

# South Sudan UPR Report – 2016

## Coalition of Organisations of Persons with Disabilities

### Background

This report has been prepared by South Sudan Association of the Visually Impaired (SSAVI) on behalf of organisations and individuals with disabilities in South Sudan. The organisations involved in the development of the report are: Equatoria States Union of the Visually Impaired (ESUVI), Central Equatoria State Union of the Physically Disabled (UPD), Equatoria States Association of the Deaf and Dumb (ESADD) and South Sudan Women with Disabilities Network (SSWDN).

The report focuses on three (3) areas: legal framework, education and employment and livelihood.

The development of this report has been supported by International Disability Alliance (IDA). Hence, SSAVI and the entire disability movement in South Sudan are truly grateful to IDA for the support it has provided in this respect - as this is the first review for South Sudan since becoming an independent state.

All organisations involved in the development of this report are non-governmental organisations that advocate for the rights of persons in South Sudan. These organisations work in collaboration with other organisations of persons with disabilities in the country advocating for the inclusion of persons with all types of disabilities in society.

### Overview of Disability in South Sudan

The devastating civil war from which the people of South Sudan have suffered for the last few decades has not only affected the country economically and socially, but it has also increased the rate of disability and rendered persons with disabilities more marginalised and excluded. No disability statistics has ever been carried out in South Sudan, making it difficult for Disabled People's Organisations (DPOs) to carry out evidence-based advocacy - particularly in relation to access to services.

According to a national census, which was conducted in 2008 before the independence of South Sudan, persons with disabilities accounted for 5.1% of the Sudanese population. I.e. 424,000 out of 8,000,000. However, it is believed that the census did not accurately reflect the magnitude of disability as no distinction was made between intellectual and mental impairments. In addition, disability is still very much linked to stigma - which means some people probably did not disclose their conditions because they did not want to be identified as a person with disability.

Most people in South Sudan still hold the medical model of disability, for instance, they view disability as a limitation of a body function rather than a combination of impairments and barriers as the social model of disability enshrines. Persons with disabilities are widely seen as beggars, and as people incapable of contributing to society. They are more likely to be illiterate, unemployed and unproductive than their counterparts without disabilities due to widespread exclusion. As a consequence, they are among the most marginalised in society, with limited or no opportunities for support. Their voices are hardly heard, and issues barely taken into consideration in decision-making processes.

Most awareness campaigns on disability rights are concentrated in Juba, the capital city of the country where organisations of persons with disabilities are fairly strong and popular. These awareness activities, which are mainly carried out through the media - mostly radio and TV – are implemented by associations of persons with disabilities and international non-governmental organisations, with no participation or support from the public sector. In some of these awareness activities, in particular in the radio, members of organisations of persons with disabilities discuss issues related to persons with disabilities and explain the articles of the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which South Sudan is yet to sign and ratify. These radio programmes have been running since 2010 and have helped raise awareness of disability in Juba.

Apart from the general disability movement, youth with disabilities in Juba have been playing an important role in demonstrating the capabilities of persons with disabilities and the contributions they can make in society. There are two organised groups of these youth in Juba, namely: Young Voices and Hidden Ability Melody. Young Voices is an initiative of Leonard Cheshire Disability (LCD) which works to raise awareness of the CRPD. The initiative was introduced in Juba in 2009, and has since carried out awareness campaigns in the city, mostly on radio and TV stations. Actually, it is this group that lobbied South Sudan Radio and Bakhita FM to allocate slots for disability awareness. Hidden Ability Melody is a music and drama group founded in 2010 in Juba by young visually impaired people who are members of SSAVI. Its aim is to challenge stereotypes in society about persons with disabilities through music and drama. Since its establishment, the group has performed in major occasions in Juba, including an evening entertainment programme organised by the National Ministry of Youth and Sports in 2012 during the first anniversary of the Independence of South Sudan.

Despite the above-mentioned awareness activities, not much have changed in terms of attitudes of society towards persons with disabilities. For instance, it is still quite common in Juba for a person with impairment to be seen and treated as a beggar. From our experience, several blind people have said someone gave them a pound as they were going on the road or waiting at a place without asking for anything from anyone. The misconceptions about disability have gone as far as affecting relationships and marriages between couples and partners involving a person with a disability.

In addition, engagement between the DPOs in Juba and mainstream civil society organisations has only started recently. So have linkages and/or partnerships between these organisations and international organisations in the field of disability such as Handicap International (HI), Christian Blind Mission (CBM), and Organisation for Voluntary Cooperation International (OVCI) and Light for the World. Only a few of the DPOs have engaged in partnership with mainstream international NGOs.

