

# SUBMISSION



**Nuanua O Le Alofa, 18 November 2023**

**National Advocacy Organization of Persons with Disabilities in Samoa and Affiliates**

## **Organisation of Persons with Disabilities**

1. Nuanua O Le Alofa (NOLA)
2. Samoa Blind Persons Association (SBPA)
3. Deaf Association Samoa (DAS)
4. Persons with Physical Disabilities Association Samoa (PPDAS)
5. Person with Psychosocial Disabilities Group
6. Persons with Intellectual Disabilities Group

**Submission to Australian Government's Rights and equity strategy  
Saturday, November 18, 2023**

## **Introduction**

Nuanua O Le Alofa (NOLA), established in 2001, is the national advocacy rights organization of persons with diverse disabilities (OPD) in Samoa. Nuanua O Le Alofa is the umbrella organization for 3 Affiliates, Samoa Blind Persons Association (SBPA), the Deaf Association of Samoa (DAS) and Persons with Physical Disabilities Association of Samoa (PPDAS) and 3 subgroups, NOLA Intellectual Psychosocial Disabilities Group, NOLA Youth with Disabilities Group and NOLA Women with Disabilities Group. Nuanua O Le Alofa and Affiliates are the only organizations in Samoa that are governed and led by persons with disabilities. As of September 2023, Nuanua O Le Alofa has over 1,500 members with diverse disabilities across Samoa's four inhabited islands of Upolu, Savaii, Manono and Apolima.

Nuanua O Le Alofa is a member of the Samoa Umbrella of Non-Government Organizations (SUNGO) and is recognized by the Government of Samoa, development partners, civil society, and service providers to be the national civil society focal point of disability.

NOLA and Affiliates' vision is centered around ensuring an Inclusive Samoa that is responsive and ensures the promotion and protection of the rights of all persons with disabilities. We do this through our mission to create opportunities for persons with disabilities to engage fully in all aspects of society, using the Convention on the Rights of Persons with Disabilities (CRPD) as a guide.

## **NOLA and Affiliate connection to Australian Government Programs**

NOLA and affiliates commend the many efforts of the Government of Australia to realize the commitment of Samoa to make the human rights of persons with disabilities a reality, as witnessed in the Samoa Disability Program 2014-2023. The SDP is a program to strengthen government efforts to ratify and implement the international convention on the rights of persons with disabilities. Furthermore, it provided an enabling environment for persons with disabilities through the organizations they represent to lobby and influence processes, for example:

- The inclusion of persons with disabilities in DFAT covid related support
- The provision of trainings, capacity building and networking platforms to strengthen our advocacy and keep true to the meaning of 'nothing without us' The ongoing efforts to ensure persons with disabilities are not left behind in DFAT specific and mainstreamed opportunities.
- Provisions of financial support through Ministry of Education Sports and culture (MESCS) sector support which allowed access by both students, teachers and teacher aids access to inclusive education and employment opportunities.
- Institutional strengthening and support which contributed to effective engagement and partnership by NOLA and affiliates with training institutions.
- The provision of financial support to the regional organization Pacific Disability Forum, the Disability Rights Fund, International disability alliance to provide trainings, strengthen leadership capacity of and enabled persons with disabilities through the organizations they represent in the Pacific to Establish resource teams, train, and support national CRPD implementation efforts.
- Creating a platform through the in-country visits for OPDS like NOLA and affiliates to share aspirations and contribute to the development of the strategy.

**Our experience accessing donor, development partner and government programs that are funded through the Australian government.**

1. Often the OPDS are called to attend to consultations despite their relevancy but with very limited information, always in an accessible format to enable an effective contribution on an equal bases with others Such then limits the ability of the OPD to translate information in a meaningful conversation for members to seek their views.
2. DONOR Procurement/ guidelines processes are inaccessible hence OPDS are often left out for programs, let alone becoming a provider of government activities.
3. The expectation to deal with intergovernmental processes which facilitate both disbursement of funds to OPDS and reports is often a barrier as no trainings/ resources are given to OPD to implement this obligation. Such disempower our staff from doing jobs they are trained to do.

**NOLA and Affiliates Call on the Australian government through the disability equity and rights strategy to:**

1. Ensure any consultations which has an impact on the lives of individuals with disabilities are planned in advance, information is in accessible formats before sharing facilitate access.
2. Ensure procurement processes are inclusive and accessible to people with disabilities so we can also apply and be considered for activities and grants.
3. Adequate resources and trainings are critical for OPD staffs and the OPDs to ensure effective implementation of their obligations.
4. Ensure reasonable accommodation provisions and budges are available in all DONOR funded programs in order not to assume our full and effective participation and inclusion.
5. Continue to work with/ use the experiences and leaderships of persons with disabilities in disability human rights initiatives.



