



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Consideration of reports submitted by States parties under article 35 of the Convention

Initial reports of State parties due in 2011

Seychelles^{*} ^{}**

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* The present document is being issued without formal editing.
** The annex to the present report is on file with the Secretariat and is available for consultation.



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Abbreviations

AIDS	Acquired Immune Deficiency Syndrome
ASP	Agency for Social Protection
APHI	Association for the Hearing Impaired
CRC	Convention on the Rights of the Child
CRPD	Convention on the Right of Persons with Disabilities
DDST	Denver Development Screening Test
ECCE	Early Childhood Care and Education
ERSP	Economic Reform Social Programme
HIV	Human Immunodeficiency Virus
IDU	Intravenous Drug Users
ILO	International Labour Organisation
LUNGOS	Liaison Unit of Non Governmental Organisations
MDG	Millennium Development Goals
NCC	National Council for Children
NCFD	National Council for Disabled Persons
NHRC	National Human Rights Commission
NIHSS	National Institute for Health and Social Studies
OT	Occupational Therapist
PHC	Primary Health Care
PLWD	Persons Living With Disabilities
PODAS	Parents of Disabled Association
SDPO	Seychelles Disabled People's Organisation
SNYA	Seychelles National Youth Assembly
SNYC	Seychelles National Youth Council

Introduction

1. The Republic of Seychelles is pleased to present to the United Nations (UN) Committee on the Rights of Persons with Disabilities the first report on the national implementation of the Convention on the Rights of Persons with Disabilities.

Overview

About Seychelles

2. The Republic of Seychelles is a small island state with a population of 90,945. This comprises of 46,912 or 52% males and 44,033 or 48% females. The population of Seychelles is characterised by a slow growth rate, low birth rate, and low mortality and has been affected by intense external as well as international migration.

Population by age and sex, 2010

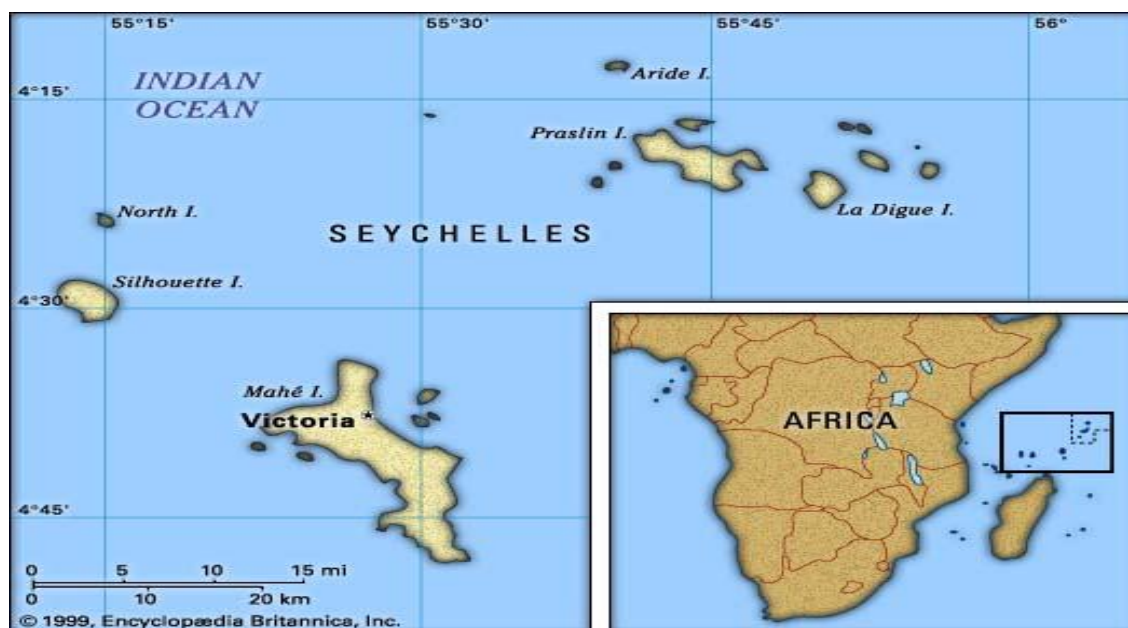
Age (completed years)	Female	Male	Total
0-4	3,420	3,499	6,919
5-9	3,351	3,380	6,731
10-14	3,296	3,449	6,745
15-19	3,604	3,848	7,452
20-24	3,337	4,150	7,487
25-29	3,419	4,385	7,804
30-34	3,606	4,158	7,764
35-39	3,566	4,186	7,752
40-44	3,549	3,736	7,285
45-49	3,316	3,507	6,823
50-54	2,568	2,885	5,453
55-59	1,595	1,766	3,361
60-64	1,308	1,320	2,628
65-69	1,063	958	2,021
70-74	1,050	713	1,763
75-79	873	502	1,375
80-84	581	288	869
85-89	345	138	483
90-94	134	36	170
95-99	44	8	52
100+	8	0	8

3. Seychelles has a total landmass of approximately 455 square kilometres which consists of 116 islands. The islands are scattered over 1.3 million square kilometre of sea in the Western Indian Ocean. The Seychelles Islands are the highest points of the Mascarene Ridge, an Indian Ocean ridge running in a generally north-south direction. The highest point is found on Mahé and attains an elevation of 912 m (2,992 ft). Rugged crests, towering cliffs, boulders, and domes contribute to the islands' natural beauty.

4. The three most populated islands are Mahe, Praslin and La Digue, with Mahe consisting of more than 87% of the population. The Island of Mahe can be considered as urbanised, where most of the economic and governmental institutions are located. It is estimated that some 37% of the population live in districts in the suburbs of Victoria and along the East Coast between Victoria and the International airport, a belt of 7 by 1 km. Urbanisation on Mahe is expected to continue as a large part of the island is unsuitable for human settlement. It is estimated that by 2025, the population living in urban areas in Seychelles will be 74% (UNDP, 1997). The rural areas in Seychelles are mostly categorised as dispersed outer islands which lack basic infrastructure for development.

5. The Seychelles is a tri-lingual country of three official languages, Creole, English and French. The Seychellois population originated from three continents Africa, Asia and Europe. The Seychelles population is primarily Roman Catholics (76%), Anglican (6%), other Christian religions (6%) and other religions (5%) (Population and Housing Census 2010 Report).

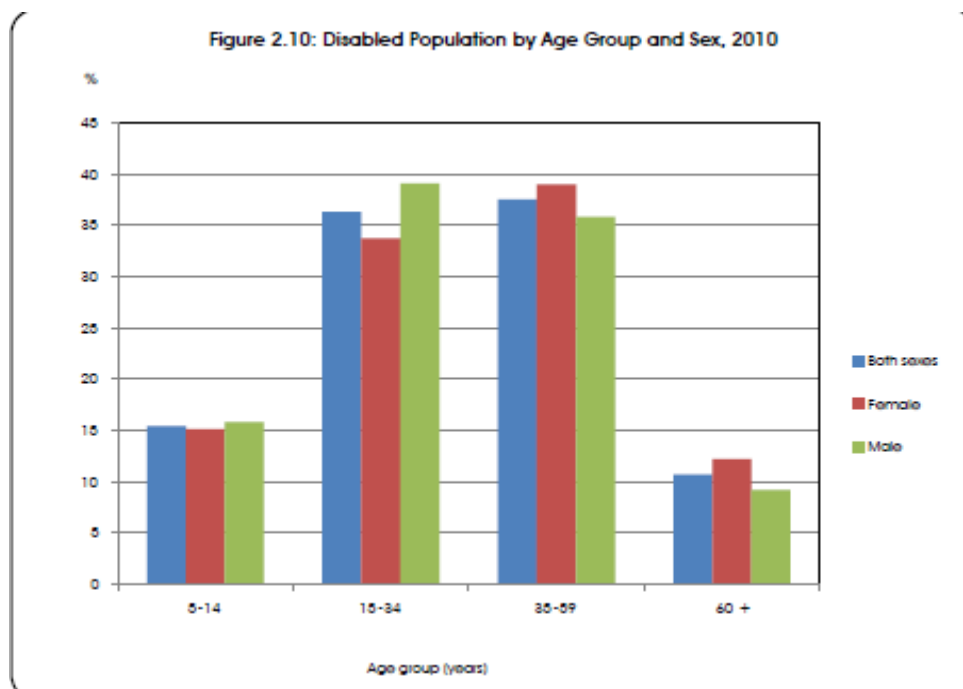
Map of Seychelles



6. Over the recent past the Seychelles has undergone major reforms. In 2008 in the midst of the international economic crisis Seychelles entered into a second phase of a macro economic and financial reform programme designed to rebalance the economy. To support the investment made in the economic platform the government also restructured its administration and in 2011 President Michel launched the National Dialogue on Social Renaissance calling for the “participation of everyone to address the social ills which are threatening the fabric of our society.” The aim of the exercise was to engage the population in a process of radical qualitative transformation to address the social challenges affecting the country.

Persons with disabilities

7. Persons with disability form an approximate 3% of the Seychelles population. The 2010 census identified 2,169 persons above the age of 5 with different types of disabilities.



Source: NBS.

8. Responsibility for providing services and programmes for persons with disabilities lies with the state but this assistance is seen in terms of enabling persons with disabilities to fend for themselves.

9. Different departments play a major role in addressing disability issues. These include the Ministry of Health, the Ministry of Education, and the Ministry of Social Affairs, Community Development and Sports.

Treaty obligations

10. Seychelles ratified the Convention in 2009 after much consultation with the disabled population and other stakeholders. This important step served to reaffirm Seychelles commitment in advancing human rights.

11. The Seychelles is already party to numerous human rights instruments. These include but is not limited to; the Convention on the Rights of the Child (1990), the Convention on the Elimination of all Forms of Discrimination against Women(1993), the International Covenant on the Civil and Political Rights(1995), and the Convention against Torture and other Cruel , Inhuman or Degrading Treatment(1992).

