

International Disability Alliance (IDA)

Member Organizations:

Disabled Peoples' International, Down Syndrome International, Inclusion International, International Federation of Hard of Hearing People, World Blind Union, World Federation of the Deaf, World Federation of the DeafBlind, World Network of Users and Survivors of Psychiatry, Arab Organization of Disabled People, European Disability Forum, Red Latinoamericana de Organizaciones no Gubernamentales de Personas con Discapacidad y sus familias (RIADIS), Pacific Disability Forum

IDA recommendations for Concluding Observations, CRC 61st Session

The International Disability Alliance (IDA) has prepared the following recommendations, based on references to persons with disabilities to be found in the State report, in the list of issues submitted to the Committee on the Rights of the Child and on concluding observations by other treaty bodies (see Annex).

LIBERIA

Liberia signed the Convention on the Rights of Persons with Disabilities and its Optional Protocol on 30 March 2007.

IDA recommendations for Concluding Observations

- Allocate sufficient human and financial resources to the National Commission on Disabilities to permit it to fulfil its mandate, including the effective collection of data and statistics, undertaking of studies and analyses on children with disabilities. Take steps to ensure that the Children's Law is fully implemented to enforce rights for children with disabilities.
 - Undertake awareness raising campaigns aimed at the government, public and families to promote the positive image of children and adults with disabilities and their role as active participants and contributors to society.
 - Take steps to provide sufficient support to families to ensure that all children, including children with disabilities, can live and be raised in family environments in the community, and to eliminate the institutionalisation of children by building up community based services and support (including through increased social assistance and welfare benefits) to children with disabilities and to their families, and to parents with disabilities.
 - Address the heightened risk for children with disabilities, in particular girls with disabilities, of becoming victims of violence, exploitation, abuse, and other harmful practices and adopt sanctions for perpetrators and urgent measures to ensure that both services and information for victims are made accessible to children with disabilities living in institutions and the community.
- Ensure that the Education law is duly amended to guarantee that children with disabilities, like all children, are subject to compulsory schooling, and develop in the law and policy inclusive education to ensure that all children, including children with

disabilities, can benefit from schooling which is responsive and supportive of each child's learning needs. Conduct awareness raising campaigns in the community and amongst families of the need for children to go to school to develop to their fullest potential and incorporate inclusive education as an integral part of core teacher training for *all* teachers. Make available support in classrooms, and the accessibility of educational materials, curricula, and school environments, including the use and teaching of sign language in schools.

- Adopt measures to ensure that all education, information, healthcare and services relating to sexual and reproductive health, HIV and STIs, are made accessible to children and adolescents with disabilities in age-appropriate formats.
- Collect adequate data on children and adults with disabilities, including women and girls with disabilities, and use disaggregated data and results of studies to develop policies and programmes to promote equal opportunities for them in society.
- Take steps to ratify the CRPD and its Optional Protocol.

State report

Selected references to children with disabilities in the state report:

Children with Disabilities

206. In its Concluding Observations, the UN Committee on the Rights of the Child made a set of recommendations on the realisation of the rights of children with disabilities in Liberia. The Government had to ensure that policies and programmes for children with disabilities were to be developed based on "adequate and comprehensive data." The country was to review the situation of children with disabilities regarding their "access to suitable health care, rehabilitation programmes, education services, and employment opportunities." The country had to carry out studies to assess the causes of disability in order to come up with right strategies. Liberia was to have regard to the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and of the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69).

207. The Government was to allocate adequate resources to "strengthen services for children with disabilities" provide support to their families, and train relevant professionals. On education, Liberia was to strengthen inclusive education policies and programmes, train teachers, and make schools accessible. In addition, the country was to sensitise the public on the rights of children with disabilities. To do all these, the Government was to seek assistance from UNICEF, WHO, and other partners.

