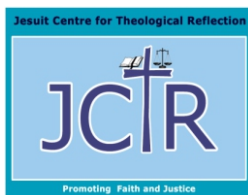


THE PLIGHT OF PERSONS WITH DISABILITIES IN ZAMBIA

By

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Contents

1.0	Introduction	4
2.0	Legal Frameworks of Persons with Disabilities in Zambia	5
3.0	Current Situation of Persons with Disabilities in the nine provinces visited	5
3.1	Access to Education.....	6
3.2	Access to Health Care and Facilities	7
3.3	Accessibility and Mobility	8
3.4	Employment and Social Protection	8
4.0	Persons with Disability Institutions Visited	10
5.0	Conclusion and Recommendation	12

1.0 Introduction

This booklet outlines insights on the needs of persons with disability gained from JCTR's training programme for provincial planning units, Disability bodies and associations in the nine Provinces of Central, Copper belt, Eastern, Luapula, Muchinga, Northern, North-western, Southern and Western. The trainings begun in June, 2016 and were concluded in November, 2016. JCTR also conducted field visits to institutions providing services to PWDs. The objective of the trainings and field visits were to sensitize workshop participants on the challenges faced by persons with disability in a quest to promote access to rights and services of persons with disability in Zambia. Participants had an opportunity to share their experiences on issues of persons with disability and learn from disability institutions about the many challenges being faced by these institutions.

During the provincial trainings it was learnt that people with disabilities are often (sometimes incorrectly) assumed to be unable to work and therefore more permanent recipients of social protection. It was also noted from the provinces visited that PWDs had higher rates of poverty, and face physical barriers, communication barriers, attitudinal barriers, and a lack of sensitivity or awareness. Training participants further noted that PWD tend to be grouped together in social protection programming, with little distinction made between different kinds of disabilities, which may be physical or mental. It was also realized that disability intersects with other inequalities, meaning disabled women and disabled older people for example may need special consideration. Despite all these prejudice attitudes towards persons with disabilities, training participants felt PWDs have a potential to contribute significantly to the development of the country and should be given a chance to fully utilize their potential as equal citizens of the country..

2.0 Legal Frameworks of Persons with Disabilities in Zambia

The Provincial training programmes were tailored around the provisions of the United Nations Convention on the Rights of persons with Disabilities-CRPD to which the Government of Zambia is a signatory and the Disabilities Act No. 6 of 2012 which provides for the rights and privileges of PWDs. While Zambia has made strides in mainstreaming persons with disabilities by domesticating the CRPD through enactment of the Persons with Disabilities Act, No. 6 of 2012, a good number of provincial training participants expressed limited awareness of the contents of the Convention and the Act. Further, it was realized that many participants were not aware that Government had produced a national policy on disability with the objective of mainstreaming persons with disability issues in all Ministries.

It was concluded that more sensitization was needed among government planning units; more so among the public on the available PWD mainstreaming instruments that Government had put in place if the rights of persons with disability were to be realized.

3.0 Current Situation of Persons with Disabilities in the nine provinces visited

During the provincial trainings, it was learnt that people with disabilities are often assumed to be unable to work and therefore more permanent recipients of social protection. It was also noted that PWDs have higher rates of poverty, and face physical barriers, communication barriers, attitudinal barriers, and a lack of sensitivity or awareness. Other challenges found to be common in all provinces included lack of access to structural buildings, high unemployment rates and poor access to education. Furthermore, it was reported by training participants that universal access that calls for the accommodation/enabling movement of persons

with disabilities in those provinces was still a problem. PWDs, DPOs and provincial planning units revealed that there were stairs in hospitals and most public and private buildings, inaccessible toilets, open rainwater and/or sewage canals, narrow pathways in a way that is unable to accommodate a wheelchair, high reception desks unreachable by PWDs especially those in wheel chairs, dangerous road crossings and lack of parking space for PWDs. participants further noted that in responding to the challenges faced by PWD, service providers tend to group them together in social protection programming, with little distinction made between different kinds of disabilities. It was further realized that disability intersects with other inequalities rendering such combinations of disability deserving of greater attention in the promotion of rights of PWD. As such, disabled women, disabled older people or disabled rural people may need special consideration if their rights are to be realized. Persons with disabilities in the provinces visited also faced with serious stigmatization and torture. In some provinces it was actually learnt that persons with disabilities are locked in the house while others are tied to trees or other objects therefore regarding them as less human beings or animals.

3.1 Access to Education

The Persons with Disabilities Act seeks to make the Education System inclusive at all levels by enabling persons with disability participate effectively. Thus measures like free primary, secondary and tertiary education, reasonable accommodation measures, assistive devices etc. are to be extended to Persons with Disabilities. A visit to special needs schools during provincial trainings revealed serious inadequacies.

