4% employment quota for persons with disabilities and tax incentives to businesses that hire someone who has a disability. The Law on Sexual abuse and Rape offers special protection to persons with disabilities.

The disability movement calls for a range of legal reforms, for example:

- The Educational Reform Act (August 2011) needs to be reformed to establish an Inclusive Education Bureau and to amend Article 4.4.1, C), iv, which states that "A school may exempt a child entirely, partially or conditionally from free and compulsory school attendance if it is in the best interest of the child, especially those with disabilities".
- The National Health and Social Welfare Policy and Plan 2011-2021 needs to be reviewed order to include essential medical, rehabilitation and habilitation services for persons with disabilities through Community Based Disability Inclusive approaches and strategies.
- The Labour law needs to be reviewed to allow reasonable accommodation for persons with disabilities and to set up a permanent desk to deal with disability issues with the participation of representatives of MoHSW, MoE, NCD and NUOD.

The Agenda for Transformation 2012-17 is providing overall guidance for development efforts and priorities in Liberia. It identifies disability as an important cross cutting issue and has a specific chapter (12.3) where the direction and objectives are presented. Although not sufficiently mainstreamed across the five pillars, there are a number of important directives. The aim is "to ensure multi-stakeholder ownership of a coherent and comprehensive national policy and strategies for persons with disabilities, to improve their access to basic social services and skill development, to protect children and women with disabilities from exploitation, violence and abuse and to improve society's perceptions of persons with disabilities."

Priority areas mentioned are;

- to conduct a comprehensive review of national legislation, including the National Commission on Disabilities Act and ensure the application of the UN Convention on the Rights of Persons with Disabilities in the national legal framework and
- to strengthen government capacity to collect, analyse and disseminate national- and county-level data on the situation of persons with disabilities
- to establish a National Accessibility Plan with clear targets, including preferential treatment for access to public places and transportation
- to develop awareness raising programs to educate the public on the rights of persons with disabilities and the responsibilities of society. Persons with disabilities are often verbally and physically abused, subjected to torture- like “treatments” and women and girls with disabilities are at a much higher risk of being sexually abused.
- to develop guidelines to ensure that persons with disabilities have access to enterprise and skills development as well as social services such as healthcare.
- to assure adequate training on community-based rehabilitation (CBR) strategies and programs of professionals in the social welfare and health system, and the incorporation of persons with disabilities in the CBR teams in rural areas etc.

Processes to establish a new National Human Rights Action Plan and a National Disability Action Plan have been already initiated. These processes will be supported by a research project on poverty and disability carried out by the Leonard Cheshire Disability and Inclusive Development Centre.

Implementing Agencies

The Ministry of Gender, Children and Social Protection has the overall responsibility for promoting and monitoring disability rights and for mainstreaming disability into its activities. However, this has yet to be translated into practice. Mostly services are implemented by civil society and international organisations.

The Ministry of Education is responsible for education of all children, including children with disabilities. No policy or plan of action exist on how to include boys and girls with disabilities in the education system, except for the vague objectives in the AfT; “Ensure equitable access to free basic education for all children and youth, including girls and the disabled, with improved outcomes”. In 2009 only about 4 per cent of the total budget for public education was allocated to children with disabilities. Yet it is estimated that around 92 000 out of the 600 000 school age children have disabilities. Special schools exist for visually impaired children and children who are deaf, but they basically only reach a small portion of the urban population. Information from disabled peoples’ organisations show that only 36 children with disabilities attended public schools, all levels, in 2009.

Ministry of Health is responsible for provision of health services. However, they are poorly developed, especially in rural areas and are mostly not accessible to persons with disabilities. Malnutrition and related diseases lead to increased numbers of disabilities such as blindness, deafness, mobility disabilities and intellectual disabilities.

In terms of disability prevention a National Eye Care Program has been established and an Anti-Polio Campaign conducted. Other actions relating to disability prevention are an Anti-Malaria program and the adoption of an environmental health policy. The National Health Care policy mentions disability prevention, but the low level of disability awareness among the implementing staff is a huge problem as well as the lack of essential medication and rehabilitation services. Cash transfers have been piloted in two districts as a model to improve living conditions for the poorest families.

Liberia has been chosen by UNAIDS as a pilot country in the fight against HIV/AIDS in the Agenda for accelerating Country Action on Women, Girls, gender Equality and HIV. This opens for interesting perspectives from 2012 and onwards.

