

Nauru Persons Disability Organisation (NPDO) submission to the Universal Periodic Review for Nauru's UPR; October 2015

Introduction

Formerly known as the Nauru Disability Persons Association, the NPDO is a leading disability organisation in Nauru advocating for the rights of people with disabilities in Nauru. The 2011 census records that people with "severe" disabilities totalled 78 with 34 women and 44 men.

i. Scope of International Obligations: Ratification and Domestication of the Convention on the Rights of People with Disability (CRPD)

The NPDO congratulates and welcomes the Government of Nauru's ratification of the CRPD in 2012.

Issue: NPDO calls upon the government of Nauru to domesticate the CRPD at its earliest and ensure that it conducts consultations with stakeholders on domestication of this treaty.

Recommendations:

- a. Nauru government domesticates CRPD by the creation of an enabling legislation within a specific time-frame of about 2-3 years.
- b. Nauru government conducts a legislative scan to determine the current legislations and identify the gaps and challenges to the realisation of CRPD. These include reviewing Building Codes, Land Transport Authority Act to ensure that public vehicles are accessible for disabled persons etc.
- c. While [s.93] Education Act 2011 recognises inclusive education, the Nauru government must ensure that this law is implemented fully through ensuring that children with disabilities are accepted into the formal education system through policies and ensuring that qualified teachers are able to incorporate learning techniques to cater for disabled students.
- d. Nauru government to allocate a budgetary allocation within the National Budget for the realisation of CRPD obligations
- e. Nauru government to ensure reasonable accommodation necessary and appropriate modification and adjustment on public facilities and properties to ensure that persons with disabilities have proper access to basic human rights including their enjoyment or exercise on an equal basis with others all human rights that are afforded to all citizens of Nauru.
- f. Nauru government to submit its initial report to the Committee on CRPD

ii. Incomplete Disability Policy

The Government of Nauru currently does not have a Disability Policy despite attempts from 2012 to draft the first disability policy. In 2014, the policy was reviewed and updated, however the policy remains incomplete.

Issue: The creation of a disability policy that calls for the improvement of the lives of people with disability which includes education, rehabilitation, health, women and children with disabilities, accessibility to public areas, transport etc., access to proper treatment including prosthesis, artificial limbs, wheel chairs and related resources for persons with disabilities.

Recommendation:

- a. Nauru government to coordinate with NPDO a workshop that involves other disability stakeholders with the objective of completing the Disability Policy by December 2015.

- b. Nauru government to endorse and implement with NPDO and related stakeholders the Nauru Disability Policy.

iii. Lack of and Access to Information

One of the concerns of the NPDO is the lack of information and/or the accessibility of disabled persons to public information. Further technology such as computers is not disability friendly. The NPDO notes with concern that the Nauru government has not implemented Recommendations 79.76 and 79.77 in the Working Group on the UPR for Nauru A/HRC/17/3

Recommendation

- a. Government of Nauru creates a Freedom of Information legislation that allows for the public and especially people with disabilities access to public information and realise their rights to information.

- b. Government ensures to enhance competence in the use of modern technology for people with disabilities including the use of braille, sound technology

iv. Right to work and to just and favourable conditions of work

The cycle of dependency of Nauru's disabled persons is linked to unemployment and unless people with disabilities are provided with opportunities to access basic skills as well as educational opportunities, unemployment and dependency will remain. The further difficulty to gain employment is that most of the public service positions are not conducive for employment of people with disabilities because of lack of proper access, equipment or facilities to provide for favourable conditions of work.

Issue: The government of Nauru should extend opportunities for people with disabilities to learn new skills including vocational training and informal educational opportunities. Further through the National Disability Policy, government should create disability desks within its ministries and/or provide a manageable quota for people with disabilities within the public service.

Recommendation:

- a. Nauru government creates opportunities for basic skills such as weaving, handicraft, typing and other skills set to enable persons with disabilities to access their right to equality and non-discrimination on employment opportunities.
- b. Nauru government creates a disability focal officer within government to liaise with NPDO and related stakeholders on all matters related to people with disabilities.
- c. Nauru government to create a quota for persons with disabilities to be gainfully employed within the civil service if they are suitably qualified or able to perform the functions required of the position.

v. Right to Health

The care and treatment of disability is often inadequate. These also include shortage of medicines, skilled medical personnel's, proper health equipment's and specialised skills and services. Further it is recognised that some of the physical disabilities such as amputation are created by the Health Service because of the lack of proper care. Further the lack of access to proper health information increases the lack of knowledge of people with disabilities to access their basic rights to health.