12. This Seychelles' first report to the UN Committee on the CRPD sheds light on the situation of persons with disabilities and disability issues in the country with due regard to the local context, the existing legal framework and the financial and human resources constraints that the country as a small island developing state faces. It also reflects the cultural context of the country with its multi ethnic makeup and high level of racial harmony.

13. Before the ratification of the Convention, the Government sought wide input from disability organisations, the disabled community and service providers on the principles enshrined in this Convention. Emphasis has been placed on the promotion and sensitisation of the population on the rights of persons with disabilities. A gradual change in mindset has been forthcoming through a gradual embracing of the social model of disability.

14. While there have been, and continue to be, improvements, many people with disabilities experience poorer outcomes in health, education, employment and elsewhere. Constraints remain in the attitudes of some people, who see them as less than equal. There are also physical and environmental barriers that continue to limit the development and participation of persons with disabilities. The lack of data on this group of the population is also a major impediment to progress in this area; while some data is collected, much more is needed. The threats of piracy and impacts of climate change continue to place a burden on already strained resources, resulting in additional costs, affecting budget allocations and placing pressure on the country's legal and judicial system.

Preparation and structure of the report

15. In keeping to its promise to the disabled population and commitment to the principles of the convention, this report was prepared through broad consultation with all stakeholders in the field of disability and persons with disabilities themselves. Consultation was through focus group discussions with persons with disabilities, questionnaires for service providers and literature review. Wider input from disabled organisations and the general public was sought through validation sessions of the report content.

16. The report was prepared by an independent consultant on behalf of the Seychelles Government, according to the guidelines on treaty-specific documents that States Parties are required to submit under Article 35 (1) of the Convention.

Where we stand

17. Services and programmes for persons with disabilities are coordinated at different levels by different sectors. Nonetheless, it is the Ministry holding the portfolio for Social Affairs currently the Ministry of Social Affairs, Community Development and Sports which is responsible for coordinating the Seychelles' response to the United Nations Committee on the Rights of Persons with Disabilities on the implementation of the Convention.

18. The Constitution of the Republic is the supreme law of Seychelles. Primary analysis of the Constitution reveals that it is largely compliant with the principles of the Convention.

19. Realising the rightful place of people with disability in society is an ongoing goal of the government. The country is presently engaged in developing a National Policy on Disability and a National Action Plan for a more focused implementation of the Convention; an implementation that involves all sectors, agencies and people concerned.

Part A. General provisions of the Convention

Articles 1 to 4

20. The preamble to the Constitution which reflects the aspirations of the people proclaims "the inherent dignity and the equal and inalienable rights of all members of the human family as the foundation for freedom, justice, welfare, fraternity, peace and unity" and reaffirms that these rights include the rights to life, liberty and the pursuit of happiness free from *all types of discrimination*.

21. The Seychellois Charter of Fundamental Rights and Freedoms, chapter III of the Constitution guarantees different rights. Article 36 of this chapter recognises the rights of disabled persons in the following way:

“The State recognises the right of the aged and the disabled to special protection and with a view to ensuring the effective exercise of this right undertakes:

- (a) To make reasonable provision for improving the quality of life of and for the welfare and maintenance of the aged and disabled;
- (b) To promote programmes specifically aimed at achieving the greatest possible development of the disabled.”

22. This charter also guarantees 24 other rights which mirror the rights enshrined in the Convention.

Table

The Seychelles constitution(1993) Seychellois Charter of Fundamental Rights and Freedoms, chapter III

Article 15: Right to life

Article 16: Right to dignity

Article 17: Freedom from slavery and forced or compulsory labour

Article 18: Right to liberty

Article 19: Right to a fair and public hearing

Article 20: Right to privacy

Article 21: Freedom of conscience

Article 22: Freedom of expressions

Article 23: Right of assembly and association

Article 24: Right to participate in government

Article 25: Freedom of movement

Article 26: Right to property

Article 27: Right to equal protection of the law

Article 28: Right of access to official information

Article 29: Right to health care

Article 30: Rights of working mothers

Article 31: Rights of minors

Article 32: Protection of families

Article 33: Right to education

Article 34: Right to shelter

Article 35: Right to work

Article 36: Rights of the aged and the disabled

Article 37: Right to social security

Article 38: Right to safe environment

Article 39: Right to cultural life and values

Definition of disability in Seychelles

23. The National Council for Disabled Person Act defines persons with disabilities as:
“A person suffering from a physical or mental disability on account of injury, disease or congenital deformity”.
24. No other legislative provision is available which gives a definition of persons with disabilities or for the purpose of combating discrimination based on disability.

National Policy and Plan of Action on Disability

25. Since the year 2011 Seychelles began the process of developing a plan of action on disability; a plan of action which in other words would ensure effective implementation of the Convention. In early 2013 the process started to develop a policy on disability putting on hold that of the National Action Plan development. At the time of submitting this report the National Policy has been validated by stakeholders and a second draft of the National Plan of Action is being finalised for consultation with relevant stakeholders.

26. The following is an extract from the introduction to the National Policy:
“This first National Policy on Disability of the Government of Seychelles is aimed at addressing the barriers that have been preventing persons with disabilities from reaching their full potential. It recognises that whilst a lot has been done to give persons with disabilities opportunities a lot still remains to be done to meet the aspirations of the Seychellois disabled population and attain full compliance to the CRPD”.

27. The specific objectives of the policy are as follows:
- Enact appropriate legislations to domesticate the Convention on the Rights of Persons with Disabilities
 - Promote the participation of women and men with disabilities in decision-making
 - Ensure the mainstreaming of disability rights into all policies, structures, systems, programmes and activities in order for them to contribute effectively to national development
 - Improve service delivery for persons with disabilities

28. The policy document itself is structured around key thematic areas promoted by the Convention such as persons with disability and legal rights, disability and accessibility, disability and employment, disability and Health, disability and the right to education, etc.

29. The National Plan of Action is guided by the National Policy. It defines “the fundamental principles for establishing and implementing sustainable national programmes providing opportunities for people with disabilities to be active and independent participants in all fields of social, political, environmental and economic life of the Seychelles”.¹

30. The main objective of the plan is to mainstream disability into national programmes and services and consequentially improve the quality of life for people with disabilities. This National Action Plan is an important tool in the efforts of the Government to create a more effective, sustainable and coordinated approach in the field of the rights of people with disabilities. This plan offers the possibility to pay more attention to people with

¹ Extract from executive summary of the draft action plan.

disabilities and is an intensification of the general efforts of the Government of the Seychelles toward full observance of the CRPD in the country.

31. Both processes for these key developments have involved the active participation of all relevant stakeholders. Once the National Action Plan is finalised both documents will be submitted to the Cabinet of Ministers to be adopted as one national document to guide current and future actions relevant to people with disability in the country.

Support for persons with disabilities

32. The Seychelles government supports the principle underpinning the CRPD that persons with disabilities participate actively and to their full potential in mainstream society and that they are involved in decision making that affect them.

33. The National Council for Disabled Persons set up under an Act in 1994, is the key government point of contact for the disability sector and one of its role is to remain in regular contact with the NGO platform through the Social and Health Commission of LUNGOS and the associations for persons with disabilities. Two persons with disabilities sat on the council's board out of 10 members. This has however been reduced to 1 for the newly nominated council from the 1st February 2012.

34. The Seychelles has a Human Rights Commission which was introduced in 2009. This national independent human rights institution was set up under the Protection of Human Rights Act 2009. It is aimed amongst other things, at providing the people of Seychelles with a forum where they can report violations of human rights and address issues with regard to the promotion and protection of human rights.

Our challenges

35. The National Human Rights Commission shares the office of the Ombudsman. The fact that the office is situated on the third floor renders the office inaccessible to the physically disabled and elderly. To remedy this, attempts are being made to secure alternative premises to house this institution. In the mean time in a bid to ensure that this service is accessible to all, the members are able to home visit persons who are unable to visit the office by reason of infirmity or disability. A trial programme for day clinics on Praslin and La Digue is also being considered.

36. It is recommended that increased effort is put into rendering this institution more visible to the general public. This is an essential requirement for any Human Rights institution as it makes its service delivery more responsive and effective.

37. The Mental Health Act makes provision for a Mental Health Commission to advocate for people with mental illness and addictions however this commission is yet to be implemented.

Government support

38. The Government provides both income support and specialised services to people with disabilities: Disability-related income support is provided in the form of Sickness Benefit and Invalidity Benefit.

39. The National Council for Disabled Persons Act 1994 set up the National Council for Disabled Persons. The functions set out in this Act are as follows:

- “(a) To co-ordinate the activities of public or private organizations and other persons engaged in the welfare of disabled persons;
- (b) In collaboration with public or private organizations and other persons;

- (i) To provide care and assistance to disabled persons;
- (ii) To promote, develop and organize services and programmes for rehabilitation and employment of disabled persons;
- (iii) To provide and secure employment for disabled persons;
- (c) To cooperate with public or private organizations and other persons in furtherance of the welfare of disabled persons;
- (d) To assist public or private organizations and other persons in promoting and organizing projects and income generating activities for the benefit and welfare of disabled persons;
- (e) To advise the government on education, sports, training programmes, employment and vocational training courses for disabled persons;
- (f) To assist public or private organizations and other persons in organizing sporting activities for disabled persons;
- (g) To assist in the provision of facilities considered by the council to be necessary or desirable for the welfare of disabled persons;
- (h) To undertake any other activities in furtherance of the functions of the council.”

40. The NCFD receives funds from the Government to support its activities and programmes and is able to raise funds through different activities or from private donors.

41. The NCFD intends to review its mandate and the legislative framework that guides its functions to provide for a more active role in promoting the rights of persons with disabilities and monitoring the implementation of the Convention. At the time of submitting this report a legal consultant had produced a first draft of a new legal framework to replace the National Council for Disabled Persons Act 1994.

