



EMPOWERING PERSONS WITH DISABILITIES

ASSESSING THE IMPLEMENTATION OF THE NATIONAL POLICY ON DISABILITY

Unlocking Zambia's Potential

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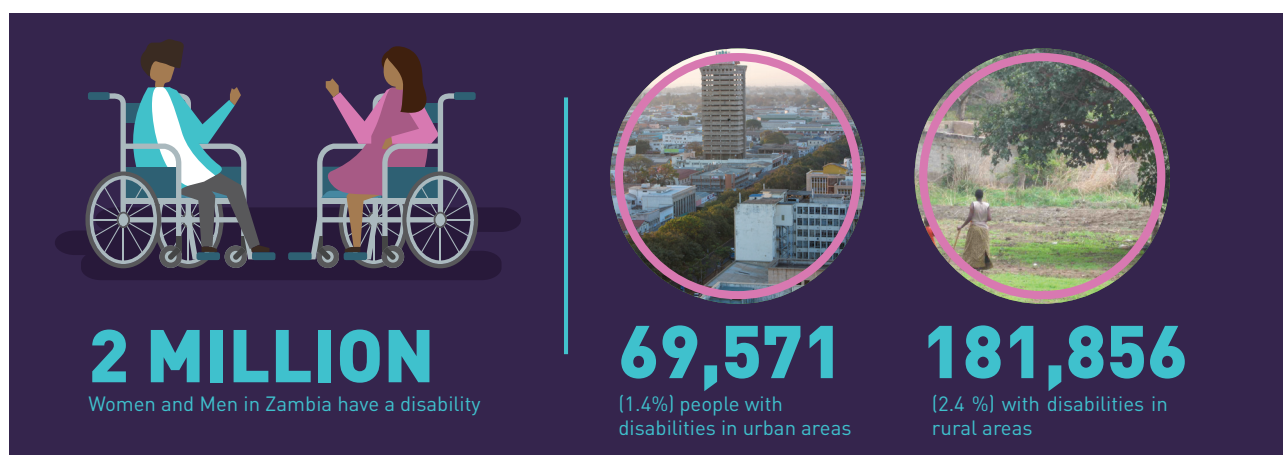
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INTRODUCTION

In February 2016, the Government of the Republic of Zambia launched the National Policy on Disability. As the case, this policy was launched in an effort to deal with various challenges faced by persons with disabilities and ensure social and economic inclusion for these persons. The theme of the policy is **‘Empowering Persons with Disabilities’** and this is in line with international and national policy instruments including the United Nations Convention on the Rights of Persons with Disabilities.

Recent statistics reveal that about **2 million women and men in Zambia have a disability (WHO, 2011)**. Detailed information of this statistics revealed that most of these people with disabilities live in rural areas, and have limited access to basic services. **There are 181, 856 (2.4 %) with disabilities in rural areas and 69, 571 (1.4%) people with disabilities in urban areas in the country** (Zambia Census of Population and Housing 2010). The World Health Organisation (WHO) also revealed that the employment rate of persons living with disabilities in 2005 was 58% and that most people living with disabilities were self-employed with more that 80 per cent of them in the agriculture sector of the economy.



This Policy Analysis seeks to analyse the National Policy on Disabilities in Zambia. The analysis contains a background and current situational analysis of various monumental initiatives which have been implemented in the past and currently, in an effort to better the lives of persons with disabilities in Zambia. Additionally, this background and situational analysis will outline the initial past and current challenges being faced by persons with disabilities in Zambia, clearly stating what international, regional and national legal instruments and initiatives that have been implemented to help improve the livelihoods of persons with disabilities Zambia. The main aim of the paper is to examine the components of the National Policy on Disability and highlight the successes which have been scored by the policy, and identify the challenges which have been faced in implementing the policy, in an effort to offer evidence based recommendations for increased effective implementation of the policy.

BACKGROUND

DISABILITY DEFINED

According to the National Policy on Disability, a disability is defined as **“Any restriction resulting from an impairment or inability to perform any activity in the manner or within the range considered normal for a human being and would or would not entail the use of supportive or therapeutic devices and auxiliary aids, interpreters, white canes, reading assistants, hearing aids, guide dogs or any other animal trained for that purpose.”** (2013, National Policy on Disability). Similarly the World Health Organisation (WHO) defines the term disability as “an umbrella term covering impairments, activity limitations, and participation restrictions.” An impairment is defined as a problem in body function structure; an activity limitation is a difficulty encountered by an individual in executing tasks or actions; while a participation restriction is a problem experienced by an individual in involvement in life situations¹ (WHO, 2018). Although previously viewed as a health challenge, disability is now widely viewed and identified as a complex phenomenon relating to the interaction between features of the human body.

