



**Supplementary report section by MBF, Meginfelag teirra brekaðu í Føroyum, Faroe Islands' Union for the Handicapped**

Due to space limitations, what is presented is a strictly prioritised account of some of the areas in which the Faroese *Løgting* (parliament) has failed to take sufficient initiatives to fully comply with the commitments undertaken when it ratified the UN Convention on the Rights of Persons with Disabilities.

It has not been possible to thoroughly review the situation regarding all articles in the convention.

The UN Convention on the Rights of Persons with Disabilities was ratified by the *Løgting* on 13 May 2009.

In the preparation of this report, all 23 MBF member organisations and the Sign Language Interpreting Service have been involved.

**Faroese society**

The Faroe Islands have a government and municipalities. The government is responsible for most expenditure related to education, health, social welfare payments, care for the elderly and pensions. The country makes up a very small community of only 48,000 inhabitants. As regards government-funded elementary schooling, the municipalities are responsible for the buildings, while the Ministry of Education is responsible for the teaching and all related aspects.

**Article 4a and b: General obligations**

**The reporting organisations' observations:**

The government makes a point of our country's disability policy adhering to principles of compensation, sector responsibility, solidarity and equal opportunities. Each sector is responsible for servicing persons with disabilities, but no cross-sector cooperation has been established, nor is there any coherent disability policy linking the various fields.

There is no coordination between sectors. Moreover, contributions lack coherence, thus fragmenting efforts experienced by citizens with disabilities as economising, disjointed, devoid of quality and full of waiting time. In this manner, the efforts never truly hit the target close enough to place persons with disability on an equal footing with others.

The reporting organisations call on the Committee on the Rights of Persons with Disabilities to recommend that the government implement a disability policy focusing on coherence and paying special attention to bridging the various sectors.



**Article 5, paragraphs 1-3: Equality and non-discrimination**

**The reporting organisations' observations:**

The government's report mentions that the Minister of Social Affairs designated a Disability Council in 2002, which is tasked with advising the authorities and shining a spotlight on disability policy issues and the like. Although the Council has repeatedly pointed out circumstances that discriminate against persons with disabilities, the government is not bound to follow its recommendations.

The government refers to a law against discrimination in the job market, but there is no legislation to prevent discrimination in other sectors of society.

The reporting organisations call on the Committee to recommend that the government pass a ban against discrimination due to disability in all sectors of society.

**Article 9, paragraph 1a and b: Accessibility**

**The reporting organisations' observations:**

The government refers to its Order No. 149 of 3 December 2009 regarding accessibility. The rules stipulate requirements for buildings that house public services as well as restaurants, shops, and offices whose field of work concern administration and specialised services. However, the order does not specify any consequences in case of non-compliance.

The reporting organisations call on the Committee to recommend that the government introduce sanctions for violations of its accessibility order.

**Article 19a, b and c: Living independently and being included in the community**

**The reporting organisations' observations:**

In the Faroe Islands, persons with disabilities only very rarely get to choose where and with whom they want to live. It takes several years of waiting to obtain an appropriate residence, and meanwhile the service level can be very low. Another point of criticism is the in-home support services, over which the citizens themselves have only very limited control.

There is no law or other statutory instrument to protect persons with disabilities when there is a strike. On occasions, persons with disabilities living in residences with support services have had to leave their own home to lodge with their family, or in larger residential units, due to a strike.

The reporting organisations call on the Committee to recommend that the government establish up-to-date residences covering the whole country, and protect persons with disabilities so as to provide them with the help that they need during strikes without their having to move out of their own homes. Moreover, conditions should be created for more citizen-controlled support services.



**Article 21a, b and e: Freedom of expression and opinion, and access to information**

**The reporting organisations' observations:**

According to the UN Convention, States Parties shall take all appropriate measures to ensure that persons with disabilities enjoy freedom of expression and opinion, as well as access to information.