42. The annual budget allocated to the NCFD by the government has continued to increase. In the years 2010, 2011 and 2012 the Council received SR 119,650, SR 208,416 and SR 237,729 respectively(\$8547, \$14887, \$16,981).

43. Since 2009 the National Council for Disabled Person oversees the operations of a Vocational Unit at North East Point. The role of the Vocational Unit is to offer vocational training and skills development programmes to persons with disabilities to enable them to enter the world of work.

44. From its onset the Vocational Unit offered two main programmes; sewing for girls and carpentry for boys. Over the years it has introduced agriculture and horticulture, arts and craft and in the last five years basic computer skills. Furthermore, the last two years has seen the introduction of some tailored short courses such as flower making and jewellery making amongst a few others. The introduction of these gives more variety to persons with disabilities with more choices for development of skills and more scope in the labour market. The view still exist however that training are provided solely in vocational areas limiting opportunities for persons with disabilities to develop other skills.

Part B. Specific rights

Article 5 – Equality and non-discrimination

Legislation forbidding discrimination

45. Local advocates for the rights of persons with disabilities have expressed the need for legislative provisions either in the form of an Act that brings together all anti-discrimination duties including those relating to disability or an Act that deals specifically with discrimination against persons with disabilities. These provisions would permit affirmative actions to improve the situation of persons with disabilities.

46. Disability discrimination can take place in many different settings, but typically occurs most often in situations of employment and education.

47. Specialized legislation, such as that dealing with employment, procedures for complaints of discrimination, including through court and other procedures, accessibility to public infrastructures etc. are also required.

Affirmative action

48. No mandatory affirmative action is available at present.

People with disability continue to face barriers to their development

49. Whilst a lot has been done to create an environment where persons with disabilities can live their rights, it is generally agreed that a lot remains to be done to overcome barriers. As the contents of this report will show; barriers vary but overcoming barriers based in traditions and perceptions is central. It is only when stakeholders understand these rights and their importance that real change can happen.

The aged

50. The progressive ageing of persons with disabilities and in particular those requiring more intensive support, presents new challenges for society. Statistics provided by the 2010 National Census illustrate that Seychelles has an ageing population. Innovative approaches are required to meet these challenges across a wide range of policy and service areas. Elderly persons with disabilities may experience multiple disadvantages because of discrimination or lack of availability of specialised services targeted to address their needs.

Part C. Situation of disabled boys, girls and women

Article 6 – Women with disabilities

51. Seychelles has ratified the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) since 1993 and its optional protocol. 2011 was a landmark year for Seychelles in relation to this convention as it submitted its first ever report to the UN committee after 13 years of ratification.

52. There is no discrimination based on sex in Seychelles and women with disabilities are entitled to enjoy their rights on an equal basis with men with disabilities, and with non-disabled people. However in reality women with disabilities are less visible in most mainstream activities except for cultural and recreational ones.

Support for disabled women

53. Both genders have equal access to available support.
54. There is no known group currently in existence that supports women with disability specifically.

Article 7 – Children with disabilities

55. Children with disabilities and young people in Seychelles are entitled to the same health, education and other services that non-disabled children and young people receive.

56. The Government funds a range of health care and disability support services for children and young people with disabilities, including a child development service which comprises development assessment of all children from birth, immunization, growth monitoring and other disability support services. There is specialised provision for children with disability: for example, the Ministry of Health funds early detection and intervention in respect of disabilities in young children.

57. Speech pathologists are one group of health professionals with roles and responsibilities for early intervention. They are trained to assess and manage children presented with a range of congenital and developmental difficulties that directly impact on their speech, language, communication, voice and swallowing skills. The speech pathologists of the Seychelles Hospital currently provide one to one sessions and/or group sessions to paediatric inpatients and outpatients of the hospital and the community at large, depending on their individual needs. They work in close collaboration with the child, their parents, and other health professionals and stakeholders to provide them with the best possible quality of care. School visits are conducted to establish contact with teachers and ensure that the educational programs are suitable for the child and finally home visits are conducted whenever necessary to ensure that those who cannot make it to the clinic setting, either due to their medical conditions or physical disabilities receive the same treatment / intervention opportunities as their counterparts.

The Seychelles Child Development study

58. The Seychelles Child Development Study is an international research partnership involving the Seychelles Government (mainly the Ministry of Health and the Ministry of Education), the University of Rochester in New York State, USA and the University of Ulster in Northern Ireland.

59. The study was launched in 1985. The original aims of the study namely to study the development of Seychellois children and the effects on child development from exposure to mercury in the maternal diet rich in fish remain valid.

60. Results from the research demonstrate the good health and development of Seychellois children and support existing knowledge about the factors influencing early childhood development (including maternal age and education, gender, home environment, socio economic situation). The data shows variation in abilities and performance of children.

61. There is no evidence that overall child development is adversely affected by the low level of mercury exposure from the maternal fish diet.

Best interest of the child

62. The “best interests of the child” principle is broadly reflected across decision-making procedures concerning children, including family law, care and protection and elsewhere.

63. The Social Affairs Department has embarked on a review of the Children Act and other child related laws to ensure that these laws are at par with the recommendations of the UN committee on the Rights of the Child’s concluding observation of 2011. This will ensure that the principle of the best interest of the child is well reflected throughout child related laws.

64. Seychelles is committed to overall children’s development and displays excellent indicators in health, education and wellbeing.

65. This commitment is demonstrated to a great extent through its membership to a number of international and regional human rights instruments including the Convention on the Rights of the child (CRC) and the African Charter on the Rights and Welfare of the Child, both of which contain articles upholding the rights of children with disabilities.

66. Seychelles commitment to children has been further emphasized through the government’s recent adoption of an Early Childhood Care and Education (ECCE) Framework and policy. This has materialized in the aftermath of Seychelles participation in the first UNESCO World Conference on Early Childhood Care and Education in Moscow from the 27-29th September 2011. The framework is based on the recognition that ECCE is a right and an indispensable foundation for lifelong learning and inclusive development with proven benefits in health, nutrition, improved educational achievement and efficiency, social and gender equity, greater employability and better quality of life. One of the purposes of the National Framework is to “address the special needs of vulnerable and disadvantaged children”. A special fund has been created to support activities geared towards achieving the goals of the National ECCE Framework.

67. Technical committees have been set up at the level of relevant ministries to develop sectoral action plans for the implementation of this National ECCE framework. These plans have been brought together into a National Action Plan which spans from 2013 to 2014. In the foreword of the Action Plan document the vice president Mr. Danny Faure reiterate that:

“The right of all young children to develop to their full potential, to have their intrinsic value recognized, to have their education and care facilitated by competent, caring and knowledgeable adults, can never be denied, if we believe in their inestimable worth as the future of our society. For their growth and development, they deserve careful educational, social and health attention and intervention from the earliest age”.

68. Some of the activities that the plan promotes that relate to children with disabilities are as follows:

- Set up an inter-agency placement board to monitor placement and progress of the individual child
- Plan carry out intervention as per the needs of the individual child
- Carry out an audit on the existing services/channels for parents seeking advice/interventions for children with disabilities and challenging behaviours
- Provide effective aids for children with special needs
- Develop an investment plan for children with special needs highlighting budget and funding sources

- Introduce screening for hearing impairment in newborns using the universal Neonatal Hearing Test

69. The Youth Department offers a broad range of youth participation channels. One of the highest profile events is the Youth Assembly. In 2012 the assembly had as Deputy Speaker a person with disability.

70. Young people are chosen in their districts by their local Member of Parliament to participate as Youth Members of Parliament. Youth Members debate current issues.

71. Youth parliament is essentially an educational forum which provides its members with the opportunity to nurture their knowledge and learning as well as to develop their research and oratory skills.

72. A motion related to young persons with disabilities was tabled on 28th April 2012 and was approved by the ninth Seychelles National Youth Assembly (SNYA). The motion proposed that the then Ministry of Health and Social Services in partnership with associations for persons with disabilities in the districts review the mechanism and amount allocated as invalidity benefits to children especially those whose parents have to stay home to care for them. Motions once approved are forwarded to the relevant department for follow up action.

73. Government dedicated the year 2005 to children under the theme; “Our Children, Our Treasure, Our Future”. A National Plan of Action was developed founded on the principles of the CRC and aimed at producing better outcomes for children. One major project arising from this plan was the setting up of the Early Childhood Intervention Centre.

74. The Early Childhood Intervention Centre was officially opened in 2008. It provides specialised services for children from birth to 5 years old. These services include speech therapy and specialised examination by paediatrician and paediatric nurse. Early intervention programs are implemented and home programs are given to parents to complement therapy. Clients of the centre are identified and referred mostly by the Maternal Child Health nurse during clinical visits or when going for weight checks and developmental tests. Children who fail certain areas of the Denver Development Screening Test (DDST) are then referred to the centre either for further speech and language assessment or to be consulted by the paediatrician. Children can also be referred by other doctors/professionals working with the child where there is concern about the child’s development. The centre has recently begun to accept referrals from schools as well as parents who are concerned about the child’s development.

75. Non-governmental organizations have also been active in showing their commitment to children issues. One such organization is the National Council for Children which have for years been known as the voice of the children. The NCC has and continues to work on public awareness campaigns aimed at promoting children’s wellbeing.

76. The Children’s Foundation is another non-government, non-profit organisation founded in 2006, with the first lady as its patron. The Children’s Foundation works to facilitate the mission of both public and private organisations responsible for supporting and caring for children in need. The Foundation engages in different projects in the area of disability. One such project is on autism. The project’s key strategies are advocacy, awareness, support and research in this area. It receives support from the Ambassador for Women and Children who is also a Paediatrician and benefits from funds from the private sector. One of the important components of the project is to implement training in the use of autism assessment tools with a core group of professionals who are involved in the care of children with autism.

Current challenges

77. Social attitudes remain a great barrier. Parents often make decisions without consulting their children. This can mean that the views of children, particularly children with disabilities, are not always heard within their immediate or extended family. Current and planned awareness-raising programmes are seeking to address such attitudes.