- Limited classrooms - both schools with Special Education Units had limited classrooms to accommodate students. Neem Tree School actually only had one classrooms for learning but which also

acted as a kitchen and had sick/sleeping bay.

- Low staffing levels – both schools revealed that they had insufficient teachers. This was attributed to the removal of hardship allowance which has seen special education teachers revert to teaching non-disabled pupils mostly in non-special education schools
- Limited Special Education Schools – Luapula Province for example was reported to have only one Secondary School of the blind while it has the highest concentration of blind people.
- Poor certification standards for disabled people – workshop participants learnt that pupils with hearing disability are subjected to the same certification requirements like non-disabled pupils such as the number of subjects passed. It was generally felt that a positive discrimination where pupils with hearing disability are assessed on fewer subjects will be helpful.

3.2 Access to Health Care and Facilities

The Act seeks to promote access for persons with disability to health services and health rehabilitation by providing the same range, quality and standard of free or affordable health care services as provided to other persons and also those needed by persons with disabilities.

- Health Centers' infrastructure and distance were reported not to be accommodative enough to the needs of persons with disabilities and thus posed a challenge to PWD accessing health services.
- Most Health Centers were also said not to have sign language interpreters making it difficult for patients and health service providers to communicate
- MostIt was learnt from one of the provinces that some people believe that women with disabilities are not HIV/AIDS infected and thus are more susceptible/vulnerable to sexual advances and abuses by males.

3.3 Accessibility and Mobility

Section 40 of the Persons with Disabilities Act seeks to ensure that Persons with Disabilities access on an equal basis with others, the physical environment, transportation, information and communications and other facilities and services provided to the public both in urban and rural areas. However, it was evident from the interaction that JCTR held with various PWD institutions in provincial headquarters that Persons with Disability were having a lot of challenges in accessing their physical environment, transportation and information and communication facilities.

- Access to buildings – most public buildings such as Civic Centers, Schools and Health posts were reported to be inaccessible to persons with disability due to non-availability of ramps and where they are available, they have been found to be very steep. It was also reported that lack of parking lots was a major problem in most provincial centers particularly in Mansa and Kabwe.
- Limited access to information – PWD were said to be marginalized with regard to access to information particularly the blind as little information is published in brail format. It was also reported that PWD are not easily reached by health information such as HIV/AIDS discussion and blood screening.

3.4 Employment and Social Protection

According to Section 37 of the Persons with Disabilities Act, Government commits to promoting access to employment and social protection for Persons with Disabilities. Measures therefore such as tax rebates for employers employing persons with disabilities and incentives for Persons with Disability engaging in business have been proposed. Evidence from the provincial interactions revealed that unemployment is a big challenge among persons with disabilities and even those who are employed, the rate of

progression is very low..

- Most persons with disabilities were reported to be formerly unemployed even those who were educated
- It was also reported that Persons with Disabilities who were employed were usually overlooked for promotion and thus remained in one position for a long time
- The JCTR's interaction with PWDs and DPOs also discovered that there was gender imbalance of employment opportunities to PWDs as men with disabilities had more employment chances than females and that most working environment was not friendly to PWDs
- Lack of entrepreneurship among disabled people mainly due to lack of financial resources was cited as a big problem in all the Provinces. Most financial institutions were said to be hesitant to extend loans to persons with disabilities and even government loan schemes were said to be hard to access.

4.0 Persons with Disability Institutions Visited

Province	Disability Institution	Disability Type	Challenges
Central	Neem Tree School	Special Needs School – mental disability	<ul style="list-style-type: none"> • Limited classroom space • Low special education staffing levels • Poor accessibility to public buildings/ Lack of parking lots • Limited parental care such that when pupils return to school from holidays, they suffer relapses and forget all they learnt
	Broadway Secondary School	Special Needs School – hearing disability	<ul style="list-style-type: none"> • Unfair certification of students with hearing impairments – passing subjects is the same as persons without disability • Limited classroom space • Low special education staffing levels • Lack of incentives for special needs teacher
Copper belt	National Vocational and Rehabilitation Centre	Different disabilities	<ul style="list-style-type: none"> • Poor and dilapidated infrastructure • Lack of transport • Poorly funded to meet the needs of the institution such as paying lecturers, general workers, feeding students and other necessities • Outdated learning and teaching aids
Eastern	Magwero School for the deaf and blind	Visually impaired and deaf school children	<ul style="list-style-type: none"> • Lack of transport facilities • Poor and outdated learning and teaching aids • Lack of assistive devices • Poor sanitation facilities • Inadequate funding to meet school needs • Accommodation challenges for the teachers
Luapula	Chipili Mansa Disability Association	Different disability such as physical and mental	<ul style="list-style-type: none"> • Low profile of PWDS issues • Lack of PWD facilities in Mansa such as parking lots, public building access, lodges, new health infrastructure, public transport • Lack of secondary school for visually impaired people in Mansa • Low staffing levels in Special Education schools • Lack of sustainable economic activities • Lack of assistive devices
Muchinga	Chinsali DPOs	Different disabilities	<ul style="list-style-type: none"> • There is less information and knowledge on PWDS issues from most government officials.

