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The situation of persons with disabilities

There are no official statistics on disability prevalence in Mali. However, a WHO study from neighbouring Burkina Faso conducted in 2013 revealed a prevalence rate of severe functional limitation among adults at 8.9 % of the population. When moderate limitations were included, the prevalence rose to 11.7%. WHO's World Report on Disability (2011) puts the average disability prevalence rate at 15% (global prevalence). Based on these numbers it's likely that more than 2 million Malians are currently living with a disability. The definition of disability according to the UN Convention on the Rights of persons with disabilities is "Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others".

The current socio-economic situation in Mali is very precarious. Mali ranks 182 out of 187 countries on the UN's Human Development Index (2012) and according to UNDP has a poverty rate of 46.3% (surveyed just prior to the conflict in 2012). Increased poverty is inherently linked to less access to clean water, sanitation, food and other basic necessities.

The recent armed conflict in the north has contributed to the further worsening of the general poverty and security situation and created a new humanitarian emergency. Some areas in the north have been contaminated by explosive ordinances and conventional weapons are widely available.¹ The conflict has not only led directly to an increase in mortality, but also to injuries and permanent disabilities. Indirect consequences of the conflict

including psychosocial stress, gender based violence, food insecurity, loss of land and economic opportunities and a deterioration of health conditions and available services have also likely contributed to increased morbidity and disability. Additionally, some socio-cultural practices like forced and early marriage, female genital mutation, and aversion to family planning put young girls and women at added risk for long-term disability.

People with disability in Mali are extremely vulnerable in this uncertain and potentially volatile environment, as they are more likely to be jobless, suffering from extreme poverty, lacking access to basic services (including school, health care) and susceptible to violence and exploitation.² According to the results of a small-scale research by Handicap International in the Segou region in 2007, 80% of children with disability had never attended school and only 9% were literate. Additionally, the results found that most people with disability relied on their family members or neighbours for financial and food support (79%) in absence of income generating activities for themselves.

Despite its limited resources and its on-going focus towards mitigating the risk of climate-related emergencies (namely severe drought) and ethno-political crisis, the government of Mali has shown its willingness to undertake and develop a number of important reforms and policies related to the rights of persons with disabilities. Unfortunately, however, the legal framework and policies have not been accompanied by sufficient work plans, human/financial resources or monitoring mechanisms to ensure their effective implementation. Additionally, while the government has engaged with disabled people's organisations (DPOs) to facilitate these development discussions and processes, there is as of yet no

¹ Conflict Armament Research and Small Arms Survey. 2013. "Rebel Forces in Northern Mali: Documented Weapons, Ammunition, and Related Materiel Conflict Armament Research". London-Geneva.

² WHO, World Report on Disability, 2011

specific national strategy or dedicated resources allocated to increasing disability awareness and improving government capacity related to disability issues.

Legal and Policy Framework

Some of the legislative and policy steps the government of Mali has taken in terms of integrating **international instruments** include:

- Signing and ratifying (in 2008) the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and the optional protocol, the first international, legally binding treaty aimed at protecting the human rights of persons with disabilities. The Convention is available 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 as they relate 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 Mali'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 are 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 Malian Constitution, adopted in 1992, guarantees civil and political rights as well as economic, social and cultural rights to all citizens, but does not mention persons with disabilities specifically.

There is a "Persons with Disabilities Bill" which was adopted in 2009. Among other things this bill includes;

- special measures to promote access to justice for persons with disabilities, including the possibility to use a sign language interpreter in court,
- a disability card for reduced health care costs or free medical care, provisions for tax reduction / exemption for persons with disabilities,
- employment quota or priority access for persons with disabilities in businesses and / or in the civil service.

The Labour Code institutes the principle of non-discrimination in employment and clearly states that disability cannot be a factor in refusal of employment.

Education law (articles 46 and 47), prescribes that children with disabilities should have access to education. The PRODESS III (Health and Social sector plan) and the PRODEC (Education sector plan) both explicitly highlight the need to mainstream disability issues into development of these sectors.

In the Poverty Reduction Strategy Paper (PRSP) for 2008–2011 the government stated that it would be "necessary to highlight the rights of women, children and handicapped persons". The Mali Strategy Framework for Growth and Poverty Reduction (CSCR) 2012- 2017 mainstreams disability more profoundly mentioning disability as a key crosscutting issue within all components of development. Due to the recent and on-going conflict, the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) was established by Security Council [resolution 2100](#) of 25 April 2013 to support political processes in Mali and to mandate a number of

security-related tasks. The Mission was asked to support the transitional authorities of Mali in the stabilisation of the country and implementation of the transitional roadmap. By unanimously adopting [resolution 2164](#) of 25 June 2014, the Council further decided that the Mission will focus on duties, such as ensuring security, stabilisation and protection of civilians; supporting national political dialogue and reconciliation; assisting the re-establishment of State authority, the rebuilding of the security sector and the promotion and protection of human rights in Mali. None of these UN plans have specifically included men, women and children with disabilities, although areas such as the re-establishment of the State and the promotion and protection of human rights are well suited as fertile strategic areas for disability mainstreaming.