Article 8 – Awareness-raising

78. Promotion and education towards a non-disabling society has been the primary objective to be addressed since the coming into force of the Convention and its subsequent signing and ratification by the State Party.

79. The National Council for Disabled Persons (NCFD) has been running and continues to run a campaign of sensitization on the CRPD. This has been done regionally in different communities including Praslin and La Digue.

80. Awareness raising is also being done through the Social Affairs Department's website and newsletters.

81. Public education programmes to promote the principles of the Convention has been and continues to be carried out through the mass media.

82. To commemorate the International Day for Persons with Disabilities day 2011 the NCFD produced and with the support of the national media house, the Seychelles Broadcasting Cooperation (SBC) aired a series of TV Spots promoting the abilities of different individuals with disabilities and encouraging the breaking of barriers to employment and participation.

83. The Rehabilitation Services Section of the Ministry of Health is also involved in activities to raise awareness. This is intensified around specific theme days such as Physiotherapy day, Occupational Therapy day and Speech Pathology day.

84. In 2010, a poster campaign directed at changing attitudes and behaviours that limit opportunities for people with disabilities was launched. This was focused on 3 rights which had been identified as a priority; the right to education (art. 24), the right to work and employment (art. 27) and the right to participate in cultural life (art. 30). The posters are attached at annex.

85. As part of its awareness raising activities, the NCFD organised a logo competition in 2011. Children with disabilities who participated were required to design a logo which promotes the rights of persons with disabilities. The Convention was used as the reference document. The logo that won the competition has been adopted as the new official logo of the NCFD. It is used on all official documents.

86. The Convention has recently been translated into the maternal language and circulated to stakeholders. It is expected that this will serve as an important sensitisation tool.

Our challenge

87. Awareness and understanding of different impairment is lacking.

88. More sensitisation is required in the Mental Health area.

89. Websites are not fully accessible.

90. A lot of disabilities are caused by accidents especially road traffic accidents and accidents in the work place (see table at annex). Efforts must be intensified to educate

people of the dangers of not taking the appropriate safety measures on the road and in the work place, of reckless driving and driving under the influence of alcohol.

91. The media houses must take initiative to create awareness on human rights issues including rights of persons with disabilities and hence rely less on being invited to cover events.

Article 9 – Accessibility

Towards an accessible Seychelles

92. Access to the physical environment and access to information and communication (including technologies) is instrumental for the real participation of persons with disability to education, health, employment, civil and political rights, and social protection.

93. Accessibility is an issue that cuts across all sectors.

94. A lot of emphasis has been placed on the promotion of accessibility in the awareness campaigns.

95. In 2010 the Seychelles Bureau of Standards launched a campaign on accessibility. Posters were distributed in work places and in the community to sensitise the public on the importance of this right.

96. A project which is underway through the support of the EU and UNDP under the 10th EDF programme should go a long way towards contributing to the vision of an accessible Seychelles.

97. This project has as objectives the following:

- Develop minimum standards and guidelines for accessibility to facilities and services open or provided to the public
- Educate key stakeholders on accessibility issues
- Lobby for and develop a national policy on accessibility to public places for persons with disability
- Advocate for and propose legislative provisions on accessibility to public places by persons with disability.

98. The project will have the following outputs:

- Standards and guidelines on physical accessibility
- A Creole version of the CRPD
- Increased awareness at different levels
- A national policy on physical accessibility
- Disabled advocates
- IEC materials
- Assessment of legal framework

99. At the time of submitting this report a research has been completed on standards and guidelines on accessibility to infrastructures and findings disseminated to stakeholders. The Creole version of the CRPD has been produced and disseminated. Discussions have been held on the revision of the Town and Country Planning Act to ensure disability accessible features. A local chapter of the Leonard Cheshire Young Voices have been launched to advocate for their own rights.

Our challenge

100. Accessibility to public buildings is a challenge. Essential services such as clinics, parts of the main hospital, some district administration offices, and most schools are not accessible to persons with disabilities. These in the majority of cases are buildings that have been around for a long time.

101. The Baie Ste Anne Primary school opened in 2007 and the Au Cap Primary school has been made accessible with the former having ramps and a lift and the latter having ramps only. All new schools that will be built in the near future are expected to have accessibility features.

102. Whilst it is understood that new buildings should be made accessible, this is not legally binding in any way. New buildings continue to lack accessibility features and there is no channel for such failures to be challenged or remedied. The NCFD has lobbied for a person with disability or representative of persons with disabilities to be a member of the planning authority board (the body that approves all construction of infrastructures) but this has not materialised as of yet and consultation with disabled organisations are adhoc.

103. However there has been a noticeable increase in the number of buildings with lifts with even a first ever shopping centre to have an elevator. However, focus is mainly for the physically disabled albeit not holistically. For example public toilets remain problematic for wheelchair bound persons etc.

104. Through the support of private sector the NCFD has received assistance in building ramps in some priority areas to render services more accessible to persons with disabilities.

Recommendation

105. Review the Town and Country Planning Act to make it mandatory to make public buildings accessible to persons with disability. At the time of compiling this report there has been a move to relook at this Act and this article (9) is recognised as one of the tools to guide this process.

106. Have representation of disabled organisation or a person with disability on the planning authority board.

Public transport

107. Public transport is another challenge to the fulfillment of the right to accessibility. Public transport at present is not accessible to the physically disabled or in some cases the elderly. This has been expressed at many occasions as a major inhibition to the participation of people with disability in mainstream society. Whilst the agency responsible for public transport has been receptive to the principles being advocated by the convention on accessibility, limitations in resources has been a major impediment to translating this receptiveness into action.

108. It is important to note that the Seychelles Public Transport Company has been an active participant in the discussions to compile this report and has given its commitment to make available buses that are accessible to persons with disabilities. At the time of finalizing this report a few such buses had been made available, but mostly serving the Victoria to Ile Perseverance area.

Other challenges remain

109. The topography of the main islands contributes to the problem of accessibility. Apart from the coastal areas and residential areas located on reclaimed land most houses are located up hills and in valleys. This is in itself an issue when it comes to having the

appropriate public transport suitable to serve such terrain and also be accessible to persons with disabilities.

110. Pedestrian infrastructure (such as curbs and accessible road crossings) is inconsistent; concern have been expressed over trees being planted within the pavements and huge flower pots being displayed/placed on the pavements

111. Consultation with the NCFD about public transport and planning is adhoc and pedestrian infrastructures continue to be built and public transport bought without consideration to possible benefits of access for people with disabilities.

112. People need to be sensitized on building houses that are accessible keeping in mind that disability can be acquired and that old age can also cause disability.

Accessible information

113. The Seychelles Broad Casting Corporation Act of 2001 “safeguards the citizens” rights to be informed truthfully and objectively on all matters of public interests’ both nationally and internationally. These provisions guarantee the rights of people with disability to services from the media. These are further enhanced under section 2i which states that the Seychelles Broad Casting Corporation shall take “special steps to protect the interest of children, the elderly and persons with disabilities and other vulnerable sectors of the community”.

114. There has been a move to introduce sign language captions for some special broadcast on the national TV however this does not follow any systematic pattern and it is not clear how it is decided which programmes should or should not be interpreted in sign language for the benefit of the hearing impaired.

115. At the School for Exceptional Child education materials is available in Braille, large print, in easy to read formats and on audio tapes and DVDs for the blind and vision impaired. However there is no law or policy ensuring that public information is made accessible to all types of disability. This is so mainly because these groups are seen as such a minority group that the importance of them having equal access to information is overlooked.

116. The National Library has recently offered the NCFD a section to be dedicated to disabled friendly information and materials. Materials are being sought to fill up this section.

117. In a bid to provide blind persons with much greater access to information and more communication opportunities via the internet, the NCFD with the help of its partners sent two persons with sight impairment and a special needs teacher to Mauritius to attend training on the use of computer technology to benefit people with sight impairment.

118. In the health sector some pharmacies has made a positive and much welcome move to import medicine with instructions in braille print. This will help persons with sight impairment to have better access to medicine and increase their choice and independence. More of such initiatives are required.

Recommendations

119. The state needs to promote provision of information supported by accessibility standards; and video and text-based communication.

Article 10 – Right to life

120. Article 15(1) of the Seychelles Constitution stipulates that:

“Everyone has a right to life and no one shall be deprived of life intentionally.”

Article 11 – Situations of risk and humanitarian emergencies

121. Measures taken in instances of risk, disaster or emergency are extended to all people, regardless of whether they have a disability or not.

122. The Risk and Disaster Management Division uses the Sphere Handbook to guide actions in situation of risk and humanitarian emergencies. The Sphere Handbook is one of the most widely known and internationally recognized sets of common principles and universal minimum standards for the delivery of quality humanitarian response.

123. The Division also aims to ensure that in risk planning of districts, dwellings with persons with disabilities especially those who may need extra help in the event of a disaster are identified.

124. In January 2013 Seychelles faced heavy rainfalls which caused flooding in a number of areas. With this in mind and the influence of the 13th October 2013 International Disaster Reduction day being focused on the issue of disability its is increasingly recognised that it is necessary for the appropriate institutional, physical, and attitudinal barriers be addressed to limit the effects that disasters can have on the life of persons with disabilities. At the time of submitting this report a study was being conducted to gather information on the preparedness of persons with disabilities in the event of natural disasters.

Challenge

125. There is a need to ensure that information that the division gives out is suitable for all categories of disabilities. This is a challenge that the division is optimistic in addressing in the near future.

Article 12 – Equal recognition before the law

126. Persons with disabilities are not prevented from entering into contracts, voting, marrying, taking decision about health and accessing courts of law.

Article 13 – Access to justice

127. Access to justice is safeguarded, without distinction as to disability.

128. Persons with disabilities arrested or accused of an offence has the right to have access to an interpreter or other assistance as is necessary.

