**GUIDELINE ON DEINSTITUTIONALIZATION, INCLUDING IN EMERGENCIES COMMITTEE ON THE RIGHTS OF PERSONS WITH DISABILITIES**

The person with disabilities are human being, therefore they have rights like anyone in the Society, which needs to respected, protected like other people in the community. As every human being got the right to life, not just life but they have full enjoyment of it. More often persons with disabilities are being denied the right to choose the place they preferred to stay in it, rather they are being taken to stay in some institutions which they did not choose to live in them. That set up denied them to right to live independently in the community they are stay in. By doing that it deny them full inclusion and participation.

Respect for home and family is one of the fundamental human right that a person has, but for persons with disabilities is not like. They are being denied the right for marriage and to found a family on the basis of free and full consent. Some people just take the decision on their behalf. Persons with disabilities denied the opportunity to decide freely on the number and spacing of their children. They cannot be given family planning education as it happens with the other persons in the society. In the family you find that person with disabilities are not involved or not play the role they are supposed to play when one of their family member is getting married only because they got disability. They are being denied that role.

Everyone got the right to education as a fundamental right, but for children with disabilities they are being separated from his or her family to go to attend school at some institutions with low level of education, which is to keep them there for a while, after that they are being returned home with empty handed. Persons with disabilities are viewed with discrimination on the basis of equal opportunities. No inclusiveness in education systems as some teachers still have negative attitude towards them. They don’t accept them in the society as other children without disabilities. The school facilities does not accommodate them as they are not disability friendly. They is no human diversity. The environment does not allow them to participate effectively in their society. There is lot of exclusion from the general education system due to their disability. Those with disability do not receive support required within the general education system in order to facilitate their effective education.

Most of persons with disabilities they are more venerable to exploitation, violence and abuse. Some they are working in the farms without any payment for the work they have done because they are persons with disabilities, they got nowhere to take their matter to or they are being paid by alcohol. By doing that their fundamental rights or human rights are being violated. Some lot of violence is taking place on them, and the issues are not reported to police, or even if they are report the police just take them lightly due to the fact that they are persons with disabilities. There is needs for appropriate measures to prevent that kind of behaviour in our society as well as sensitiveness to the community and families to stop unacceptable behaviour. In order to ensure that all those forms are stopped, they must be some kind of programme designed for persons with disabilities to monitor that kind of behaviour in our society. They must be some effective laws and policies that prevent exploitation, violence and abuse against persons with disabilities. When coming to the issue of abuse on persons with disabilities is a disease that needs some core. Lots of them are being abuse. Even if people are aware that a person with disability they are being abuse they just keep quite.

One of the fundamental human rights that is being violated when comes to persons with disabilities is the right for privacy. According to the convention on the rights of persons with disabilities, regardless of place of residence or living arrangement which interfere with their privacy, family and home. More often we find that most of our facilities are not disability friendly, for example most of the public places like offices, police stations and health facilities. When a person with disabilities want to report a matter to the police station he or she has to stand outside the building being assisted there without a privacy. People passing by may hear the conversation which they were not supposed to hear if it was not somebody with disabilities.

Everyone got the right to freedom of expression and opinion, and to access information. Most of them are being denied that freedom which is a fundamental. Persons with disabilities some they don’t received some information because it is not in the format they do understand. Most information that is intended to the general public, to them is not like that as if they not the member of the public, that kind of discrimination cannot be tolerated in the era where no one supposed to be left out on the basis of their kind of disabilities. The society must accept the use of sign languages, Braille and other format as means of communication modes. Even the private sector must be urged to provide those facilities not as if the government is the only one entitled to do that alone.

The states parties must ensure that they assist on personal mobility as some of the equipment or garget used by persons with disabilities are as very expensive as most of them are not be able to afford them. But those equipment enable them to be independent on daily basis. Even if the government can facilitate the access of those equipment local at reasonable price or affordable cost, as well as training mobility skills to persons with disabilities or subsidise them.

Most persons with disabilities are having some challenges when comes to the employment. Even if when they are within the employment sector they still faces some big discrimination and negative attitude of the decision makers. The government should make sure that there is prohibition of discrimination on the basis of disability with regards to all matters concerning all forms of employment, including conditions of recruitment, hiring and career advancement as well as safety at the working places. They must be protections of the rights of persons with disabilities, on equal basis with others. The current situation is not like that because when people sees someone with disability, they only sees inability due to the fact that the person got disability. They don’t see that the person deserve to be promoted as well as having opportunities and equal remuneration for work. One thing that is shocking and surprising, when comes to do the work they know that you have the ability to perform but to the remuneration they close their eyes. We always take justice, but us as persons with disabilities there is no exercise of labour and trade union rights on an equal basis with others.

The persons with disabilities must be given adequate standard of living as well as social protection of living for themselves and their families including adequate foods, clothing and housing, rather than being taken as beggars or people who cannot stain themselves. It part of the community the persons with disabilities must have equal access to clean water services as well. Women with disabilities like other women in the society we would like to see their issues be considered like other women. As some women are being nominated into some post because they are woman, we would like to see those with disabilities as well being taken on board as well. For them is worse if others are venerable because they are women, what about them because they got disability on top of being woman. Therefore, they must be equality. Those programme social programme can protect as well as reducing poverty among them as well. There is need to assists persons with disabilities to access public housing programme.

As they are part of the community there is need to be guaranteed political participation rights as well as the opportunity to enjoy them on equal basis like the so called non- disabled ones. This will change the mind-set that most people are having towards persons with disabilities. This can only happen if person with disabilities can effectively and fully participate in political as well as public life on equal basis. The voting procedures and facilities and materials are appropriate and accessible and easy to understand format to use by them. There is need to know the data of persons with disabilities so that it can be used to advocate the issues of them using numbers.

 **THIS WRITE UP IS WRITTEN BY:**

1. Mr Wabothe CHIMIDZA
2. Botswana Federation of the Disabled
3. Botswana
4.