## **1. Legal Framework**

The Transitional Constitution of the Republic of South Sudan recognises that all levels of government shall guarantee to persons with special needs participation in society and the enjoyment of their rights and freedoms. However, the Constitution does not refer to persons with disabilities precisely in the sense that it does not define what it means by ‘persons with special needs’. It also amalgamates rights of persons with disabilities and those of the elderly, which would be better addressed separately, considering its particular needs and rights. Furthermore, article 30 does not explicitly guarantee equal protection against discrimination and abuse to persons with disabilities. In

addition, the Constitution provides for affirmative action to women by at least 25% representation at all levels of government. However, it does not allocate any percentage for representation of persons with disabilities nor women with disabilities.

Organisations of persons with disabilities (so-called DPOs) have been advocating for better provisions for persons with disabilities in the Constitution. This began with a petition to the Parliament in May 2011 as the then Interim Constitution of Sudan was being amended prior to the declaration of the independence of the Republic of South Sudan. Unfortunately, the petition was not considered and the Constitution has remained as it was. Another attempt made by the DPOs has been through one of the members of the disability movement who happened to be appointed as a representative of civil society in the National Constitutional Review Commission alongside others. However, this effort has not materialised as none of the demands put forward has been considered to date.

South Sudan has not yet signed the U. N. Convention on the Rights of Persons with Disabilities (CRPD). We understand that Steps are underway to do so but it is not clear when the Government will ratify this important treaty.

At the moment, despite the Ministry of Gender, Child and Social Welfare has just developed a national disability policy; still, there is no specific legislation in regards to the rights of persons with disabilities in South Sudan.

### **Recommendations**

1. Ratify the UN Convention on the Rights of Persons with Disabilities
2. Develop a disability act to guarantee equal protection for persons with disabilities

## **2. Education**

Article 29 (1) of the Transitional Constitution of South Sudan obliges all levels of government to provide access to education without discrimination as to religion, race, ethnicity, health status, gender or disability. However, in practice this is yet to be realised fully. Despite efforts to support the inclusion of children with disabilities and accessibility of the school environment<sup>1</sup>, data shows that school access and school retention is still a critical issue at all levels of the education system in South Sudan, especially for the most vulnerable populations, including persons with disabilities<sup>2</sup>. The South Sudan Annual School Census (ASC) in 2012 identified that only 1.37% of all enrolled pupils are children with disabilities<sup>3</sup>. The number of those attending schools was recorded as 22896. In 2012, the number was recorded as over 22000, suggesting a decline in school attendance. In 2015, this number dropped to 17743. Unfortunately, there is no data on reasons for the drop. It has not been possible to get the 2013 and 2014 EMIS data. Furthermore, the statistics are neither disaggregated by type of impairment nor gender.

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<sup>1</sup> Report Education for All 2015. National Review of South Sudan, UNESCO, page 25. Available at <http://unesdoc.unesco.org/images/0023/002316/231645e.pdf> (Last access on 4th April 2016)

<sup>2</sup> Idem, page 32

<sup>3</sup> MoGEI EMIS 2012 Education Statistics for GOSS p47

The Transitional Constitution also recognises Sign Language under article 6 by stating that: "The State shall promote the development of a sign language for the benefit of people with special needs". Again, the reality on the ground is yet to reflect this.

Persons with disabilities in South Sudan are among the most disadvantaged when it comes to education. Access to education for this community depends on a range of factors such as the type and/or degree of impairment, socio-economic status of a family, physical accessibility of schools, distance, attitudes etc.

The major barriers in accessing education in South Sudan include, but are not restricted to negative attitudes towards persons with disabilities, long distances to schools, perverse impact of poverty, existing insecurity in some areas, lack of assistive devices, lack of accessibility to the roads and streets, lack of teachers trained to work with children with disabilities and inaccessible school facilities and infrastructures (ramps, toilets for persons with disabilities)<sup>4</sup>. Further, girls with disabilities are less likely to access education than their peers without disabilities as well as than boys with disabilities<sup>5</sup>.

Thanks to special schools, those with visual, hearing, speech and physical impairments from the capital have some possibilities to access education. Those with intellectual, psychosocial and multiple impairments hardly enjoy this right. Furthermore, it is important to note that children and adults with visual and hearing impairments that are enrolled in schools tend to be older than their peers without disabilities. This could be attributed to the fact that some families are unlikely to learn early enough about the centre where Sign Language or Braille courses are run; mobility challenges for those who are blind; or reluctance and unwillingness of families to educate their children with disabilities due to ignorance about the potentials and rights of these children. In the majority of the cases, children with disabilities miss on education completely.

Despite the lack of data, our practice work allows us to report that some blind people in the capital, Juba, have been able to attend special school, thanks to the Norwegian Association of the Blind and Partially Sighted (NABP). This centre has been providing blind children and adults with rehabilitation trainings in Braille, mobility and other skills for independent living. Nevertheless, blind students in high schools and universities still face challenges with note taking as there are no textbooks in Braille or audio formats. They usually rely on classmates to help by reading those notes for them so they can write in Braille. One of the main factors responsible for this is the lack of assistive technologies in the respective schools and universities where these students are learning, as well as in the Centre.