129. During the reporting period a pool of sign language interpreters was being trained to assist people with hearing impairment in accessing justice and other services.

130. A new *Palais de Justice* officially opened its doors in June 2013. It houses the Supreme Court and Court of Appeal. The new building is accessible to persons with disabilities.

131. There is a need to have a service where persons with disabilities can go to get information about their legal rights and responsibilities and how to access the justice system

when and if their rights are being violated. It is important to note here that no such service exist at present for the general population either.

Article 14 – Liberty and security of the person

132. In accordance to article 18 of the constitution, “Every person has a right to liberty and security of the person.”

133. No one can be deprived of their liberty because of their disability.

134. At a macro level, Seychelles society has evolved since independence in 1977. Development and progress has brought with it both opportunities and challenges that impact on the lives of its people irrespective of their socio economic status. These challenges constitute crimes, alcohol and drug abuse. The Government and its stakeholders are cognisant of these social issues and have committed to working together under the “Social Renaissance” initiative to tackle these in a comprehensive and holistic manner. The disability sector has been invited to contribute to this campaign for a social transformation as these issues also affect persons with disabilities themselves, their families and the community where they live.

Institutionalisation

135. There is no residential institution for persons with disabilities in Seychelles. Government assistance is focused on care within the family.

136. Seychelles benefited for some years from a home supported by the Leonard Cheshire organization. This home was located at Foret Noire. The home was closed down in favour of care in the home within the family setting.

137. Assistance for the elderly and persons with disabilities to be cared at home is provided through the Home Care Scheme. The Home Care Scheme was established in 1987 with the objective of providing a service to keep persons with disabilities and elderly in the family and community. Funding is from the Social Security Fund. The persons qualifying for this service is provided with a carer who provides personal help and assists them with daily living such as housekeeping, laundry and meal preparation. Home carers are given training on how to care for persons with disabilities by the Ministry of Health.

138. A number of persons with disabilities are residing in the home for the elderly at North East Point, a complex under the administration of the Ministry of Health. They are constituted mainly of cases where the family cannot care for that person or cases where there is no one to care for that person.

139. A survey on elderly persons carried out in 2010 outlined a need for appropriate institutions to cater for elderly persons who also have a disability and for specialized training for people who work with them especially the Home Carers.

Article 15 – Freedom from torture or cruel, inhuman or degrading treatment or punishment

140. Everyone residing in the Seychelles has the right to be protected from torture or cruel, inhuman or degrading treatment or punishment. This right is pronounced in the Constitution of the republic.

Article 16 – Freedom from exploitation, violence and abuse

141. Seychelles' laws provide special protections for persons with disabilities and the aged.

142. Everyone in Seychelles including persons with disabilities have access to social care and protection services. Such services are provided by different agencies including NGOs.

143. The Social Services Division has the mandate to protect all children from exploitation, violence and abuse. It works closely with other child protection partners to attain this. In the event of a child being abused it has the mandate to work with the child and family, through counseling, therapy and follow ups. The "Working Together Manual" is available to guide all child protection agencies on how to handle child abuse cases.

144. The NCC which works with and for children provides a number of training to professionals who work with children and families. It also offers counselling and referral services for children and families. NCC is vocal in its denunciation of child abuse.

Article 17 – Protecting the integrity of the person

145. People with disabilities can be more disadvantaged by society's responses to their disability than the disability itself. Hence the need to continue to educate and sensitise all levels of the population to remove barriers. This education must go on until all stakeholders recognise that people with a disability have the same fundamental rights and is not defined by their disability.

Medical treatment

146. Everyone has the right to refuse to undergo any medical treatment. This right is subject only to such reasonable limits as can be justified in a free and democratic society.

Article 18 – Liberty of movement and nationality

147. Immigration policies do not differentiate on the basis of disability.

148. By the Civil Status Act 1994; all births in the Seychelles must be registered and all children given a name within 30 days of the birth.

149. The act also stipulates that "If the birth has not been declared within the aforesaid period, the birth shall not be registered, except upon an order of a judge and on payment of a fine not exceeding one hundred rupees unless the lateness of the declaration be accounted for to the satisfaction of the judge".

Article 19 – Living independently and being included in the community

150. Removing barriers means giving people with disabilities the opportunity to fulfill their potential and be fully participating members of society. One of the key platform encouraging participation in the community is the Association of District Disabled Support Group. This association was created in July 1999 with the following goals:

- Promote the welfare of the disabled in the districts
- Encourage and assist the disabled with the promotion of sports, leisure and recreational activities
- Provide support to parents or guardian of the disabled

- Develop programmes and enterprises that will enable persons with disability to develop and remain productive in the community
- Create a social network

151. The association organizes home visits, outings, gathering, life skill workshops, home economics workshops and livelihood workshops.

152. The association receives funds from the Ministry with responsibility for Community Development, local and international donors and private sponsors.

153. Discussions have shown that living independently is still a concept that has not been fully accepted. Most persons with disability never leave the family setting. This is on the most part due to perceptions that persons with disability need to be cared for and protected.

Support services to enable independent living

154. Services provided by the government include care to live at home, provision of necessary equipment and housing modifications, financial assistance, and transport assistance.

155. It is part of occupational therapists' (OT) mandate to equip persons with disability with relevant skills to make their life easier and depend less on others. This service is decentralized into different communities including the inner islands. They also undertake home visits to help people to adapt to their homes when necessary.

Housing assistance for independent living and community inclusion

156. The government is committed to meeting the nation's housing needs. The government policy is aimed at making it possible for each family to have its own home either through their own means or through government assistance by way of loans, residential plots of land or already built houses, apartments with low monthly repayments. A new housing and land allocation policy has been adopted which creates a point system to ensure greater transparency, equality and improve service delivery and efficiency.

157. The Ile Perseverance project is the government's biggest housing project in its social housing assistance programme. The master plan comprises 2,056 housing units. The infrastructures have been designed to be disabled friendly. Some families have already been allocated houses which have already been completed. Where families have a member with disability the house unit has been adapted to meet their needs. Once the whole project is completed it is expected to have 2 primary schools and 1 secondary school.

Enhancing community living

158. In the last couple of years much more emphasis has been placed on community based rehabilitation. The Association of District Disabled Support Group has been instrumental in bringing persons with disability at community level together to participate in different activities.

159. Within the 3rd and 4th quarter of 2011 the district support group ran workshops in different regions of the country to develop the skills of persons with disability in crafts including flower and jewellery making and some basic business management skills to empower those interested in developing home based industries. The project was part of the Economic Reform Social Programme (ERSP) and targeted 40 persons with disabilities. One group in the Anse Boileau District have remained together as a small corporative like entity continuing to make their crafts and selling as a group.

160. The workshops had as its aims:

- To empower people with disabilities with artisanal skills
- To promote self-help income generating activities and provide sustainable employment opportunities for 40 people with mild disabilities
- To consolidate and strengthen the process of integration of persons with disabilities into development initiatives.

Our challenge

161. Persons with disabilities need to be given greater choice over the support they need and the resources available to them.

Article 20 – Personal mobility

162. The Government provides people with disability with a range of personal mobility assistance, including equipment such as wheelchairs, assistive devices such as canes, artificial limbs and other modifications on the basis of a needs assessment. Training is also provided on the use of these devices and home visits are carried out to ensure that they are being used correctly.

163. The Rehabilitation Centre has an Orthotics and Prosthetics unit which manufactures special assistive devices and artificial limbs.

164. In 2011, the Jaipur Foot Project was implemented. Amputees benefited from lighter and less costly artificial limbs. This ensured that all back log cases were cleared. A total of 120 patients of different ages were catered for.

165. Other physical aids are provided by the relevant section of the Ministry of Health. For example the speech therapy section produces custom made communications board for individual use as and when necessary. There is however an acute shortage of personnel to provide the service up to the required standard.

166. Wheel chairs are issued to those in need for free and a repair workshop is available at the Rehabilitation Centre to attend to those needing this service.

167. Nonetheless there is a shortage of wheel chairs adapted to specific disability. These include paediatric ones or light and easy to be manoeuvred ones.

Article 21 – Freedom of expression and opinion and access to information

168. All people have the right of freedom of expression, which includes the right to seek, receive and impart information and opinions of any kind in any form. This right also expands to persons with disabilities.

Assistance to communicate

169. The Government assists in providing equipment and other resources necessary for self-expression, including assistive technology, speech language therapists and other qualified professionals. However, owing to the limited capacity in the country qualified professionals in this area is lacking.

Development of the Seychelles sign language

170. Since 2005 the Association of People with Hearing Impairment has embarked on a journey to develop the Creole sign language in partnership with the Deaf Institute of Paris. This project is being pursued through a Memorandum of Understanding signed between the Deaf Institute of Paris, the Deaf Association of Seychelles and the Government of Seychelles through the Ministry of Education. The outputs are expected to be a Creole sign language dictionary and different sign language trainings including interpreter trainings.

171. As part of this endeavour; starting from 2006 there has been training of 1 hearing and 2 deaf teachers, 4 deaf students in computer and sign language development and 4 deaf persons as masseurs. Trainings are still ongoing for 5 hearing persons as interpreters, 7 deaf persons as mediators and 2 deaf persons as human rights trainers.

Article 22 – Respect for privacy

172. Everyone has the right to privacy including persons with disability and this is stipulated in article 20 of the constitution.

Article 23 – Respect for home and the family

173. A person with disability has the same right to marry as any other person. The barrier to this right is set in the perceptions of people who see persons with disability as people who need to be protected and cannot take care of themselves.

174. The Seychelles government sees family as the best environment for all children, including children with disabilities.

175. However the Children Act makes provisions for the Director of Social Services to assume parental rights over a child who's parent or guardian "suffers from some permanent disability rendering the parent or guardian incapable of caring for the child" or "suffers from a mental disorder which renders the parent or guardian unfit to take care of the child". The Act also states that this will happen only if there is no other person willing or suitable to become guardian of that child.