No statistics is available on the prevalence of HIV/AIDS among persons with disabilities. It is well known, though, that the prevalence of the virus is higher in this group, particularly among young

women, than in the average population. According to disabled peoples' organisations 25 youths with visual impairment have been trained and empowered as Peer Educators to carry out sensitisation on the prevalence of HIV/AIDS and prevention methods among persons with disabilities in their home communities.

Liberia adopted a National Gender Policy in 2009 with the Ministry of Gender responsible for the implementation. It aims to mainstream gender into all national development processes. 12 priority areas are addressed. One is to eradicate the prevalent gender based violence. The policy refers to women with disabilities only in general terms and does not suggest any measures focusing on them. This has been rectified in the AfT. However, the capacity of the County Gender Officers to address issues related to women and children with disabilities at national and local level is still an obstacle.

Accountability measures

Liberia set up an Independent National Commission on Human Rights in 2010 after substantial delays. It has still to develop its role and methods. A National Human Rights Action Plan was presented in November 2013.

A National Commission on Disabilities was established in 2005 with the mandate to handle the general welfare and education of persons with disabilities and with an interim management. In 2011 the President appointed three permanent officers. It has not yet committed itself to its task in a significant way, mostly due to inadequate budgetary support from the government and the delay in getting it operational. It has, though, ensured the partial implementation of a disability policy and provided development funds to DPOs, schools and rehabilitation centres.

Liberia has a Human Rights and Disability Task Force comprising 11 civil society organisations (CSOs). It has examined and influenced key issues for the protection and promotion of the rights of persons with disabilities in the Agenda for Transformation. Its activities encompass organisations and persons with disabilities in all 15 counties.

The state was allocating less than 1 per cent of the total budget for disability related issues in 2009.

Main civil society actors

The National Union of the Disabled (NUOD) has 20 DPOs as members and was founded in 2009. It has become an important advocacy organisation, participating in the effort to include disability in the Agenda for Transformation. NUOD reacted in 2011 on the inaccessibility of voting places in the presidential election and in 2013 took several actions to compel the 53rd Legislature to repeal the highly discriminatory law that discriminate and deny children with disabilities the right to be included and to freely participate in obtaining education. Other important organisations are the Association of Disabled Females International-Liberia (ADFI), Organisation for the Social Integration of the Liberian Deaf (OSILD), Liberia National Association of the Blind (LNAB), and Christian Association of the Blind-Liberia (CAB)

Italian Association Amici di Raoul Follereau (AIFO), the above mentioned OSILD, the Sustainable Agriculture of Liberian Association for Economic Achievement and the Group of 77, Nimba District, have an on-going cooperation over income generating activities for persons with disabilities. Handicap International (HI) has set up a rehabilitation centre in Monrovia and provides support to DPOs to develop advocacy skills. The Leonard Cheshire Foundation also works with support to DPOs and has among other things promoted the project Young voices, encouraging young persons with disabilities to take action on their rights in relation to politicians and authorities. The Carter Centre supports monitoring of the rights of persons with psychosocial disabilities. In terms of legal advice and legal services the Catholic Justice and Peace Commission provides legal services to a few persons with disabilities in urban regions. USAID has adopted a very strong disability policy and the World Bank has conducted studies of disability in post conflict countries in Africa which could be useful.

What Sweden could do: 10 questions to discuss

In line with the upcoming results strategy for Liberia, focussing on; a) democratic governance and empowerment of rights holders to claim rights, b) right to education (possibly) and/or SRHR and gender based violence; c) women and youth economic empowerment, vocational skills training and entrepreneurship, Sweden has great opportunities to include the rights of persons with disabilities. Questions to discuss:

- Could Sweden do more to include disability organisations in social and professional networks and capacity building efforts for human rights and civil society organisations?
 - Could Sweden do more to support development of accountability mechanisms in the area of disability (e.g. reform of laws, adoption of action plans and establishment of an independent disability desk at the national human rights commission)? Monitoring tools can be downloaded [here](#).
 - Could Sweden do more to bring a disability perspective into joint donor planning meetings with bilateral and multilateral agencies (Aft consultations), taking into consideration that article 32 of the CRPD requires donors to do so? What support and additional information would the embassy need to take such initiative? E.g. Inclusion Made Easy - a quick programme guide to disability in development [here](#).
 - Could Sweden do more to promoting inclusion of children and youth with various disabilities in education and skills training programmes at all levels (with quality and retention)? Resources and tools can be found [here](#).
 - When working for increased transparency and accountability of public budgets, could Sweden do more to promote visibility of the specific funding set aside to enhance inclusion of persons with disabilities in various sectors?
 - Could Sweden do more to ensure accessibility for persons with various disabilities to economic empowerment programmes such as micro-credits, loans, vocational/skills training, agricultural and rural livelihood programmes and literacy programs - particularly for women and youth with disabilities? Examples of tools can be found [here](#).
 - Could Sweden do more to ensure that programmes included in the New Deal are accessible to men and women with disabilities and use disability organisations as resources? E.g. refer to:
 - ✓ Disability and the post-conflict agenda [here](#)
 - ✓ Involvement of Persons with Disabilities in Conflict Resolution and Peace Building Efforts [here](#)
 - Could Sweden do more to include women with disabilities (e.g. through the Association of Disabled Females International - ADFI) in women networks, SRHR and economic empowerment initiatives?
 - Women with disabilities are often not considered as legal persons and therefore excluded from legal processes. Could Sweden do more to include women with disabilities in programs supporting women for improved land rights, inheritance rights and access to property?
 - In supporting the restoration of infrastructure, could Sweden do more to ensure accessibility for persons with disabilities as a prerequisite in pre-planning, tenders, construction and evaluation of infrastructure projects?
 - Due to prejudice and absent support systems, persons with disabilities are often the least prioritised in times of emergencies. Could Sweden do more to call on disability expertise from the Inter-Agency Network for Education in Emergencies (INEE), the Swedish Civil Contingencies Agency (MSB), Handicap International (HI) and other resources to assist? Examples of tools can be found [here](#).
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Links to disability organisations in Liberia

Association of Disabled Females International (ADFI):

https://www.uri.org/cooperation_circles/detail/adfi

Catholic Justice and Peace Commission provides legal services to persons with disabilities in urban regions:

<http://www.un.org/africa/osaa/ngodirectory/dest/countries/Liberia.htm>

Christian Association of the Blind-Liberia (CAB):

<http://www.cabliberia.org/>

CBM, Cristoffel Blindenmission in Liberia,

<http://www.cbm.org/Heads-of-state-meet-disability-activists-in-Liberia-378844.php>

National Union of Organizations of the Disabled

(NUOD): http://www.cabliberia.org/rich_text_4.html

Organization for the Social Integration of the Liberian Deaf (OSILD)

Carter Centre supports monitoring of the rights of persons with psychosocial disabilities:

<http://www.cartercenter.org/resources/pdfs/factsheets/mental-health-liberia-facts.pdf>

Handicap International provides support to disabled persons' organisations to develop advocacy skills:

http://www.handicap-international.org.uk/where_we_work/africa/liberia

Inter-Agency Network for Education in Emergencies

(INEE): <http://www.ineesite.org/>

Italian Association Amici di Raoul Follereau (AIFO), income-generating activities for persons with disabilities:

<http://english.aifo.it/>

References

Agenda for Transformation 2012-17

http://cdcliberia.org/The_Agenda_for_Transformation_AfT.pdf and <http://www.gaportal.org/undp-supported/liberia2>

Agenda for accelerating Country Action on Women, Girls, gender Equality and HIV:

http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2010/20100226_jc1794_agenda_for_accelerated_country_action_en.pdf

"Demographic and Health Survey", 2007, Liberia Institute of Statistics and Geo-information services (LISGIS)

UNAIDS, Agenda for accelerating Country Action on Women, Girls, gender Equality and HIV:

http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2010/20100226_jc1794_agenda_for_accelerated_country_action_en.pdf

National Gender Policy, 2009:

http://mogdliberia.com/images/stories/pdf/national_gender_policy_abridged.pdf

Report from the centre for rehabilitation of the injured and disabled, 1997,

Sida's tools on disability: Disability as a human rights issue – conducting dialogue,

http://www.sida.se/English/publications/Publication_database/publications-by-year1/2012/june/disability-as-a-human-rights-issue-conducting-a-dialogue/

The Leonard Cheshire Disability and Inclusive Development Centre; <http://www.ucl.ac.uk/lc-ccr/projects/esrcliberia>. The research project will investigate multidimensional poverty and well being among individuals with disabilities and their families in Liberia.

Universal Periodic Review Liberia, 2010

http://lib.ohchr.org/HRBodies/UPR/Documents/session9/LR/UNCT_UnitedNationsCountryTeam_JS.pdf

Liberia Ad hoc Disability Committee report 2012,

http://www.theniapeleproject.org/files/Resolutions_fin_al_21-03-12.pdf

The human rights of persons with disabilities are a Swedish government priority. As a service to staff, briefs have been prepared to provide basic information about the situation of this (often forgotten) group and inspire discussions on what Sweden could do to better include disability rights in diplomacy and programming.