208. The country established a National Commission on Disabilities. It has a separate budgetary allocation, which in 2008/2009 constituted 0.42% of the social and community services sector. The Commission has not been able to undertake studies and a situation analysis on children with disabilities, due to budgetary constraints. Data, as in the rest of Liberia, remains a huge limitation to develop programmes and policies based on accurate data. The Commission was however, with assistance of UNMIL, working to develop a policy in 2009.

209. In addition, the Children's Law will respond to some of the UN Committee's recommendations. The Law, when passed, will enshrine rights for children with disabilities.

Firstly, the child with disabilities has to “enjoy a full and decent life, in conditions that ensure dignity, promote self-reliance, and facilitate the child's active participation in the community.” Secondly, such a child has to enjoy a right to “special care that is conducive to the child's achieving the fullest possible integration and individual development.” Thirdly, the child with disabilities will have to have “access and benefit from an inclusive education system offering education that is responsive and supportive to the child's learning needs and talents in a participative and non-discrimination manner.” County local government authorities, supported by Central Government, will be required to provide “to children with disabilities and those responsible for their care, free appropriate assistance to ensure that such children have effective access to and receive education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in an environment that is physically and socially friendly.”

210. The hope is that these provisions will help strengthen the work of the Commission on Disabilities.

Children with Disabilities (Article 23)

239. Until the Children's Law is passed, there are insufficient legal provisions to safeguard the rights of such children. The Education Law excludes such children from compulsory education if it is impracticable to have them in schools. The Children's Law will amend this provision, require the implementation of a policy of inclusive education, and enshrine the human rights of such children, in line with the CRC. The Children's Law will further include parents of children with disabilities among parents who must receive special assistance from the State.

240. To respond to the erosion of family and social networks occasioned by the long years of war, the Government worked on the formulation of a National Social Welfare Policy and Plan. This plan, when implemented, will focus, among other areas, on disabilities. The PRS has mainstreamed sensitivity to disability, pledging that the Government will implement this strategic framework in a “manner sensitive to the needs of women, children, and persons with disabilities, and to the challenges of environmental degradation and HIV and AIDS.”

241. Two Government bodies responsible for the well-being of children with disabilities are the Ministry of Health and Social Welfare and the Commission on Disabilities.

243. Thus of the total of 6984 boys and girls at the three levels of education, 42.1% were girls. Hearing impairments constituted the commonest disability among boys and girls, at 36.9%.

244. There is no policy on inclusive education as such. However, the Children's Law will require the Ministry of Education to develop and implement a policy for the better implementation of inclusive education for the benefit of children with disabilities.

287. The corresponding obligation of the parent or caregiver does not apply to children “whose physical or mental condition renders his attendance impracticable” or in respect of a child who has completed “the school course.” Children with disabilities, according to this provision do not have a right to compulsory education. Although the law threatens a fine of US\$10 for wilful neglect to send a child to school, it is impracticable as many parents are

economically poor. The UN in Liberia estimated in 2006 that 76.2% of the population lived below US\$1 per day. Over half of the population, 51.2% was estimated to live in extreme poverty, US\$0.5 per day. Latest Government figures show that 64% of the population lived below the national poverty line. The percentage of those living in extreme poverty is still large by the national estimates, at 48%.

288. The Government's attempt to improve the quality of education has also involved training of teachers, as the system is still relying on many untrained teachers. Table 16 presents the numbers of untrained and trained teachers at pre-primary, primary, and secondary levels.

289. Over seven in every ten, 72.2%, of teachers in pre-primary school remain untrained. At primary school level, 59.2% of teachers are untrained. The situation is less severe in secondary schools where 42.2% and 44.5% are untrained respectively at junior and senior secondary schools.

List of Issues

4. Please specify the number of children with disabilities, up to the age of 18, disaggregated by age, sex, county, type of disability and socio-economic background covering the years 2008 to 2011:

- (a) Living with their families;
- (b) Attending regular schools;
- (c) Attending special schools;
- (d) Not attending school.

