

Disability Rights in Africa

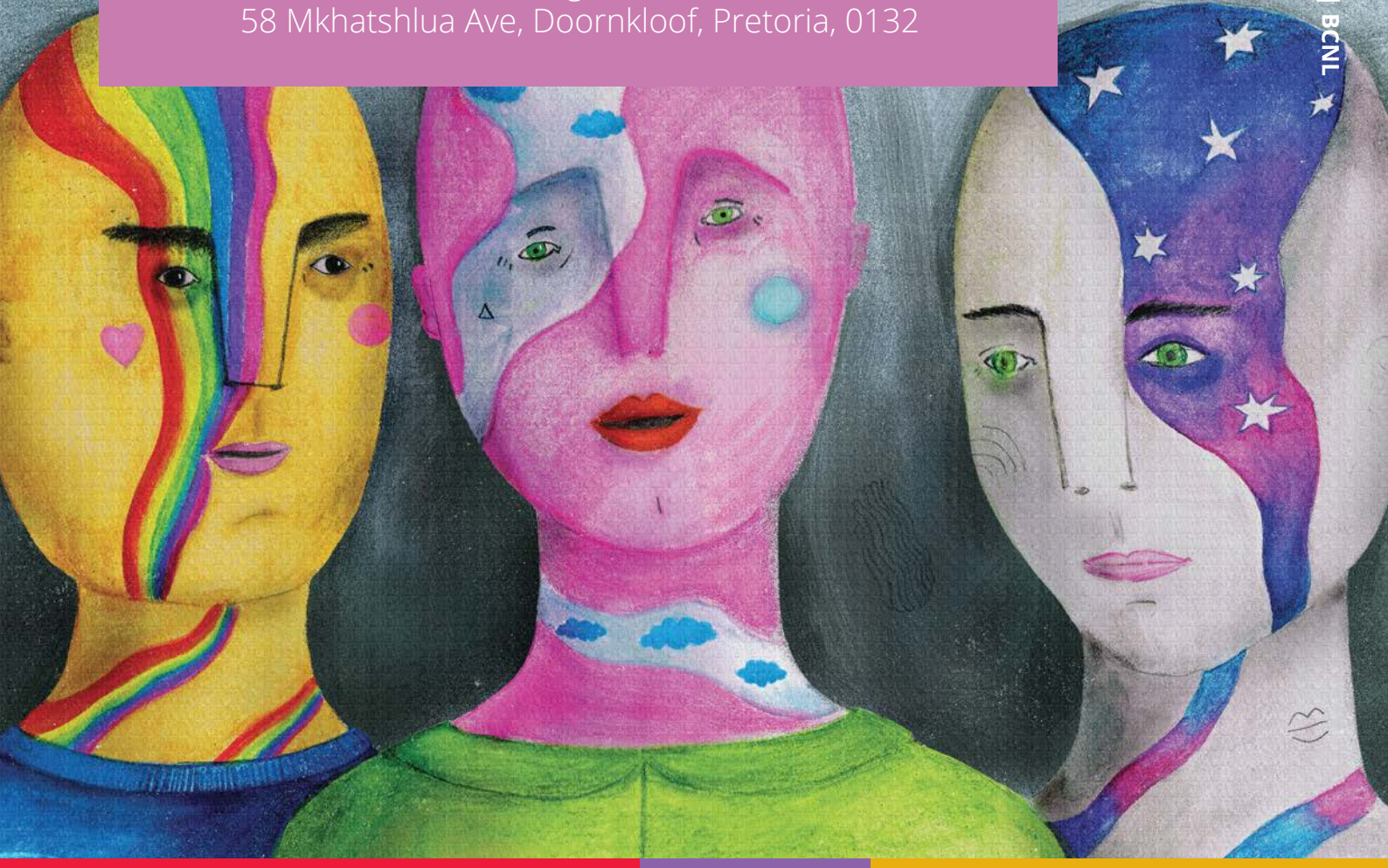


Conference
Regional Meeting: Action on albinism in Africa
Disability Rights and Law Schools Partners' Meeting
Disability Rights Scholarship Programme Alumni Meeting