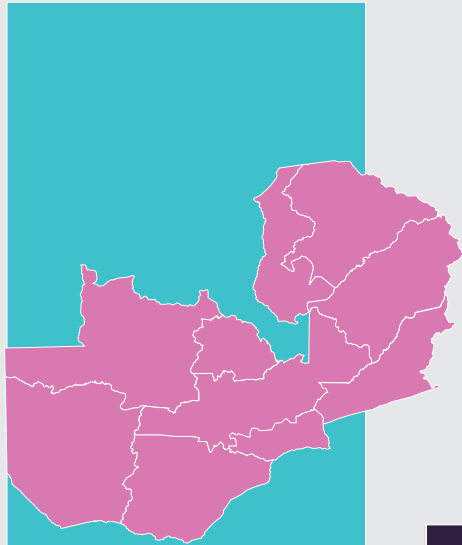
HISTORY OF NATIONAL POLICY ON DISABILITY

The first Policy for persons with disabilities in Zambia was enacted in 1996. The 1996 policy was preceded by the Persons with Disabilities Act No. 33 which was a repealed version of the Handicapped Persons Act. This policy was implemented after a robust registration of all handicapped persons by five major Disability Service Organisations (DPOs) and although the legislation on persons with disabilities dates back to pre- independence with instruments such as the Blind Persons Ordinance which was enacted in 1961, the Handicapped Persons Act of 1968 and later which was later repealed to the Person with Disabilities Act No. 33 of 1996 legislation was more inclusive with all categories of persons with disability covered in it². The illustration below consists of various significant milestones in the development of disability related policies and legislation.

-
1. <http://www.who.int/topics/disabilities/en/> accessed on 21/05/2018
 2. 2013 National Policy on Disabilities

HISTORY OF NATIONAL POLICY ON DISABILITY

Timeline



1 1961- Blind Persons Ordinance, facilitated for the creation of Northern Rhodesia Council for the Blind.

2 1968

1968 - Handicapped Persons Act of 1968, facilitated for the establishment of the Zambia Council for the Handicapped.

3

Resulted in the establishment of more employment centres bringing the total number to 17 employment centres to provide sheltered employment opportunities for persons with disabilities.

7 1996

1996- Enactment of the Disabilities act No. 33 which repealed the Handicapped Persons Act of 1968.

8

The Act facilitated for the disillution of the Zambia Council for the Handicapped and established the Zambia Agency for Persons with Disabilities (ZAPD).

12 2015

2015 - National Policy on Disability launched to provide guidance and standards.

4

1977

1977- institution of the Vocational Rehabilitation Center (VRC), for the provision of rehabilitation and skills training to persons with disabilities.

5

1981

1981- United Nations International Year of Disabled Persons (IYDP) which was followed by the decade of persons with disabilities (1982-1991).

6

1989

1989- Zambia ratified the ILO Convention 159 on Vocational Rehabilitation and Employment of Persons with Disabilities.

9

1968

Instituted the National Trust Fund for the Disabled (NTD) to provide micro -credit to persons with disabilities.

10

2010

1st February 2010- The Government of Zambia ratified the UN Convention on the Rights of Persons with Disabilities.

11

2012

2012- Enactment of the Persons with Disabilities Act No. 6 of 2012, to provide for the elimination of all forms of discrimination on the grounds of disability.

and support for Government and stakeholders on disability and development in line with international

Structure and content of the policy

The National Policy on disability has seven parts. The first part contains the introduction, second part is the situational analysis, third part presents the objectives of the policy and measures that will be taken to implement these objectives. Part three, part four, five and six contain the vision, rationale, guiding principles and objectives of the policy. Lastly, part seven is the policy implementation framework which has two sections. The beginning of part seven outlines all key implementing organisations and bodies, clearly stating their specific responsibilities in the implementation of the policy while the latter end of the implementation framework contains tables, with strategies linked to activities, output indicators and annual targets from 2015-2019, including budget cost estimates for the activities outlined in the plan.