Implementing Agencies and Actions

Disability issues are mainly coordinated by the Ministry of Social Development, Solidarity, and the Elderly, while the Ministry of Education, Health and Labour are responsible for various measures within their respective mandates.

In the area of education, most children with disabilities are still out of school. They are either not sent, or they drop out when teachers are unable to support the diversity of learners due to a lack of awareness, training and support.

Additionally, although education is free according to government policy, in practice, informal fees and school-related costs often mean parents are forced to make financial decisions which often prevent children with disabilities (especially girls) from accessing education. There are specialised schools for persons with visual impairments, hearing impairments and learning difficulties which are operated by NGOs, but they are limited in number and capacity. These schools are mostly located in Bamako and the regional towns, but are able to support collectively less than a few thousand students and only provide education up to the 9th grade.

In addition to specialised schools, enrolment of children with disabilities in public schools has increased due to the implementation of

governmental programs (supported by various donors). Within the Ministry of Education there is a department of Special Education, which is responsible for implementing inclusive education, however, its capacity and reach remains under-developed. None-the-less, it does run a project teaching a limited amount of secondary school teachers Braille. These programmes still need to be systematically developed and properly resourced.

In terms of health services, the government runs several physical rehabilitation centres throughout the country and some specialised services do exist at regional hospitals (although audiology, speech therapy and psychological services are extremely limited or non-existent). That said a number of barriers remain for people with disability including associated costs, inaccessible transportation, inaccessible buildings, prejudice/lack of awareness of health workers, etc.

As a result of the employment quota provisions, government ministries practice affirmative action to hire people with disabilities and encourage them to take the entrance exam for civil servant employment. The Ministry of Social Welfare, Solidarity and the Elderly has been particularly proactive in hiring people with disabilities. Through this scheme some 150 persons with disabilities have secured employment.

The government also receives support from a number of international organisations to support the implementation of its development strategies. For example, Handicap International (HI) has been working with the Malian government, civil society and people with disability since 1996 to address some of these issues. They have sent an emergency weapons clearance team to the north and worked with the World Food Programme and UNICEF to ensure that disabled people are included in humanitarian relief efforts. HI also works closely with disabled peoples organisations and a number of government and non-government partners to ensure that persons with disabilities and disability issues are included in development efforts from education to health. UKAid is financing various kinds of development projects (inclusive of

persons with disabilities) aiming at poverty reduction, education, awareness raising, capacity building, clean water and sanitation. The organisation, Water Aid has supported water and sanitation programs since 2000, which have considered [accessibility for persons with disabilities](#). This is seen as a model of good practice.

Accountability Measures

The National Human Rights Commission, which was re-established in 2014, has the mandate to monitor and report on human rights violations in Mali. The Commission is among others, supported by the Danish Institute for Human Rights, in the areas of - capacity building, human rights and family law, human rights and security and human rights documentation and education. It has yet to engage with violation of rights of persons with disabilities.

Main Civil Society Actors

The disability movement is rather well organised and dynamic, but are confronted with organisational and institutional difficulties that weaken their internal governance and democratic processes, and thus limit their actions in advocacy, resource mobilisation and profiting from their experience. It is in response to this situation a capacity building project has been initiated by four (4) organisations, namely; International Service, SightSavers, Handicap International and the Mali Federation of Associations of Disabled Persons/Fédération Maliènnne des Associations de Personnes Handicapées (FEMAPH) for the benefit of seven (7) grassroots member organisations of FEMAPH in the Bamako district. The overall objective is "to contribute to the Empowerment of the Disabled People's Organizations in order to support their capacity and autonomy and their full participation in the process of the socio-economic development of Mali"

FEMAPH currently comprises of seventeen (17) national associations in Bamako, eight (8) regional federations and fifty-one (51) local federations of disabled people's associations (FELAPH). In total they support over 32,000 members.

FEMAPH has represented its members in the different government policy processes as an effective advocacy actor. FEMAPH counts on an excellent network among high-ranking politicians for their advocacy work. There is great variance in the capacity and strength of the national/regional/local organisations. Some of the stronger actors are: the Association of Handicapped Women of Mali/Association Maliènnne des Femmes Handicapées (AMAFH), an organisation for women with disabilities; the Union Maliènnne des Aveugles, the organisation of blind persons; the Mali Association of the Deaf (A.MA.Sourds); the Malian Association for Persons with Intellectual Disability (AMALDEPE) and the organisation of deaf persons. There is also a Disability Sports Association.