In the Faroe Islands, people who are hard of hearing cannot follow everyday life or listen to news on television or radio. There is no transcription service, while the television news is not subtitled. People who are deaf and need sign language interpretation always get the old news, since the news in sign language is broadcast with one day's delay.

The reporting organisations consider it to be discrimination that persons who are deaf cannot have the television news interpreted until a day after they have first been broadcast.

Nor can people with learning disabilities follow everyday life and news stories, since there is a lack of accessible means of communications for this group.

The reporting organisations call on the Committee to recommend that the government ensure all people's access to information, including radio and television broadcasts on the nationwide channel. This means that all information should be prepared using a wide array of methods to meet the needs of persons with disabilities, regardless of the functional impairment in question.

**Article 24, paragraphs 1a, b, c, 2a, b, c, d, e, 3a, b, c, and 4 -5: Education**

**The reporting organisations' observations:**

The government states that the Ministry of Culture has issued an order regarding teaching of and in sign language, and that children and young people with this as their first language have the right to sign language interpreting throughout their education. It is also stated that the National Budget includes a grant for audio books for people who are blind.

Furthermore, the government asserts that persons with disabilities have the right to education on an equal footing with others, and that this has been practised at all levels since the passing of the UNESCO Salamanca Statement and the vision of Education for All. The government refers to the Compulsory Education Act (*Folkeskoleloven*).

However, the inclusion process is not working well enough. Children with autism spectrum disorders, learning disabilities or deafness often experience being excluded from school.

As children with learning disabilities and with autism spectrum disorders see it, the schools are trying to normalise them rather than working on making the community



more inclusive. When these pupils fail to keep up with the curriculum, they are referred to special needs schools or to a separate room within the school. Very few quality school services are offered to young people with autism spectrum disorders.

The reporting organisations call on the Committee to strongly recommend that the government amend the Compulsory Education Act to provide for inclusion of pupils with special needs in mainstream teaching and to adjust the complaints rules to make for an inclusive 'folkeskole' (10 years of compulsory education).

The reporting organisations call attention to the need for in-service training to provide teachers with the necessary knowledge of how to include children with disabilities.

After the 'folkeskole', there are no genuine educational options for young people with learning disabilities. Young people who are deaf may only continue to study in those cases where the government approves support for employment of a sign language interpreter. Deaf secondary-school graduates often have to wait for 1 to 2 years<sup>1</sup> to be able to get into higher education.

Due to the lack of quality educational services for children with autism spectrum disorders, learning disabilities and deafness, some families choose to move to Denmark, where better schooling options are available to their children.<sup>2</sup>

The reporting organisations call on the Committee to recommend that the government establish educational opportunities for young people with autism spectrum disorders, deafness and learning disabilities.

### **Article 25a and b: Health**

#### **The reporting organisations' observations:**

The government states that there is a general focus on reducing periods of waiting within the health system. It currently takes 1½ to 2 years to be diagnosed<sup>3</sup> in the field of child psychiatry.

Persons with autism spectrum disorders and with learning disabilities find that support and accommodation of their needs depend on their having been diagnosed.

The reporting organisations call on the Committee to recommend that the government find solutions so that a diagnosis is no longer decisive for the type of help available. In addition, the reporting organisations call on the Committee to recommend that the government find ways of reducing the period of waiting to be diagnosed.

### **Article 26, paragraph 1a: Habilitation and rehabilitation**

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<sup>1</sup> According to the Sign Language Interpreting Service of the Faroe Islands.

<sup>2</sup> This information has been compiled by MBF in connection with articles in its magazine, as well as through conversations with families who have moved to Denmark.

<sup>3</sup> According to the Department of Psychiatry.