176. Parents who have any disability and have the ability to take care of their child/children can receive support from the state with child care responsibilities and, subject to an income test, financial assistance from the Agency for Social Protection.

177. Only a small group of persons with disabilities are offered residential care at the North East Point Hospital. These are specially those that have been involved in road traffic accidents.

Protection of children with disability

178. As per the principles enshrined in the Convention on the Rights of the Child, Seychelles' law takes the best interests of the child as a paramount consideration in determining and supporting care and protection arrangements.

179. In Seychelles the Director for Social Services is the guardian of all children. Hence any child needing protection from any kind of abuse, even children with disability benefit from the child protection system that is in place. This means that wherever and by whoever they are identified as a victim they will be referred to one of the child protection agencies and ultimately referred to the Child Protection Unit of the Social Services which has the mandate to:

- Identify foster and adoptive parents where necessary
- Arrange placements in foster homes following investigations
- Facilitate adoption process
- Provide reports to the Courts and the Family Tribunal in relation to custody, access, maintenance, guardianship, adoption, interdicted minors' property and interdicted disabled adults property
- Provide guidance and counselling to parties regarding children's issues
- Work with children and their families by providing services to dysfunctional families to restore social functioning
- Counsel, support and guide children and their families
- Empower children to protect themselves
- Protect abused children and those at risk of harm through clear intervention plans
- Conduct preventive work regarding abuse of children
- Register children who are at risk
- Work in close collaboration and in partnership with child protection partners

180. Any need for placement will be investigated and assessed thoroughly by the social worker working on the case and the final decision will be made by the Family Tribunal. All options for supporting a child or young person with disability to remain living with the family must be fully explored before considering an out-of-home placement. If no other option is available the child may be placed in one of the 3 institutions; the President's Village, Foyer de Nazareth or Ste Elizabeth which also house other children whose circumstances do not allow them to stay at home. Disability support is maintained in all circumstances.

181. The Social Services Division also offers the services of the following section; the probation services and the community social work section. Probation services operate amongst its other duties a Juvenile unit whereas the community social work section comprises of social workers based at district level closer to the community and the people they serve.

Article 24 – Education

Access to education

182. The Constitution of the Republic of Seychelles Article 33 commits the state to providing “compulsory education, which shall be free in State schools for such minimum period, which shall not be less than ten years, as may be prescribed by law”.

183. The following extracts touch specifically on inclusive education:

“The Minister shall provide special education programmes for learners of compulsory school age, who, by reason of intellectual, communicative, behavioural and physical or multiple exceptionalities, are in need of special education (Education Act, 2004:Article 15 (1), ‘Special Education’)

A student who is entitled to a special education programme shall have the programme delivered in the least restrictive and most enabling environment (Education Act, 2004: Article 15 (2), ‘Special Education’)

184. In the Seychelles at present there are 33 government pre-schools or crèches, usually located next to the 23 district primary schools, and 10 secondary schools. The majority of secondary schools are located regionally on the main Island of Mahé, 1 on Praslin Island and 1 on La Digue Island. Their sizes range from 711 to 1,014 pupils. The education policy of Seychelles provides ten years of compulsory free education for all from the age of 6 to 16 years. Pre-schooling is also provided for free although not compulsory. However, almost all children from the age of 3½ to 5½ years attend. The total number of full time students in education for the year 2009 was 21,141, which made up 24 percent of the whole population. Both boys and girls were equally represented and are equally entitled to the ten years compulsory education up to the secondary level. However, at post-secondary and tertiary levels education is awarded on a competitive basis.

185. Over the past three decades or so the government has shown a sustainable commitment to develop and improve the national education and training system. Education reforms occurred in 1978, 1991, 1998 and 2009. With regards to reforms in 1998, it brought about changes that enabled post-secondary institutions to start offering courses leading to qualifications beyond the certificate levels. However there were educational institutions offering higher level courses in partnership with overseas institutions of higher education, such as in the National Institute of Education (now the school of Education of the University of Seychelles), the Seychelles Polytechnic, the Seychelles Tourism Academy (STA) and the Seychelles Institute of Management (SIM). More recently, in 2009 saw the creation of the first University of Seychelles (UniSey) to provide tertiary education to Seychellois students instead of them continuing further education abroad which was the case previously. However, due to the limited number of courses that the University of Seychelles can offer, some students still need to go abroad for some category of training whilst many others also benefit from scholarships that are offered by different countries which have bilateral ties with the Seychelles.

186. In accord with the Education Reform Action Plan (ERAP) 2009-2010 a Tertiary Education Act (2011) has also been enacted. The legal frameworks further promote and ease the development of the national education and training system.

187. Seychellois with disabilities have equal rights of access to education, including in the early childhood, secondary and tertiary but the reality is that you will find very few children with disabilities going through the full cycle of mainstream education. This right is affected by barriers of physical access and barriers in perceptions and attitudes.

188. Most children with disabilities attend the School for the Exceptional Child. This is a mixed disability school. A Centre for Exceptional children was opened in 2007 on Praslin and is situated within a mainstream school allowing interaction between the disabled students of the centre and other students of the school.

189. Deaf students are now able to have access to education in Creole sign languages in a class at the Au Cap Primary School. Previously all students were attending the School for the Exceptional Child. One hearing teacher trained in sign language now provides academic teaching to the group which attends this specialized class. Two deaf teachers are providing sign language teaching and are responsible for preparing visual support for the class.

190. Whilst it is of crucial importance that all children have access to education it is equally important that they are able to take full part in school life and achieve desired outcomes from their education experiences.

191. The vision for education for people with disabilities is guided by the following objectives:

- To make mainstream schools accessible to persons with disabilities
- To equip teachers in mainstream schools to work with children with disabilities

- To develop and implement education policies that clearly articulate types of provision that are necessary for students with disabilities
- To ensure that students with disabilities in mainstream schools/ adult learning programmes have access to appropriate adaptive aids/ equipment which will facilitate their learning
- To ensure that data is available on the numbers of students with disabilities in educational institutions
- Ensure that monitoring and evaluation systems are in place.

192. A lot remains to be done to achieve inclusive education. A lot more resources need to be dedicated to equipping the right human resource, making available the appropriate aids and making available the data to support actions in this area.

193. The Ministry of Education is engaged in developing a Policy on Inclusive Education. At the time of completing this report stakeholders were being consulted by group on the draft.

194. The goals of the Inclusive Education Policy are to:

- Promote equity and inclusion to enable all learners including those with SEND to benefit fully from quality education
- Make provision for a range of services geared towards early prevention and identification, planning, assessment strategies and intervention
- Make provision for learning, teaching and assessment which respond to the needs of different learning styles and to the abilities, talents, identities and experiences of all children
- Promote the inclusion of all children including those with SEND in mainstream/ regular school system at all levels, and ensure their full integration within the education system
- Provide professional guidance into the area of Inclusive Education in order to secure quality teaching and effective use of resources to bring about improved standards of achievement for all children including those with SEND
- Ensure Teacher Training empowers all teachers in Inclusive Education
- Empower all children for productivity, social cohesion and global participation
- Promote the involvement of parents and community in the education of their children
- Ensure that appropriate resources for effective teaching and learning to take place are being mobilised

Support for in early childhood and compulsory education

195. Pre-school screening tools form part of child health and development checks and are used to detect developmental and behavioural problems in children before they start school, so that any issues can be addressed from the outset.

196. An Occupational therapy early intervention service is available to promote optimal developmental outcomes for children from 0 to 7 years with special needs within their home, day care centres, school and home environment. They provide therapeutic services for children from birth through to seven through use of Play as a modality.

197. This service supports a multi-level approach in the treatment of children between 0 to 7 and is provided at the Seychelles Hospital on a weekly basis, mainstream schools every fortnightly, the school for exceptional child every fortnightly and in the home when necessary.

198. The aim of this service is to:

- Assess the child's abilities and focus on the child's ability to master skills for independence
- Teach and advice relatives on how to assist children- parental counselling and guidance
- Provide ideas and activities to help children develop and master new skills through play
- Provide advice on adaptation and prevention measures

Assessment consists of

- Observation of general attitude
- Hand skills, fine motor skills assessment
- Comprehension, cognitive assessment
- Eye hand coordination assessment
- Concentration and attention skills
- Reaction to demand/awareness
- Motor planning assessment
- Self-care skills assessment

Treatment focuses on

- General motor and reflex development
- Sensory development
- Cognitive and perceptual development
- Body scheme development
- Motor planning
- Hand skills development
- Visual perception development
- Eye hand coordination
- Pre/ activities of daily living skills and later personal daily living skills
- Educate parents, guardian and school teachers

199. Within the school system, some disabled students are mainstreamed into local schools, going to the same school and classrooms as other students in the area. It is hoped that the new policy on inclusive education being developed by the Ministry of Education will help increase the number of Students with disabilities attending mainstream schools.

Tertiary education and transition to work

Continuing challenges

200. Accessible schooling within the mainstream system remains a challenge. Most persons with disability start off in mainstream primary school but at secondary level they require more assistance to be able to continue their education. For those that have a physical disability they face barriers of accessibility because a lot of the classes are not on the ground floor. Those with other types of disability face barrier due to a lack of appropriate capacity to accommodate them.

Review and reform of education

201. The years 2009–2010 have been characterized by a reform in the education system. The reform has committed to:

- Adapted/ functional curriculum for special schools
- Integrated special centres/ class on mainstream school compounds e.g. Deaf class at Au cap Primary and the Praslin Centre for the Exceptional Child
- New pastoral care structures e.g. special needs support team
- Specialist support e.g. school psychology services, student welfare section

Challenges

202. The Ministry of Education recognizes that it faces a number of challenges to the full implementation of article 24. These include:

- Negative attitudes and perceptions of staff, parents and the community towards people with disabilities
- Lack of policy which clearly articulates provisions for children with disabilities.
- Unavailability of adaptive aids and technology that would facilitate the full inclusion of children with disabilities
- Shortage of specialized resource persons to work with children with different types of disabilities in mainstream as well as special needs schools.