The summary of the sections stated are listed as follows;

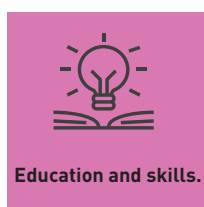


The National Policy on Disability was founded on the vision ***“Persons with disabilities enjoying equal opportunities that are fundamental for living and development by 2030”***. This policy was formulated on the basis of the need to address various disability issues in Zambia. The policy is anchored on various international and regional instruments and experiences.

The guiding principles of the policy are partnership; coordination; full and effective participation and inclusion in society; accountability and transparency; respect for inherent dignity and individual autonomy, equity and none discrimination ; traditional values and accessibility.

The policy objectives have accompanying measures to promote them and the summary of these objectives are;





The above listed specific policy objectives all have measures to ensure they are attained. For example under the first objective (prevention of disability), there are a number of measures listed which include the promotion of research on causes and prevention of disability.

There are various pieces of legislation which support the implementation of the objectives of the National Policy on Disability.

Some of these include but are not limited to the following;

- The Zambian Constitution
- The Vision 2030 and Seventh National Development Plan
- The Technical Education, Vocational and Entrepreneurship Training (TEVET) Act, 1998
- The Workers Compensation Act (No. 10 of 1999)
- National Policy on Education, 1996
- National Employment and Labour Market Policy (NELP), 2005
- National Youth Policy, 2006
- Citizen Economic Empowerment Commission Act, 2008

The listed policies and pieces of legislation all recognise and support disability mainstreaming for increased inclusion and empowerment for person with disabilities.

ANALYSING THE NATIONAL POLICY ON DISABILITY

According to Policy Monitoring and Research Centre (PMRC) analysis of the policy, the success of attaining the specific objectives of the national policy on disability are largely predominant on partnerships and cooperation from various stakeholders such as cooperating partners, civil society organisations and most especially the lead ministry and Disability Persons Organisations (DPO's). Interactions with various key implementing DPO's revealed that some of the activities outlined in the implementation plan may not be attained by 2019 due to various challenges including delayed disbursement of funds, limited coordination and communication and lack of information and knowledge by some sections of society on disability programming.

The policy is supported by the Persons with Disabilities Act No.6 of 2012. The purpose of this piece of legislation is to eliminate all forms of discrimination on the grounds of disability. The National Policy on Disability (NPD) recognises the need for various policy and legislative reviews to ensure the supporting legal instruments are harmonised for the effective implementation of the policy. Specifically, the policy highlights the Citizens Empowerment Act of 2007 as a key supporting piece of legislation to the successful implementation of the NPD.

3. <https://safod.wordpress.com/2014/05/08/the-status-of-disability-policy-discussions-in-zambia/> accessed on 21/05/201

PMRC analysis also revealed that although the implementation timeline is drawing to a close (2019), there is an opportunity to further fasten the completion of the remaining activities in the implementation plan for the success of the policy. One of the major positive preconditions for this is the Seventh National Development Plan (7NDP) and Implementation Plan 2017-2021. The Integrated development approach which is currently being take to implement the pillars of the 7NDP are an opportunity to further consolidate and finalise the remaining activities of the National Policy on Disability.

There is additional need for in-depth analysis of current state of affairs in line with the following elements which are key to establishing whether or not policies and interventions have been effective, and to what extent.

Key elements which must be considered include:

- Right to education, health and employment;
- Accessibility of services related to education, health, social protection and employment;
- Inclusivity of education health, social protection and employment;
- National education, health, social protection or employment implementation plans;
- Budgetary concerns for education health, social protection and employment; and
- Information management systems for education, health, social protection and employment relating to people with disabilities.⁴

The elements listed below are the key challenge areas in the disability sector in Zambia. These are the areas which are of the highest priority to both Government and disabled people.

In order to critically asses, and establish current gaps and challenges in the sector, there must be a cross comparison of the **four common facets (education, health, employment and social protection) to establish which one is more responsive and inclusive of disabled people**. In addition to this, it is cardinal to carry out a parallel comparison across the other elements listed (rights, accessibility, budgets and financing, management information systems etc). The two comparisons, paired, will result in a true reflection of disability inclusion in the country.