Issue: The involvement of people with disabilities in regional and international meet are often difficult for members of the NPDO who are dependent on specialised treatment such as dialysis. This means that the voices of people with disabilities in Nauru are often missing in these important forums unless the proper assistance (with the support from the government of Nauru) is available at such meetings when issues affecting persons with disabilities and related to disabilities generally are discussed. Further persons with disabilities have to shorten their travels to enable us to return to Nauru to attend to dialysis treatment, hence airline concessions should be considered by the government through the national airline as well as appropriate interventions such as the provision of temporary dialysis machines to persons with disabilities who attend these meetings.

Recommendation:

- a. Government of Nauru to assist persons with disabilities through the provision of concessions for airfares as well as provide the appropriate equipment's such as a temporary dialysis machine for disabled persons who attend these regional or international meetings.
- b. Government of Nauru to provide concessions of airfares for people with disabilities enabling them to enjoy their limited time of stay at point of destination.
- c. Proper assessment and/or diagnosis must be carried out for people with disabilities especially children to determine the extent of their disabilities and appropriate interventions must then be directed by the government to treat or have appropriate interventions for the disability.
- d. Nauru government to employ and/or seek international assistance to recruit specialist health care providers who are skilled in a range of disabilities treatment such as specialised skills for the treatment of the blind, physiotherapist, etc.

vi. Right to social and an adequate standard of living

People with disabilities struggle to realise their rights to have an adequate standard of living, particularly for those who have to attend to a disabled spouse, child or relative. While the government of Nauru has increased the disability allowance to \$AUD 200 per fortnight, this often does not cover spouses or caregivers who have to look after disabled relatives.

Further access to safe drinking water is questionable for persons with disabilities as generally water collections is from rainwater (from the roof) as well as a desalination plant.

Recommendations:

- a. The government of Nauru to create schemes such as free or subsidised electricity or water charges and the import of healthy vegetables and fruits to people with disabilities to alleviate the burden of care that otherwise would be onerous for us especially those who are completely dependent on the \$200 disability allowance.
- b. The government of Nauru should ensure that water is free from contamination through programs of regular testing of collected rain water, testing of storage depots and water delivery trucks
- c. Government to ensure adequate sustainability of trained and qualified personnel to be able to manage treatment of drinking water as there is currently only one qualified technician managing water treatment in Nauru.

vii. Disability and the Constitution

NPDO notes with concerns that the Preamble of the 1968 Constitution does not provide for adequate protection for people with disabilities, though it states that every person is entitled to the rights in this Constitution, “whatever his race, place of origin, political opinions, colour, creed or sex”. In this regard, this Preamble should be extended to accommodate disability also.

Recommendations

- a. The Government of Nauru amends the 1968 Constitution to include disability as a prohibited ground for discrimination.

viii. Women with Disabilities

It is a recognised fact that women with disabilities are subjected to multiple discriminations. It is important that the government of Nauru work towards including women with disabilities in the National Policy on Disability as well as ensuring that women with disabilities are provided opportunities to access employment especially in government. NPDO congratulates the government of Nauru for the ratification of CEDAW.

Recommendations:

- a. In compliance with CEDAW and CRPD, the government of Nauru should conduct a legislative scan to determine the impact of Nauru’s current laws on the full realisation of women’s rights.

- b. Nauru government should ensure that women with disabilities are involved on any issues around implementation and/or domestication of CRPD and CEDAW.

Capacity Building and Technical Assistance

The sensitisation of the community on the issues of disability remains wanting and therefore there is an urgent need to educate the community on appropriate responses for dealing with people with disabilities. The current gap of knowledge and awareness on disability issues and rights can be bridged if the Government in partnership with the NPDO hold consultations, raise awareness and conducts workshops and training for the community.

Recommendations

- a. The government of Nauru to seek international assistance including through regional organisations such as the Pacific Islands Forum Secretariat and the Secretariat of the Pacific Community to provide trainings and workshops on disability rights to the community.
- b. The government of Nauru to work closely and in partnership with NPDO to raise awareness on disability rights and issues in Nauru.

Contact Information:

Ruby Thoma [Mrs]

President

Email: eimithoma@gmail.com

Phone: +674- 5584134