**The reporting organisations' observations:**

The government affirms that it has started up an interdisciplinary rehabilitation service in the social area. There is no Social Services Act in the Faroe Islands, nor is there any law on habilitation and rehabilitation. For people with disabilities, such services are important factors in supporting individual citizens to cope on their own and recover some of the functions that have been impaired. If there is no law in this field to guarantee minimum services, their provision often becomes highly arbitrary and dependent on the person's location in the country.

The reporting organisations strongly encourage the Committee to recommend that the government legislate in this field, so that services for people with disabilities are deployed at the earliest possible stage, are based on an interdisciplinary assessment and become more citizen-controlled.

**Article 27, paragraph 1a, b and c: Work and employment**

**The reporting organisations' observations:**

The government refers to a law banning discrimination in the job market due to disability.

It is very hard to make the government recognise the working capacity that people with disabilities preserve on a par with normal working capacity.<sup>4</sup> Moreover, it is difficult to get the government to ensure that job opportunities are open to people with disabilities so that they can cope financially on an equal footing with others.

The reporting organisations strongly encourage the Committee to recommend that the government create job opportunities for persons with disabilities in the public and private sector so that they can manage financially.

**Article 29a-i: Participation in political and public life**

**The reporting organisations' observations:**

*Voting assistance*

The government refers to *Løgting* Act No. 49 of 20 July 1978 regarding parliamentary elections, whose Art. 26 concerns polling station accessibility.

Voters with learning disabilities, limited spoken language, deficient reading ability or blindness do not have much chance of voting on their own. The ballot papers are only available in standard writing. It would facilitate self-reliant voting by these people, if ballot papers carried photos of the candidates, and if digital ballot papers were available.

The reporting organisations call on the Committee to recommend that the government use ballot papers with photos of the candidates as well as digital ballot papers, so that

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<sup>4</sup> Experienced in MBF's work regarding changes in unemployment benefits legislation in 2012.



voters with learning disability or visual impairment may also vote without relying on assistance.

**Article 30, paragraph 1a, b and c: Participation in cultural life, recreation, leisure and sports**

**The reporting organisations' observations:**

Accessibility to the broadcasts of the public service station KVF is, as indicated in the government report, regulated in a public service agreement aimed at ensuring sign language interpretation of news, while programmes of major interest and significance in society must be subtitled and/or interpreted into sign language.

In many cases, people who are deaf cannot follow a programme if it is only subtitled, while people with reduced hearing have rarely learned sign language, so these two different impairments cannot be overcome using the same method.

The reporting organisations recommend that a solution be found so that both people who are deaf and people with reduced hearing gain access to all the programmes broadcast by KVF.

There is a major lack of means of communication to enable persons with learning disabilities to gain accessibility to the broadcasts of the public service station KVF. Since this group is rather large, it is indeed a significant portion of the Faroese population which is cut off from access to public service programmes.

The reporting organisations call on the Committee to recommend that the government take responsibility for persons with learning disabilities being included as an audience in an accessible form, when it comes to television programmes, films, theatre and other cultural activities.

People with disabilities who need to be accompanied in order to take part in events often find it hard to afford attendance, since they must pay both for their own entry and for that of the helper. This also applies to payment for transportation.

The reporting organisations call on the Committee to recommend that the government introduce schemes whereby persons with disabilities who need to be accompanied must only pay for one person.

**Article 33, paragraph 1: National implementation and monitoring**

**The reporting organisations' observations:**

There is no combined plan for the disability policy and its implementation. When the UN Convention on the Rights of Persons with Disabilities was ratified by the Faroe Islands in 2009, it was incumbent on the Minister of Foreign Affairs to implement the Convention in Faroese society. Some years ago, the Ministry of Foreign Affairs was closed down, and since then no minister has been responsible for implementing the Convention.



Meginfelag teirra brekaðu í Føroyum  
Faroe Islands' Union for the Handicapped

The reporting organisations call on the Committee to recommend that the government draw up a plan for implementing the Convention in Faroese society, and that overall responsibility to this effect be delegated to a coordinating ministry.

Kind regards from MBF

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