Article 25 – Health

203. The National Health Policy in Seychelles is based on the principle of “Health for all and Health by all”. (Ministry of Health, National Strategic Plan, 2006–2016). Primary Health Care (PHC) is the key to attaining the goal of health for all and it forms an integral part of the national health system. Government’s strategy is to ensure that health care services are accessible to all Seychellois and that access is based on need and not ability to pay. In this regard, Government’s top priorities are sustained development of the PHC, development of human resources, quality-assurance and ensuring that the services respond appropriately to changing health needs. Health promotion and protection are therefore emphasized, since most of the health problems are related to changing life styles.

204. Presently the country has 1 central referral hospital, 3 cottage hospitals, 1 rehabilitative hospital, 1 mental hospital, 1 youth health centre and 16 district health centres, located in various districts throughout the country, with a decentralised system providing basic health services in the community. The private sector has also made commendable contributions and as of 2006, there were 7 private medical clinics, 5 dental clinics and 2 pharmacies (Seychelles Country Cooperation Strategy, 2008). Most of the

private practitioners provide primary treatment and refer patients to the government facilities for secondary and tertiary care services.

205. PHC is available for free in the Seychelles. The Government funds a comprehensive range of personal health services, including mental health services, sexual and reproductive health services and health information, for both disabled and non-disabled people.

206. Maternal health services, which include the three main elements of antenatal, delivery and post-partum care, are vital components of reproductive health care. The services are delivered at the main hospital, certain health centres and clinics. Expectant mothers are encouraged to attend antenatal clinics as early as possible during pregnancy, to allow for high risk factors and deviations from the norm to be detected and referred to medical professionals.

207. The Government also funds a free immunisation programme for all children, to prevent illnesses which could result in secondary disabilities.

Challenge

208. Public health campaigns do not cater for different types of disability.

Addressing multiple impairments

209. Services tend to be set up to meet the specific needs of a client group with a single impairment.

Improving training of the health sector workforce

210. In all health related curriculum at the NIHSS there is a module on disability and intervention programmes.

211. In service training is done regularly with emphasis on child development, assessment and therapeutic programmes.

HIV/AIDS

212. Despite continued education and prevention efforts, sexually transmitted infections remain one of the major challenges in Seychelles with marked increase in gonorrhoea, HIV and Hepatitis C.

213. HIV/AIDS itself is a significant challenge. The main modes of transmission of HIV/AIDS are heterosexual, mother to child transmission and men having sex with men and IDUs. Persons with disabilities are recognized as a vulnerable group in the new National Strategic Plan on Sexual and Reproductive Health 2012-2016 but there are no specific programmes tailored to their needs.

Challenges

214. The health sector is one sector that is burdened by limitations in qualified human resources. At the time of compiling the report the Health Ministry had the services of 2 occupational therapists with another 2 helping occasionally as volunteers and 12 occupational therapists assistants, 10 physiotherapists and 25 assistants, 3 speech pathologists and 1 assistant, 1 Orthopaedist and 3 trainee assistant orthopaedists and 1 audiology technician.

215. Accessible health services and health information is a major challenge. Whilst there is a reasonable understanding about wheelchair and ambulatory mobility issues, there is less of an understanding about barriers that are faced by people with intellectual, mental or sensory disabilities.

Article 26 – Habilitation and rehabilitation

216. Rehabilitation programmes are aimed at making it possible for persons with disabilities to take part in designing and organizing the services that they and their families consider necessary. It is recognized that for maximum benefit, rehabilitation services should be provided at community level. Services such as Physiotherapy and Occupational Therapy are currently available at district clinics where possible or at regional level. Additional effort should be placed in bringing more services to the community to increase access but this depends a lot on future availability of resources especially human capacity.

Maximising independence

217. The Government funds a wide range of health and disability support services that contribute to habilitation and rehabilitation and in turn support independence. Participation in these programmes is voluntary. Habilitation and rehabilitation are provided in hospital and community settings.

218. Seychelles recognizes the importance of work for health and wellbeing of persons with disabilities. As part of rehabilitation persons with disabilities have the opportunity to develop skills that can help them to engage in income generating activities.

Article 27 – Work and employment

219. A worker as stated in the Employment Act 1995, means a person of the age 15 years and above in employment in Seychelles. This also includes people with disability in employment. They share equal rights as other workers.

220. 73% of the disabled population is economically active; of which three quarters are employees and 16% are in self-employment. Of those who were reported to be economically inactive, 40% are elderly persons aged 60 years and above, 32% are youths aged between 15 and 24 years and 14% are in the prime working ages (25 to 44 years) (Population & Housing Census 2010).

221. People with disabilities have the same access to legal safeguards as all other workers, including in terms of harassment, unfair dismissal, and trade union rights.

222. Health and safety obligations require employers to take all practical steps to eliminate hazards.

223. In Seychelles a lot of resources are dedicated to vocational training as a prerequisite for employment of persons with disabilities. This is followed (where the trainee meets the relevant criteria), by placement in work settings. This has been possible due to the close collaborations of the NCFD with different work places.

224. There is a whole process that is followed to ensure a successful placement; this entails counseling of candidate for placement, consultations with the management of the work organization to build rapport and supervisory visits of NCFD staff of the trainee whilst in placement. A successful placement usually results in the trainee gaining employment either in the organization placed or elsewhere.

Facilitating real work for real pay

225. Since the 1990s, there has been a continuing shift away from sheltered employment for people with disabilities, to employment in the general workforce, with additional support where required.

226. The Ministry for Labour and Human Resource Development has developed a new Policy with the guiding principle of “*Eliminating discrimination at work*” and persons with disabilities are identified as one of the target groups. The policy was launched in 2013. The following are some of the interventions proposed by the policy to ensure that work places do not discriminate against person with disabilities:

- Build gender sensitive information and statistics on PLWDs engaged in economic activity, through strengthened capacity in data gathering and statistical analysis and sharing of information
- Ensure PLWDs are recognised as an at risk group to harassment including those of a sexual nature, and ensure all laws, policies and programmes are responsive to the special needs and vulnerabilities of PLWDs
- Raise awareness on PLWDs right to work, targeting families and potential employers
- Build capacity of Vocational Unit of the National Council for Disabled to provide technical, vocational training and guidance to the increasing numbers of PLWDs
- Introduce work experience and job placement programmes for PLWDs in the open labour market
- Ensure that hiring processes do not discriminate against PLWDs
- Ensure that PLWDs receive equal remuneration for work of equal value conducted, as received by any able bodied individuals
- Monitor and evaluate discrimination against PLWDs in the labour force, including hiring, firing, training, advancement, remuneration, working conditions, protection from harassment and redress
- Introduce temporary special measures, incentives and other measures to engage PLWDs to enter employment and entrepreneurship
- Ensure that reasonable accommodation is provided to persons with disabilities in the workplace where applicable
- Consider the ratification of ILO Vocational Rehabilitation and Employment (Disabled Persons) Convention, C159
- Ensure that the Employment Tribunal and job agency buildings are accessible to PLWDs
- Strengthen inspection of and compliance to health and safety regulations, especially in the private and parastatal sector, to reduce temporary disability amongst men and women

Major challenges remain in practice

227. People with disability are less likely to seek work and, if seeking work, are less likely to be employed than non-disabled people or tend to be employed in lower-paid work.

228. Preliminary findings from a survey carried out in 2008-2009 show that people with disability want to work but because under provisions of the Social Security Act once they gain employment their financial benefit provided by the state is terminated a lot of people with disabilities opt out or are sometimes encouraged by family members not to seek work. This situation means that a lot of people who have the capacity to work are not taking up employment.

229. Skills development and employability of persons with disabilities are priorities for the National Council. This depends a lot on, access to education and training for relevant skills development. Whilst the NCFD provides vocational training programs this is not enough. Increased access to mainstream training and skills development programmes is paramount.

230. Entrepreneurship is an employment strategy that can lead to economic self-sufficiency for people with disabilities. Hence the recent Government commitment to Entrepreneurship Development bodes well for people with disability in Seychelles. However access to funds and small loans is a major hurdle.

Recommendations

231. For persons with disability to be able to gain, keep and advance in a job there needs to be an enabling work environment. Work organisations should play an active role in making available appropriate assistance and seek advice from persons with disabilities and their associations where necessary to ensure that their work environment is conducive to employ persons with disabilities.

232. The government should make available small loan schemes to persons with disabilities who have the competency to develop small businesses.

Article 28 – Adequate standard of living and social protection

233. The welfare system has undergone several changes in the last 5 years. In November 2008, a Social Welfare Agency was created to replace the old Means Testing Board which had the mandate to ensure that vulnerable groups are better assisted financially. Further changes came in January 2012 where the Social welfare Agency, was merged with the Social Security Fund to become a single agency; the Agency for Social Protection, in order to provide a more streamlined, cost effective, faster, and more flexible service for both social welfare applicants and those entitled to existing statutory benefits. The social welfare system is a safety net intended to provide prompt financial assistance to persons who are unable to find employment, as well as employed individuals who need supplementation to meet basic living expenses.

234. The Social Welfare System in Seychelles aims to ensure that all Seychellois enjoy an adequate standard of living. Special emphasis is given to those who are considered as less fortunate to ensure that they do not live in poverty. The range of benefits and services provided that directly or indirectly benefit Seychellois families include old age pensions, sickness benefits and special assistance programmes for disadvantaged groups, such as the chronically ill, and persons with disabilities. Types of benefits that are directly beneficial to families range from sickness to maternity benefits.

235. The new Agency for Social Protection offers 2 types of assistance, that is, it assists with financial assistance which is statutory and financial assistance which is regulated and attached with certain conditions. Statutory benefits consists of maternity benefits, sickness benefits, work injury benefits, invalidity benefits, survival benefits, orphan benefits, retirement benefits and funeral benefits. The other type of benefit is supplementary benefits for persons who cannot make ends meet and this benefit is attached to certain conditions.