LESSONS FROM BEST PRACTICE ON NEXT PAGE

4. The Authors 2017. Development Policy Review © 2017 Overseas Development Institute



South Africa

According to the South African Human Rights Commission (2011), **South Africa's national disability prevalence rate is at about 7.5 per cent with about 53.2% of persons of the 7.5 percent being persons above 85 years.** Similar to the case of Zambia, persons with disabilities in South Africa experience difficulty in accessing education, employment and general empowerment which can help improve their livelihoods. Households headed by persons with disabilities are more vulnerable and lack access to basic social services compared to households headed by persons without disabilities. One of the other challenges faced by disabled people in South Africa is limited access to assistive devices. In order to facilitate for awareness- raising and education regarding disability, the South Africa Government has been implementing various aspects of the Promotion and Equality and Prevention of Unfair Discrimination Act, 4 of 2000 (PEPUDA). In South Africa, the country's Human Rights Commission is mandated to promote and respect human rights, including the rights of persons with disabilities. It does this through various partnerships with other key bodies to provide research, education, health and other basic human rights. The commission also continuously provides platforms for information sharing through conferences, workshops, and symposia. The Commission also launched a toolkit entitled 'promoting the right to work of persons with disabilities: a toolkit for the private sector' along with a monitoring framework in November 2015⁵.



Botswana

In Botswana, efforts to gauge the need to help people with disabilities started in the early 1970's. The Government began with a study to establish the different types on disabilities and establish the prevalence in order to effectively analyse the situation. The results of the study were then utilised by the country's Ministry of Health by providing the services needed by people with disabilities through the introduction of a Special Service Unit for Handicapped (SSUH) in 1975. More actors such as the Ministry of Education have continued to supplement the provision of various needs through the implementation of sector policies. Other players that have played an active role are the Ministry of Local Government Lands and Housing, through the department of social welfare and community development and the Ministry of Labour and Home Affairs. The National Policy on Care of People with Disabilities is a guide for all parties interested in disability issues to involve themselves in the process effectively and efficiently. Some of the principles of the multi sectoral national policy include; recognition and protection of the human rights and dignity of every individual, participation in the basic entities of society, empowerment for self-sufficiency and others.

5. South African Human Rights Commission, 2017

SUMMARY OF LESSONS LEARNT

The key highlights and lessons learnt from the best practice presented are; the need for an integrated approach to providing basic needs for people with disabilities. This has been the case in Botswana and it has aided the sector, ensuring all key players play their roles and contribute accordingly to the policy goals. Zambia's integrated approach, currently being implemented through the Seventh National Development Plan is a positive indicator and prerequisite for successful policy implementation in the disability sector.

In South Africa, the challenges highlighted by people with disabilities are similar to those listed in the Zambian case but the multi-sectoral approach taken by the Government has led to improved welfare for people with disabilities. **The key needs identified and targeted which are health education, employment and economic empowerment are key to disability programming.** These facets are further strengthened through the provision of **other social welfare initiatives** which are all intended to holistically improve the livelihoods of people with disabilities.

RECOMMENDATIONS

- **Improve and enhance the provision of education, health and employment for persons with disabilities.** This must be coupled with increased assessments and monitoring of policies and initiatives to this effect;
- **Increased information sharing** on the causes, effects and possibilities of rehabilitation for people with disabilities. This may result in reduced stigma and improve integration of people with disabilities in communities;
- **Improve accessibility of services related to education, health, social protection and employment.** This calls for increased pro-activity and coordination among various bodies responsible for infrastructure and accessibility;
- **Increased budgetary support to education, health, social protection and employment creation** for people with disabilities; and
- **Augmented data gathering and information management systems** for education, health, social protection and employment relating to people with disabilities.

CONCLUSION

In conclusion, it is encouraging to note that Government has continued to increase efforts towards improving the lives of people with disabilities in the country. The case of the social cash transfer is evidence that Government has recognised the need to further improve the welfare of people with disabilities. People with disabilities on the cash transfer scheme receive double the amount of money (K180) in comparison to other beneficiaries on the scheme who receive K90. Government must continue to partner with various players to ensure that the rights of people with disabilities are respected.

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PMRC POLICY ANALYSIS

EMPOWERING PERSONS WITH DISABILITIES

ASSESSING THE IMPLEMENTATION OF THE NATIONAL POLICY
ON DISABILITY



Unlocking Zambia's Potential

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