Conference theme:
*'Domesticating the CRPD in the African region:
A focus on access to justice and legal capacity'*

7 - 8 November 2017
St Georges Hotel
58 Mkhathlwa Ave, Doornkloof, Pretoria, 0132

© Nadezhda Georgieva (Nad) | BCNL



www.chr.up.ac.za
www.opensocietyfoundations.org



SUMMARY PROGRAMME

MONDAY 6 NOVEMBER 2017

Regional Meeting

09:00 – 17:45 Regional Meeting: Action on Albinism in Africa:
Time for implementation (closed meeting)

18:00 Evening Reception

TUESDAY 7 NOVEMBER 2017

Annual African Disability Rights Conference Day 1

08:00 – 17:30 Annual African Disability Rights Conference Day 1

18:30 I Decide=I Am Exhibition cocktail &
5th African Disability Rights Yearbook Launch

WEDNESDAY 8 NOVEMBER 2017

Annual African Disability Rights Conference Day 2

09:00 – 15:30 Annual African Disability Rights Conference Day 2

THURSDAY 9 NOVEMBER 2017

Disability Rights Project Meetings

08:30 – 16:30 Disability Rights and Law Schools Partners Meeting

09:00 – 13:00 Disability Rights Scholarship Programme Alumni Meeting

FRIDAY 10 NOVEMBER 2017

Disability Rights Project Meetings

08:30 – 13:00 Disability Rights and Law Schools Partners Meeting



DETAILED PROGRAMME

MONDAY 6 NOVEMBER 2017

Regional Meeting

- 09:00 – 17:45 Regional Meeting: Action on Albinism in Africa: Time for implementation”
*Venue: Saint George Hall
(Hosted by the Independent Expert on enjoyment of human rights by persons with albinism, Open Society Foundations and the Centre for Human Rights, University of Pretoria)*
Ikponwosa Ero
Independent Expert on the enjoyment of human rights by persons with albinism
- 18:00 Evening reception & networking for regional meeting participants
Venue: Olympius

TUESDAY 7 NOVEMBER 2017

Annual African Disability Rights Conference Day 1

- 07:30 – 8:40 Registration & Tea
- 08:40 – 09:15 **WELCOME ADDRESS**
Venue: Parthenon
- Moderator: Innocentia Mgijima-Konopi**
Centre for Human Rights, University of Pretoria
- Prof Andre Boraine**
Dean, Faculty of Law, University of Pretoria
- Prof Frans Viljoen**
Director, Centre for Human Rights, University of Pretoria
- Prof Charles Ngwena**
Centre for Human Rights, University of Pretoria
- 09:15 – 09:25 **OPENING REMARKS**
Justice Johann van der Westhuizen
Judge, Constitutional Court of South Africa (Retired)
- 09:25 – 09:45 **KEYNOTE ADDRESS**
Dr Samuel Kabue
Member, United Nations Committee on the Rights of Persons with Disabilities
- 09:45 – 11:00** **PLENARY SESSION:**
STRATEGIES FOR THE EFFECTIVE IMPLEMENTATION AND DOMESTICATION OF THE RIGHT TO ACCESS TO JUSTICE AND THE RIGHT TO EQUAL RECOGNITION BEFORE THE LAW OF THE CRPD
- Moderator: Dianah Msipa**
Disability Rights Consultant
- Rapporteur: Edmond Kiplagat Gichuru**
Disability Rights Scholarship Programme Alumnus
- Legal reform: Impact of advocacy and litigation on mental health rights in Uganda, Kenya and Zambia
Boaz Muhumuza
Open Society Initiative of East Africa

Moving towards effective access to justice and legal capacity for persons with disabilities: The case study of Lesotho legal system

Nkhasi Sefuthi

Lesotho National Federation of Organisations of the Disabled

Advocacy and access to justice by persons with disabilities on an equal basis with others