			<ul style="list-style-type: none"> • Public and private buildings are still not physically accessible to persons with disabilities despite the existence of legislations. • PWDS complained of the failure to have focal point persons in key government ministries to handle their issues. • The PWDS are high cost of living has necessitated non-accessibility of some ESCRs • There isn't information on services being provided by some service providers/duty bearers. • Insufficient funding to key ministries to finance disability issues
Northern	Mapalo Day Community School		<ul style="list-style-type: none"> • Limited funding to support operations of the organisation • Lack of transport to ferry critical cases to hospital and other operations
	Chatila Resettlement for Disabled	Blind	<ul style="list-style-type: none"> • Poor road network to the center Lack of loans from CEEC and limited supplies of FISP • Poor water supplies • Lack of civic representations – MP last visited the area in 1982 • Need for a permanent secondary school for settlers' children • Need for health Centre as the nearest in
North Western	Cheshire Homes	Different disabilities offering education services to the children	<ul style="list-style-type: none"> • Lack of expansion space • Lack of enough specialized human resource • Poorly funded and inadequate financial support from the government • Lack of transport facilities • Poor, dilapidated and outdated learning and teaching materials

Southern	St. Mulumbe school of Special Education	Different disabilities offering education services to the children	<ul style="list-style-type: none"> • Poor and outdated learning and teaching materials • Lack of assistive devices, • Inadequate laboratory facilities • Lack of recreation and sports facilities • Inadequate transport facilities
Western	Cheshire Homes	Different disabilities	<ul style="list-style-type: none"> • Inadequate specialized human resource • Inadequate teaching and learning materials • Low finance base to cater the needs of the children with disabilities. • Inadequate transport facilities • Inadequate assistive devices

5.0 Conclusion and Recommendation

Scanning of the legal and policy environment of Persons with Disabilities in Zambia reveals a number of strides have been made by Government to address issues of persons with Disability. The enactment of the Persons with Disability Act number 6 of 2012 which establishes the Zambia Agency for Persons with Disability and the formulation of the Persons with Disability Policy are good steps in main streaming issues of PWD. Interaction with Persons with Disabilities on the ground however shows that a lot needs to be done to make the aspirations of the PWD legal and policy documents a reality. Government needs to do more to implement the documents that embodies the aspirations of persons with disabilities. Furthermore, other pieces of legislation other than the PWD Act must be amended and aligned to the PWD Act. On the other hand, Society needs to be sensitized on the issues of Persons with Disability so as to break attitudes and stereotypes about Persons with Disability which inhibit the realization of PWD rights. Persons with Disabilities must be accepted by society as key stakeholders of development and not mere recipient of handouts and benevolence.

With the forgoing, JCTR is therefore making the following recommendations in order to realize the good aspiration of the PWD:

- Effective Legal and policy documents that seeks to promote the rights of PWDs.
- Increase funding to disability mainstreaming activities. Funding to Zambia Agency for Persons with Disability for instance is currently too low to enable the agency effectively implement the Disabilities Act. The Agency needs more financial as well as human resources to reach out to all part of the country and touch the lives of persons with disability.
- Awareness raising on PWD issues - Government should go beyond enactment of legislations and policies and intensifying awareness raising efforts towards disability policies and legislations to public and government employees if the policies have to be implemented
- Economic Empowerment - Extend economic empowerment programmes such as loans to Persons with Disabilities to enable them participate in the process of social and economic development
- Employ Persons with Disability in key public institutions and position so their needs and priorities could be better represented
- Enhance Special Education provision – Ensure that Special Education trained teachers teach subjects they are trained in by reintroducing special education allowance. The removal of the allowance has made special education teaching unattractive and led most specialized trained teachers teach other subjects
- Ensure and improve access to rehabilitation, habilitation, training, employments, sports, the cultural and physical environment. The provisions in the Disabilities Act aimed at addressing these issues must be strictly be enforced.
- Approval of construction of public building by

Government must ensure the plans are in line with the needs of Persons with Disability.



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