## **Priorities of persons with disabilities in Samoa as it relates to equity and rights.**

The following are our list of significant priorities that the Australia's Disability Rights and Equity Strategy should consider and prioritise in the new strategy:

### **1. OPD resourcing and support.**

NOLA and affiliates believe that the work of OPDS is paramount in framing the debate and decisions towards how persons with disabilities are addressed and in determining appropriate support. It is important to note the mandated role of OPDs to represent, advocate and inform, priorities and solutions for better outcomes for all persons with disabilities. The work of NOLA and affiliates to advance gender equality is seeing change in the lives and protection of women and girls with disabilities, who are best positioned to inform gender equality outcomes of DFAT's investments in Samoa. Furthermore, the capacity of persons with disabilities to provide support and frame the debate towards how persons with disabilities and their human rights are addressed in national developments. Resourcing of OPDs, including core, program, and advocacy budget, can support OPDs to fulfil their mandates under the CRPD, hold government to account and ensure no donor programs further exacerbate the exclusion, marginalisation and isolation experienced by many individuals with diverse disabilities.

**We recommend DFAT consider our progress and resource our ongoing critical role in advancing gender equality through the strategy and its resourcing, the principles of CRPD and inclusion in Samoa and in the Pacific region.**

### **2. Access to essential services.**

In recognition of the principle of full and effective participation and inclusion stipulated under the CRPD, limited access to essential services and having no awareness of their availability continue to be a barrier for most persons with disabilities. NOLA and affiliates undertook major studies which highlight the significant impacts and barriers preventing persons with disabilities, particularly women and girls with disabilities to accessing critical services. A recent policy report on addressing stigma and discrimination and violence against women with disabilities, developed in partnership with UNDP and UN women 2023, found the experience of women and girls is divided into 3 domains.

#### **a. Domain 1: Experiences of exclusion and marginalization.**

- 50% denied education or training opportunities.
- 19.2% denied employment, lost a job or source of income
- 30.8% excluded or stopped from attending social activities
- 30.8% denied access to healthcare services
- 13.9% denied access to public services and buildings
- 29.2% denied access to public transport (buses, taxis)
- 40% refused to treat or serve them
- 35.4% said they were excluded or denied access because they were women
- 48.5% said it happens because of their disability

#### **b. Domain 2: Experiences of abuse. Of the people they are close to.**

- 43.1% experienced being teased, laughed at or gossiped about
- 33.8% verbally abused.
- 24.6% physically abused.

- c. Domain 3: Experiences of discriminations and violence
- 17.7% had been harassed by phone or social media.
  - 18.5% said they had been made to engage in sexual activities against their will with strangers, relatives, friends.
  - 6.9% were denied sexual and reproductive health services (SRHS) services such as menstrual hygiene care, family planning services etc.
  - 2.3% reported family relative, partner/spouse as the person who denied them SRHS.

An analysis conducted in partnership with Women Enabled International and the Pacific Disability Forum of the level of access to gender-based violence (GBV) and essential services by women and youth with disabilities found that despite the availability of some services, women with disabilities are not given the autonomous decision to decide to let alone access services. Quality services for individuals with different sexual orientations (E.G. Faafafine and Faatama) needs to also be addressed to ensure gender equality outcomes are met for all.

**We recommend DFAT to use these studies to inform not only the gender equality strategies but all strategies being developed at the moment, such as the international disability equity and Rights strategy, humanitarian strategy and LGBTQI and human rights strategy. Use studies to inform dialogue with OPDs and development of investments that will further address the human rights of persons with disabilities and draw on OPDs as partners and advisors in all investments towards achieving equity and rights. Without us, donors risk further exclusion and exacerbating injustice.**

### **3. Social protection**

This is indeed a significant priority as it contributes to minimizing the cost of exclusion and helps address inequity. Social protection programs such as accessible transportation scheme, mobility devices, medical scheme are critical factors in removing barriers to our meaningful participation in society.

**We recommend that through the Disability Equity and Rights Strategy that the investment of DFAT through budget support to Samoa have a specific indicator for persons with disabilities, such as improving the social protection system for persons with disabilities in Samoa and support the capacity of the OPDs and resourcing to reach all persons with disabilities in Samoa.**

### **4. Accountability**

It is important for DFAT to shift from a tick-box consultation towards active and meaningful consultation throughout the entire strategy. Samoa has a population of approximately 200,000, and 2% of this population are persons with disabilities who identified as having a lot of difficulty or cannot do at all in the Washington Group Short Set Questions on Disability. Of persons with disabilities, 43 percent are women and 57 percent men. But we know from WHO the rate is likely closer to 16% so many of our population of persons with disabilities have not been counted or recognized by our government in its policy, programs or budgetary decision making. NOLA and affiliates believe that without the full inclusion of individuals with diverse disabilities, genders, and identities, we will never achieve their human rights.