Peter Morris Gasten Ngomwa

Community Based Rehabilitation African Network

Civil Society reflections on strategies to hold government accountable for implementing its obligations under the CRPD

Annie Robb

Pan African Network of Users and Survivors of Psychiatry (PANUSP)

Discussion

11:10 – 11:40

TEA

11:40 – 13:00

CONFERENCE PARALLEL SESSIONS

**SESSION 1A:
COMMUNICATION ACCOMODATIONS
IN THE JUSTICE SYSTEM**

Venue: Parthenon

Moderator: Dr Kerstin Tonsing

*Centre for Augmentative and Alternative
Communication, University of Pretoria*

Rapporteur: Simate Simate

Disability Rights Scholarship Programme Alumnus

Unequal access to justice: Access to courts
for deaf persons

Odette Swift

Deaf Education; Deaf Federation of South Africa

Implementing article 13 of the Convention
on the Rights of Persons with Disabilities in
South Africa: Accommodations for people
with communication disabilities

Dianah Msipa

Disability Rights Consultant

Robyn White

*Centre for Augmentative and Alternative
Communication, University of Pretoria*

Information and communication: A mutual
approach to exercise legal capacity and
promote access to justice for persons with
disabilities

Victor Mukupa

Disability Rights Scholarship Programme Alumnus

Discussion

**SESSION 1B:
PROVISION OF SUPPORT TO EXERCISE
LEGAL CAPACITY**

Venue: Acropolis 1

Moderator: William Aseka Oluchina

Centre for Human Rights, University of Pretoria

Rapporteur: Esther Akua Gyamfi

*Disability Rights Scholarship Programme
Alumnus*

How to implement article 12 of the CRPD
using peer support: the Kenyan experience

Michael Njenga

Users and Survivors of Psychiatry in Kenya

Elizabeth Ombati

Users and Survivors of Psychiatry in Kenya

Provision of support (formal and informal) to
exercise legal capacity

Yilkal Hassabie Wudneh

Debre Berhan University, Ethiopia

Provision of support to exercise legal capacity
to people with disabilities

Godlove Miho

Mtwara-Mikindani Municipal council Zambia

Discussion

13:00 – 14:00

LUNCH AND NETWORKING

POSTER PRESENTATION

Please take a few minutes to visit the Poster Presentations.

The presenters will be at their posters from 13:45 to 14:00

**SESSION 2A:
PERSONS WITH INTELLECTUAL AND PSY-
CHOSOCIAL DISABILITIES AND THE CRIMI-
NAL JUSTICE SYSTEM**

Venue: Parthenon

Moderator: Patricia Mwanyisa

Disability Rights Consultant

Rapporteur: Bekithemba Mlauzi

Disability Rights Scholarship Programme Alumnus

Challenging disadvantage in Zambia:
People with psychosocial and intellectual
disabilities in the criminal justice system

Phillip Sabuni

Paralegal Alliance Network (PAN)

Mental and legal capacity of parties
with intellectual, psycho-social and
communication disabilities in traditional
courts in Kwazulu-Natal: Access to justice
implications

Willene Holness

University of KwaZulu-Natal

Dr Sarah Rule

CREATE

Unfitness to stand trial of persons with cog-
nitive disabilities in Kenya: an analysis of case
law from a human rights perspective.

Lindah Lockwood

Africa Mental Health Foundation

Elizabeth Kamundia

Centre for Human Rights, University of Pretoria

Civil Society reflections of cases dealt with
and interventions made

Fatma Wangare Haji

*Kenya Association for the Intellectually Handi-
capped*

Discussion

**SESSION 2B:
LEGAL CAPACITY LAW REFORM**

Venue: Acropolis 1

Moderator: Patricia Odong

Makerere University

Rapporteur: Milika Sakala

Disability Rights Scholarship Programme Alumnus

Supported decision making in an African
context – An examination of comparative
and international models with a view to law
reform in South Africa.