5. Please provide detailed information on the targeted measures taken to eliminate traditional attitudes and laws that discriminate against children, in particular girls, children with disabilities, orphaned children, children of ethnic minorities and children in rural areas.

7. Please provide information on the measures taken to prevent institutionalization of children, deinstitutionalize children and reunite them with their biological parents. Please also explain the measures in place to accredit and regularly monitor alternative care institutions, including the new regulations for the appropriate use and conditions of alternative care for children launched by the Ministry of Health and Social Welfare in February 2010.

11. Please indicate all measures taken by the State party to restore schools throughout the country and to increase school enrolment and retention rates. Please also explain the measures taken to ensure that pregnant teenage girls and children with disabilities effectively enjoy their right to education.

ANNEX- Disability references in Treaty body Concluding Observations with respect to Liberia

Concluding Observations of the CRC Committee, [CRC/C/15/ADD.236](#), 2004

Non-discrimination

23. While noting that discrimination is prohibited under the Constitution, the Committee is concerned at the persistence of de facto discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups, among others, girls, children with disabilities and children living in rural areas and children belonging to ethnic Mandingo, Krahn and Gbandi groups.

24. The Committee recommends that the State party increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination and full compliance with article 2 of the Convention, and to adopt a proactive and comprehensive strategy to eliminate all forms of discrimination, in particular against vulnerable groups.

25. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Durban Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of General Comment No. 1 on article 29 (1) of the Convention (aims of education).

Children with disabilities

44. The Committee, taking into account the very high incidence of disability in the State party as a consequence of the armed conflict, is concerned at the lack of statistical data on children with disabilities in the State party, at the inadequate legal and practical protection, at the situation of children with physical and mental disabilities and, in particular, at the limited specialized health care, rehabilitation programmes, education and employment possibilities available to them. The Committee is also concerned about the insufficient efforts made to facilitate their inclusion in the educational system and in society in general as well as the inadequate resources allocated to special education programmes for children with disabilities.

45. The Committee recommends that the State party:

- (a) Ensure the use of adequate and comprehensive data in the development of policies and programmes for children with disabilities;
- (b) Review the situation of these children in terms of their access to suitable health care, rehabilitation programmes, education services and employment opportunities;
- (c) Take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96, annex) and of the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (CRC/C/69, paras. 310-339);
- (d) Allocate adequate resources to strengthen services for children with disabilities, support their families and train professionals in the field;
- (e) Strengthen policies and programmes of inclusion in regular education, train teachers and make schools accessible;
- (f) Carry out studies to assess the causes of disabilities in the State party in order to establish a strategy to prevent disabilities;
- (g) Sensitize the population to the human rights of children with disabilities; and
- (h) Seek assistance from, among others, UNICEF and WHO.

6. Education, leisure and cultural activities

56. The Committee welcomes the State party's efforts to rehabilitate the educational system that was massively destroyed by the civil war. It further takes note of the "Back to School" programme that has already brought many children back to school. However, the Committee is concerned about the continuing low rates of enrolment, the significant disparities of enrolment and literacy rates between boys and girls and the overall low quality and hidden costs of education.

57. The Committee recommends the State party:

- (a) Prioritize the construction and reconstruction of schools throughout the country and improve accessibility for all children, taking into account the needs of children with disabilities;
- (b) Progressively ensure that girls and boys from urban and rural areas have equal access to educational opportunities and receive free education without any hidden costs;
- (c) Design accelerated learning and vocational training programmes for young people and children who have missed out in educational opportunities;
- d) Take necessary measures to remedy the low quality of education and to provide appropriate training for teachers;
- (e) Improve the educational system with a view to achieving the aims mentioned in article 29, paragraph 1, of the Convention and introduce human rights, including children's rights, into the school curricula;
- (f) Encourage the participation of children at all levels of school life;
- (g) Seek technical assistance from, amongst others, UNICEF and UNESCO.