Deaf people who are in Juba are able to learn Sign Language and attend special school. A few of them attend mainstream school with the support of Sign Language interpreters. According to information obtained from a deaf association in Juba, the highest level of education attained by its members is secondary school education. There are a few deaf persons who are university graduates, but those have acquired their education abroad. Sign Language has only been introduced in South Sudan recently and not many deaf people are able to use it effectively, as it is mainly concentrated in the capital. There has been an initiative by the deaf association in Juba to develop a national Sign Language dictionary.

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<sup>4</sup> South Sudan National Disability and Inclusion Policy 2013, Ministry of Gender, Child, Social Welfare, Humanitarian Affairs and Disaster Management, page 10. Report at <http://mgcswss.org/wp-content/uploads/South-Sudan-National-Disability-and-Inclusion-Policy.pdf> (Last access on 4th April 2016)

<sup>5</sup> Idem, page 9

Recently, the Ministry of Education, Science and Technology - in partnership with Light for the World - has initiated the development of a policy on inclusive education. This is going to be the first such policy in the history of South Sudan. The disability movement appreciates this important step towards equalising opportunities for persons with disabilities. Persons with disabilities participated in the consultations for the policy and provided inputs - including from their own experiences. The Ministry of Education also involved persons with disabilities in the review of the National Curriculum in 2013. Hopefully, the next curriculum will reflect the educational rights and needs of persons with disabilities.

### **Recommendations**

1. The Education Management Information System (EMIS) should capture disaggregated data on children with disabilities, by sex, age, geographic situation and kind of impairment;
2. Inclusive education should be reinforced and extended to all parts of South Sudan and education in Braille and sign language should be provided;
3. Affirmative measures should be taken to guarantee inclusion of children with intellectual, psychosocial and multiple impairments in the regular educational system;
4. Awareness campaigns should target families to send their children with disabilities to school, with special attention to girls with disabilities.

### **3. Employment and livelihood**

Persons with disabilities are among the poorest, vulnerable and unemployed people in South Sudan and, therefore, deprived of contributing to the country's economic growth and of enjoying improved livelihoods<sup>6</sup>. It is vital to enhance opportunities for persons with disabilities to be fully included in the community and to actively contribute to income generating activities in order to not be left behind and to end with the poverty cycle to which they are bounded.

Most persons with disabilities must have a university degree or certificate in order to access decent job, unlike their peers without disabilities that may still get a job without necessarily having an academic qualification. Hence, access to education is a prerequisite for persons with disabilities to be able to compete in the labour market. In addition, attitudes of employers and the working environment are essential factors that discourage applicants and employees with disabilities. This is particularly relevant to employees with disabilities who require assistive technologies or personal assistants to perform their duties.

The National Disability Assessment indicated that 89.3% of respondents with disabilities were unemployed, 4.5% had been employed and 6.2% were engaged in business<sup>7</sup>. Furthermore, there are almost no social safety nets and food security schemes for persons with disabilities.

The national disability survey shows that 12% of respondents left their jobs due to the lack of accessibility or wiliness of their colleagues or superiors. It also indicates that persons with intellectual and psychosocial impairments are the least likely to be employed. According to one of

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<sup>6</sup> Idem, page 23

<sup>7</sup> Idem, page 12

the organisations of persons with disabilities in Juba, eleven teachers who are members of the organisation were dismissed due to visual impairment.

In addition, social protection measures mainly protect persons whose impairments result from the armed conflict. South Sudan still lacks legislation and strategies for fulfilling the various aspects of the right to an adequate standard of living and social protection - such as a home, clothing, food, drinking water and poverty reduction - of all persons with disabilities, without distinction of any kind. Again, in South Sudan persons with disabilities tend to be illiterate, that those living in rural and remote areas cannot access certain basic services, such as drinking water and sanitation, and that plans to provide water do not take their needs into account.

### **Recommendations on work**

1. Promote affirmative action for employment of persons with disabilities;
2. Mainstream existing vocational skills training and development programmes to be inclusive of persons with disabilities;
3. Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;

### **Recommendations on livelihood**

1. Implement agriculture input subsidies, food for work and microfinance outreach programmes targeting persons with disabilities and their representative organisations, including women and youth with disabilities organisations;
2. Adopt public policies to promote access to financial services for vulnerable people, including persons with disabilities;
3. Adopt measures to ensure that persons with disabilities, including children, have access to social protection and non-contributory pension schemes, independently from being a person with disabilities as result of the armed conflicts;
4. Adopt measures for the elimination of barriers to the access of persons with disabilities to basic services, drinking water and sanitation in rural and remote areas, and to include the organizations in monitoring their implementation.

For further information and questions, kindly contact the South Sudan Association of the Visually Impaired (SSAVI), Mr Henry Legge [sokalopuru@gmail.com](mailto:sokalopuru@gmail.com)