236. Benefits are available for people who cannot work due to disability. All people aged 63 and over who have met a residency requirement are entitled to publicly funded superannuation, which is paid irrespective of past employment or income.

237. Specialised supplementary income assistance is provided to assist people with disability who face additional costs of living.

Challenge

238. The challenge lays in reducing dependency on the social benefits system. Persons with disability who are able to gain employment are not encouraged to do so because once they enter the world of work their benefit is discontinued as per the provisions of the Social Security Act. In addition, access to employment is mostly to low paying jobs hence these people see little benefit to gaining employment and therefore prefer to remain at home and access social benefits. Furthermore the reality often in the home is that persons with disabilities are in a lot of cases discouraged by parents, relatives or guardians who fear for their safety and adopt the view that they should be protected to prevent them from trying out the world of work and remain dependent on the welfare system.

239. Changing this mindset is one of the activities that is being focused on by the Council in its sensitization programmes and on a one to one basis. Persons with disability need to realize the benefits of gainful employment to be able to fully rip the benefits of the right to work.

Housing

240. Seychelles has come far in improving housing conditions for its people. However, there is still more to do to address the individual needs of people with disability. Government Policy in Seychelles supports the provision of housing assistance to its populace through the Home Ownership Schemes. Under similar schemes the Land Bank provides opportunities for Seychellois to access finance to purchase land to build their dream homes. People with disabilities represent a disproportionate share of those who receive housing assistance. Reasons for these are that a lot of persons with disabilities do not work and therefore their only income is the Invalidity Benefit and often times it is the family that is making decisions in relation to their accommodation.

Article 29 – Participation in political and public life**Voting**

241. According to the constitution of the Republic:

“A person who is a citizen of Seychelles and has attained the age of eighteen years is entitled to be registered as a voter unless the person is disqualified from registration under an Act on the ground of:

- (a) Infirmary of mind;
- (b) Criminality; or
- (c) Residence outside of Seychelles.”

242. In Seychelles persons with disabilities have the same right to vote as everyone else. During election periods extra support is provided to enable persons with disabilities to exercise their right to vote. This includes having someone to assist them when they cast their vote and making available transportation, mobility aids and making reasonable accommodation where necessary.

Ensuring access

243. Nonetheless persons with disabilities still face some barriers that make it challenging for them to participate fully in political and public life. Such barriers include accessibility to both physical infrastructures and information to self-educate on this right. Barriers exist also in the negative perception that persons with disabilities are unable to make such decisions on their own.

244. There is an absence of legislation that protects the ability of people with disability to vote.

Recommendation

245. Polling stations need to have the appropriate physical adjustments needed to make them accessible to persons with disabilities. All polling stations should also be equipped with enlarged version of the ballot paper, a tactile voting device and low level polling. Documents used to inform voters must be made available in other languages and formats including Braille and audio formats. Without these persons with disabilities will not be able to fully exercise their right to vote.

Participation in political and public life

246. Persons with disabilities are grossly underrepresented in political and public life. There are no programmes available aimed at encouraging persons with disabilities to take up civil roles.

Recommendation

247. It is recommended that the Electoral Commission which has been given mandate to review existing legislations governing electoral matters take into account these concerns in its current exercise to propose reform measures for the electoral system.

Article 30 – Participation in cultural life, recreation, leisure and sports

Sport and recreation

248. The Seychelles is committed to providing persons with disabilities with opportunities to participate in culture, recreation, leisure and sport.

249. The NCFD and its parent ministry supported an exhibition in 2009 of an artist with physical disabilities. It was an opportunity for her to get valuable exposure to the art world and sell some of her work.

250. Seychellois with disabilities have been active with much success as participants in Special Olympic events. The local Special Olympics association has a pool of coaches who run sport programmes in the communities. Recently a local chapter of the Paralympics Association was launched to encourage more athletes with disabilities to participate in high level sports.

251. Cultural activities are often organized with the participation of persons with disabilities. These are a lot of time used as opportunities to raise funds for projects that would benefit persons with disabilities.

Part D. Specific obligations

Article 31 – Statistics and data collection

252. The main difficulty in improving the conditions of persons with disabilities and in meeting all their rights lies primarily in the unavailability of data. The last survey conducted on this population group is dated 1998 with the report of findings coming out in 2005. The report claims that in a survey carried out in 1981, 2,908 persons with disability were identified. It further claims that in 1991 a Rehabilitation Specialist conducted a survey which recorded a total number of 732 persons with disability. The 2005 report states that

1,496 individuals with disability were recorded. Of this figure 1,348 were identified as having multiple disabilities.

253. The very large difference in figures leads to the assumptions that the findings were either wrong or that prevention measures had been very effective. Whatever it may be, it is recognised that advancing the inclusion of persons with disability requires reliable data which identifies essential factors relating to this population group and the community in which they live.

254. For the first time the 2010 national census included questions on disability. The questions were addressed at the individual level and the target population was individuals of age 5 years and above.

255. Respondents were asked whether there were any persons with disabilities within the household and to name the type of disability. Options for type of disability were as follows:

- Sight (blind or severe visual limitation)
- Hearing(deaf or profoundly hard of hearing)
- Speech(speech impaired)
- Physical (needs mobility aids or has limitations in using limbs)
- Other (specify)(may include intellectual (serious difficulties in learning) or emotional (behavioural or psychological problems)

256. Those reported to be disabled represent around 2.6% of the total population aged 5 years and above, out of which, 51% were females and 49% were males. 15% were aged less than 15 years, 36% were aged between 15 to 34 years, and 37% were aged between 55 to 59 years, indicating that 73% of disabled persons are in their prime working-ages. The elderly aged 60 years or more in this group represented 11%. (Population and Housing Census 2010).

257. Whilst the census has not provided a wealth of information about the disabled population, it does provide an important basis for further more in depth study.

258. The NCFD is actively seeking technical support to realize such a research.

259. At the time of submitting this report a survey was being carried out to identify children from 0–4 years old with disabilities. They are the group that was not counted in the 2010 census.

260. The challenge to policy makers upon receiving data about persons with disability is to apply it to the realities existing in the country e.g. the economy and issues of sustainability to maximize the benefits for service provision and national development.

Article 32 – International cooperation

261. Seychelles is a member of the Leonard Cheshire Disability Global Alliance. As a member, the country has benefited from technical support in the dissemination of the Convention and international exposures for people who work in the area of disability.

262. The NCFD is an active participant in the regional meetings of Councils For Persons with Disabilities organized by Leonard Cheshire. Two persons with disabilities and the Chairperson of the NCFD participated in the last Global alliance meeting held in Bangkok on “Disability-Inclusive MDGs and Aid Effectiveness” in March 14–16, 2012. This was an opportunity to participate in the debate on how to make disability central to international development.

Article 33 – National implementation and monitoring

Government monitoring and implementation

263. The Ministry with portfolio responsibility for disability issues which at the time of compiling this report is the Ministry for Social Affairs, Community Development and Sports has the overall coordinating role for work related to the Convention, including monitoring and reporting arrangements as required by Article 33(1). Since the ratification of this Convention there has also been an effort to identify focal points within all agencies concerned to ease the process of collaboration and monitoring of progress. The focal points' purpose is to ensure that Convention obligations are taken into account when undertaking everyday work and that data are recorded to facilitate the reporting process. Establishing strong and dynamic focal points is an ongoing goal.

264. The Ministry of Foreign Affairs has recently taken the initiative to put together what is being called a Seychelles Human Rights Treaty Committee. This committee brings together representatives of different departments with a stake in one or more of the human rights treaties that the Country has ratified or is in the process of ratifying. This is expected to become one of the important monitoring mechanisms for the country and will ensure that all concerned are held accountable for the implementation and reporting role that they have been given through ratification.

Independent agencies

265. The National Human Rights Commission and the Office of the Ombudsman, both of which are publicly funded agencies with statutory independence, have been funded to provide independent oversight of the ongoing implementation of human rights.

266. There is a need to sensitise the commission on the rights enshrined in this Convention.

Civil society

267. As outlined previously, the Government has consulted with people with disability and others involved with disability in the course of supporting and then ratifying the Convention. This has included the participation of NGOs and associations which represent people with disability.

268. People with disability in Seychelles are able to associate and collectively identify needs and priorities to participate in the planning, implementation and evaluation of services and measures concerning the lives of persons with disability. NGOs promoting rights of persons with disabilities provide their members the opportunity to develop skills in various fields and essentially provide mutual support among members.

269. Associations for persons with disability are always invited to participate in activities and forums that have a bearing on the disabled population.

270. The following NGOs are currently listed under LUNGOS; the national NGO platform:

- Association for the Hearing impaired (APHI)
- Faith and light (church based)
- Seychelles Disabled Persons Organisation (SDPO)
- Blind Association
- Parents of Disabled Association (PODAS)

- Special Olympics

271. Some of these bodies have been very successful in pushing their causes, however, others have been encountering difficulties which range from problems of membership, leadership and funding just to name a few and have been dormant for the last couple of years.

272. A new association named Love and Care Association has recently been formed which seems likely to take on some of the roles and functions of PODAS which is inactive. The association has as objectives:

- (a) To promote the welfare of persons with disabilities and their parents;
- (b) To support and assist persons with disabilities and their parents with programmes and activities so that they will become more productive;
- (c) To liaise, associate and affiliate with international organisations that are pursuing the same objectives;
- (d) To support and assist persons with disabilities and their parents with programmes that help persons with disabilities to remain active and become self dependant;
- (e) To work in close collaboration with other agencies and organization that are promoting the welfare of persons with disabilities and their parents.

273. Due to the vital importance of CSOs to the development process, it is imperative that their development is encouraged.

274. The NCFD has a vital role in the implementation and monitoring process. The work that it is already doing with different organizations is serving to remind them of the need to integrate disability issues in all that they do and involve persons with disabilities in all decisions that concern them.

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