The organisations are relying on member fees, and donations from charity organisations and private persons to carry out their activities. Their main activities are income generating projects and advocacy work for disability rights and inclusion of persons with disabilities in development programs.

West African Federation of Disabled Persons (WAFOD) is a non-governmental organisation made up of the national federations of people with disabilities from the 16 countries of West Africa. FEMAPH is a member.



What Sweden can do – 7 questions to discuss

In line with the intentions of the existing Swedish strategies for Mali and in an attempt to respond to areas of greatest need, the following could be discussed:

- Could Sweden do more to support human rights institutions, organisations and accountability mechanisms in Mali to include disability on their agenda and to develop their capacity to address the rights of persons with disabilities (in collaboration with disabled people's organisations)? Examples of monitoring tools can be downloaded [here](#).
 - Could Sweden do more to make civil society capacity development programmes inclusive of disabled people's organisations? Could Sweden do more to include these organisations in its professional and social networks?
 - Could Sweden do more to include women with disabilities in programmes aiming at gender equality, women empowerment and combatting of gender based violence? Could the organisation of women with disabilities (AMAFH) play a role in such efforts?
 - Could Sweden do more to influence the larger UN programmes (and other joint donor arrangements) to become inclusive of persons with disabilities? E.g. are programmes focussing on basic social services, education, water and sanitation, peace building and security, economic empowerment, Sexual Reproductive Health and Rights (SRHR), elections, etc. designed to be accessible to persons with disabilities? Are there explicit measures taken to include this group? Are there disaggregated monitoring indicators? Some inspiration could be found in the programme guide to disability in development [here](#).
 - Could Sweden do more to influence the cooperation with Mali in the area of national statistics to make them include data on disability?
 - Could Sweden do more to ensure that persons with disabilities are included in humanitarian, reconstruction and peace building efforts? E.g. using tools as:
 - ✓ Manual on the design and building of barrier-free emergency shelters [here](#)
 - ✓ Manual on mainstreaming disability in disaster risk reduction [here](#)
 - ✓ Disability and the post-conflict agenda [here](#)
 - ✓ Involvement of Persons with Disabilities in Conflict Resolution and Peace Building Efforts [here](#)
 - ✓ Disability Inclusive Disaster Risk Management: Voice from the Field and Good Practices [here](#)
 - Could Sweden do more to keep updated on disability rights in Mali and to raise awareness of staff? E.g. local disabled people's organisations could be engaged as resource persons in staff seminars.
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References

International organisations working in the disability field in Mali:

http://www.handicap-international.org.uk/where_we_work/africa/mali
<http://www.irinnews.org/report/90808/mali-disabled-seek-jobs-not-charity>
http://www.sightsavers.net/our_work/around_the_world/west_africa/mali/default.html
www.wateraid.org/~-/media/.../needs-solutions-disability-mali.pdf
http://www.thecollaboratoryonline.org/wiki/Africa_WASH_and_Disabilities_Study

General references:

World Report on Disability, 2011 http://www.who.int/disabilities/world_report/2011/en/

Guidance note for EU staff on Disability Inclusive Development Cooperation
<http://capacity4dev.ec.europa.eu/disability-and-development-network/blog/updated-guidance-note-eu-staff-disability-inclusive-development-cooperation>

Almost 150 countries have ratified the Convention on the Rights of Persons with Disabilities (read more on the UN website <http://www.un.org/disabilities/>). The reports to and comments of the UN Committee on the Rights of Persons with Disabilities can be found here
<http://www.ohchr.org/en/hrbodies/crpd/pages/crpdindex.aspx>

Gender equality and the rights of women with disabilities
<http://www.un.org/disabilities/default.asp?navid=13&pid=1514>

The situation of person with intellectual disabilities is of even lower priority <http://inclusion-international.org/who-we-are/> as often persons with intellectual disabilities are considered to be “less productive”, although with support they could contribute to family income and daily life.

Persons with mental health conditions are often ignored and stigmatised, despite being a common condition, especially in countries where stress from conflict, disasters and poverty is high.
<http://www.un.org/disabilities/default.asp?id=1545>

<http://www.irinnews.org/report/90808/mali-disabled-seek-jobs-not-charity>

http://www.unicef.org/infobycountry/mali_69546.html

Disability prevalence among adults: estimates for 54 countries and progress towards a global estimate, Sophie Mitra, Fordham University and Usha Sambamoorthi, West Virginia University

The human rights of persons with disabilities are a Swedish government priority. As a service to staff, guidance notes 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.