Jacquie Cassette

Cliffe Dekker Hofmeyr

Tricia Erasmus

Cliffe Dekker Hofmeyr

Sane until proven otherwise: Psychosocial
disability and limitations of legal capacity in
South Africa

Prof Heléne Combrinck

University of the North-West, South Africa

Civil Society reflections on challenges in ad-
vocating for legal capacity law reform

Patience Kanguma

*Zambia Federation of Disability Organisations
(ZAFOD)*

Government reflections on concerns and
considerations pertaining to legal capacity
law reform

Advocate Chabane

*Chief Legal Officer, Human Rights Department,
Ministry of Law, Constitutional Affairs and
Human Rights, Lesotho*

Discussion

15:30 – 16:00

TEA

16:00 – 17:30

FROM THEORY TO PRACTICE: CONCURRENT CAPACITY BUILDING WORKSHOPS

WORKSHOP 1

Venue: Parthenon

Procedural
accommodations in the
courtroom

WORKSHOP 2

Venue: Acropolis 1

Adopting a whole
systems approach to
changing the criminal
justice system

WORKSHOP 3

Venue: Acropolis 4

Using strategic
litigation to advance
disability rights

WORKSHOP 4

Venue: Acropolis 5

Piloting supported
decision-making
models

18:30

I Decide=I Am Exhibition cocktail & 5th African Disability Rights Yearbook Launch

Venue: Laconia

WEDNESDAY 8 NOVEMBER 2017

Annual African Disability Rights Conference Day 2

08:00 – 9:00

POSTER PRESENTATION

Please take a few minutes to visit the Poster Presentations.
The presenters will be at their posters from 08:30 to 09:00

09:00 – 10:20

CONFERENCE PARALLEL SESSIONS

SESSION 3A: ROLE OF NON-STATE ACTORS IN ADVANCING ACCESS TO JUSTICE FOR PERSONS WITH DISABILITIES

Venue: Parthenon

Moderator: Boaz Muhumuza

Open Society Initiative of East Africa

Rapporteur: George Chiusiwa

Disability Rights Scholarship Programme Alumnus

Role of non-state actors and international cooperation in advancing access to justice for persons with disabilities

Gertrude Oforiwa Fefoame

Sightsavers

Leaving the woods to see the trees: Locating and refocusing activities of non-state actors towards effective promotion of access to justice of persons with disability

Azubike C Onuora-Oguno

University of Ilorin, Nigeria

Exploring the possibilities of special procedures as a response mechanism for the protection of women with disabilities against sexual violence in South Africa

Kennedy Kariseb

Centre for Human Rights, University of Pretoria

Government reflections on how non-state actors and government can collaborate in advancing the right to access to justice for persons with disabilities

Ms Nelda Marisa Simões Cossa

Ministry of Justice, Constitutional and Religious Affairs, Mozambique

Discussion

SESSION 3B: THEORETICAL UNDERPINNINGS OF ARTICLE 12 AND 13

Venue: Acropolis 1

Moderator: Prof Heléne Combrinck

University of the North-West, South Africa

Rapporteur: Simion Jimion Nyanda

Disability Rights Scholarship Programme Alumnus

Utilizing traditional concepts of personhood to advance legal capacity in Sub-Saharan Africa

Louis O. Oyaro

London School of Economics and Political Science

Access to justice? What does it mean for persons with intellectual disabilities in Africa

William Aseka Oluchina

Centre for Human Rights, University of Pretoria

Personal reflections on the impact of legal capacity deprivation for persons with psychosocial disabilities

Sylvester Katontoka

Mental Health Users Network of Zambia

Personal reflections on what access to justice means for persons with disabilities

Edmore Masendeke

Endless Possibilities, Zimbabwe

Discussion



10:20 – 10:40

TEA

10:40 – 13:00

CONFERENCE PARALLEL SESSIONS

**SESSION 4A:
INACCESSIBLE JUSTICE SYSTEMS: COUNTRY
EXPERIENCES**

Venue: Parthenon

Moderator: Lloyd Kuveya

Amnesty International

Rapporteur: Jorge Manhique

Disability Rights Scholarship Programme Alumnus

Disability and access to justice in the Ethiopian federal court system

Judge Yared Bogale Debele

Federal Supreme Court, Federal First Instance Court, 'Kolfe Keranyo' Family Bench, Ethiopia