**We recommend that DFAT and implementing partners of the strategy and relevant implementation programs to be meaningful and intentional partners with OPDs, not just stakeholders that extract information at the start to tick a box.**

#### **5. Access to information and communication**

Access to information is the heart of awareness, making informed decisions and determining priorities for individuals with disabilities. Availability of information in accessible formats, sign language and easy read is of paramount to enable preference, choice, and control of our own lives.

**We recommend to DFAT to ensure that its investment to other organisation, development partners and pacific organisation working to include persons with disabilities must ensure that their programs include information and communication is accessible and inclusive of persons with disabilities.**

#### **6. Transportation and infrastructure**

This is significant in facilitating independence of the person and improving opportunities for people with disabilities regardless of gender, disability, or identity to contribute to society. As Samoa's transportation system is not accessible, it is **critical that donors like Australia invest in this significant development to maximize equal opportunities. Accessibility of transportation is a precondition to our inclusion.**

**We recommend to DFAT that any investment to Samoa targeting infrastructure development must adopt the universal design and critical that it is inclusive and accessible for all persons with disabilities and compliance of infrastructure development. Failing to comply with universal design principles should be a criteria to withheld funding.**

#### **7. Climate resilience.**

Persons with disabilities in the Pacific are vulnerable to the multiple impacts of climate change. It is critical that the capacity of individuals with disabilities are strengthened and that they are involved in the development, implementation, and evaluation of climate resilience efforts, included but not limited to COP 28. Climate change policies and program must be inclusive of persons with disabilities.

**We recommend DFAT recognize the diverse experiences of people with disabilities individually, by gender, by disability and by identities, and collectively and learn from us about how climate justice can be achieved for all.**

**We recommend that DFAT's investment in climate justice or action in the Pacific should strengthen its disability inclusion.**

8. **Education for all.** Access to education and training opportunities at all levels create a society of persons with disabilities who are knowledgeable, independent and are able to make wise decisions. A good education provides greater opportunities for persons with disabilities to have access to employment and other alternatives of income sources, e.g., setting up businesses etc. However, as OPDs we also know that many children with disabilities are not in school dues to barriers and other challenges. DFAT has invested in inclusive education in Samoa, however, to date not all children with disabilities are in school.

We recommend to DFAT to consider increasing investment in inclusive education and that OPDs are resourced adequately to provide services as well to children with disabilities. Investment in inclusive education must have specific indicators for children and persons with disabilities.

9. **Employment opportunities.** According to national statistics, the employment rate of persons with disabilities is relatively low. **It is very critical for the strategy to invest in the development of accessible employment pathways for persons with disabilities as a tool to alleviate poverty.** NOLA and affiliates commend mainstream stakeholders and programs for employing people with disabilities and respect that they are being remunerated well and recognised for their expertise. On one hand this realises the right for persons with disabilities and provides them opportunity to have decent work and be supported with accommodations. On another note, some employees with disabilities who want to stay working at OPDs have chosen to leave because they can no longer afford to live on the salary that OPDs can offer. This is often because OPDs are not supported with core and critical personnel and reasonable accommodations costs and are not funded for positions at remuneration rates comparable to other NGOs and CSOs. OPDs are often funded for only few positions and many members work as volunteers to ensure we are available for advocacy and advice and to meet donor requirements. This creates burnout. With cost of living rising, with inflation, as well as in recognition of the unique expertise OPDs have.

We recommend DFAT under this strategy to value OPDs on an equal basis with other CSOs and NGOs by resourcing OPD in similar ways to other NGOs, recognise our unique expertise that you seek alongside our governments, recognise our need to increase salary scales, allow us to budget for reasonable accommodation costs alongside our program and advocacy work, so that our staff are equipped to carry out their duties effectively and efficiently.

10. **Legislative developments and reforms.**

As for article 33 of the international convention on the rights of persons with disabilities, state parties to the convention are entitled to seek international cooperation to ensure legislations are in line with the present convention. **It is very crucial that this strategy support us to fulfill this goal especially as it relates to promotion and protection of equity and rights of individuals with disabilities in all their diversity.** Technical and resource support to our governments and to OPDs to work alongside governments to domesticate the CRPD is an area that DFAT could invest in.

We recommend that DFAT invest in law reform and also resource the role of OPDs in the process.

We recommend investment to OPDs to train government ministries and other partners on the CRPD so they are aware of their role and obligation under the CRPD