The castle in the air: Unlocking access to justice for persons with disabilities in Kenya

Linda Njeri Wachira

Kittony Maina and Karanja Advocates

Experiences of barriers to access to justice and realization of equal recognition before the law for women with disabilities in Ghana

Esther Akua Gyamfi

Disability Rights Scholarship Programme Alumnus

Government reflections on challenges governments face in ensuring access to justice for persons with disabilities in their countries

Julian Mabangwe

Department of Disability and Elderly Affairs, Malawi

Discussion

**SESSION 4B:
ACCESSING JUSTICE IN PARTICULARLY
CHALLENGING CONTEXTS**

Venue: Acropolis 1

Moderator: Muluka Miti Drummond

International Bar Association

Rapporteur: Hamanyaga Miyoba

Disability Rights Scholarship Programme Alumnus

Challenges of the new Civil Society and Charities Legislation in advocating the rights of access to justice for persons with disabilities in Ethiopia

Gebrehiwot Hadush

College of Law and Governance, Mekele University

Abiy Chelkeba

College of Law and Governance, Mekele University

Overlooked and underserved: Access to justice for refugees with disabilities in Africa

Michael Addaney

School of Law, Wuhan University

Civil society reflections on how involuntary institutionalisation impacts on the right to access to justice of persons with psychosocial disabilities

Ruusa Nangula Ntinda

Law Reform and Development Commission, Ministry of Justice, Namibia

Civil society reflections on peculiar challenges children with disabilities from impoverished communities face in accessing the justice system

Afrika Tikkun

Discussion

12:00 – 13:30

FROM THEORY TO PRACTICE CONCURRENT CAPACITY BUILDING WORKSHOPS

WORKSHOP 1

Venue: Parthenon

Communication accommodations in the courtroom

WORKSHOP 2

Venue: Acropolis 1

Creative advocacy for change

WORKSHOP 3

Venue: Acropolis 4

Participatory research methods

WORKSHOP 4

Venue: Acropolis 5

Starting a disability rights law clinic

13:30 – 14:30

LUNCH

14:30 – 15:30

CONCLUDING PLENARY SESSION

Venue: Parthenon

Moderator: Prof Charles Ngwena

Centre for Human Rights, University of Pretoria

Innocentia Mgijima-Konopi

Centre for Human Rights, University of Pretoria

Feedback from parallel sessions

Announcing winner of Poster Competition and interview with winner

Launch of advocacy brief on the rights of children with disabilities in South Africa

Centre for Child Law

Faculty of Law, University of Pretoria

Concluding remarks

THURSDAY 9 NOVEMBER 2017

Disability Rights Project Meetings

08:30 – 16:30

Disability Rights and Law Schools Partners Meeting

Venue: Acropolis 5

09:00 – 13:00

Disability Rights Scholarship Programme Alumni Meeting

Venue: Acropolis 4

FRIDAY 10 NOVEMBER 2017

Disability Rights Project Meetings

08:30 – 13:00

Disability Rights and Law Schools Partners Meeting

Venue: Acropolis 5

INTERNET ACCESS AND SOCIAL MEDIA

WIFI

Each venue has its own WiFi connection. No passwords are required.

TWITTER

Organisers:

@chr_humanrights

@opensociety

@uptuks

Partners:

@AmnestySARO

@IBAHRI

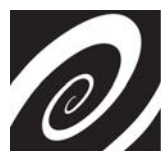
@The_DSD

Suggested hashtags:

#DisabilityRightsAfrica17

www.chr.up.ac.za

www.opensocietyfoundations.org



**OPEN SOCIETY
FOUNDATIONS**



UNIVERSITEIT VAN PRETORIA
UNIVERSITY OF PRETORIA
YUNIBESITHI YA PRETORIA



**Centre for
Human Rights**
UNIVERSITY OF PRETORIA