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The situation of persons with disabilities

The *World Report on Disability*, published jointly by the World Bank and WHO in 2011, estimated that there were 15 million persons with disabilities in Ethiopia, representing 17.6% of the total population at the time. According to the Ministry of Labour and Social Affairs, 95% of persons with disabilities in the country live in poverty - the vast majority in rural areas, where basic services are limited and the chances of accessing rehabilitative or support services are remote.

According to Handicap International, only 3% of Ethiopia's estimated 2.4 to 4.8 million children with disabilities go to school, due to stigma among parents and educators, inaccessibility, rigid teaching practices, poorly trained teachers and the lack of adapted learning resources. A survey conducted by the African Child Policy Forum in 2011 found that only 29% of children with disabilities were registered at birth. The survey also found that (often preventable) illness and complications during birth were the main causes of disability amongst children.

There are no reliable, up-to-date national statistics available on disability in Ethiopia. The most recent national census in 2007 found only 805,492 persons with disabilities in Ethiopia, merely 1.09% of the total population of 86 million. Commentators in the disability arena inside and outside Ethiopia generally regard the census data to be skewed by under-reporting, due to the way the census questions were formulated, lack of disability-related knowledge among those involved in census data gathering and analysis and the fact that a narrow definition of disability was applied.

The legal and policy frameworks

The government of Ethiopia has taken a number of legislative and policy steps that indicate commitment to advancing the rights of persons with disabilities. In terms of **international instruments**, these steps include:

- Signing and ratifying (in 2010) the United Nations Convention on the Rights of Persons with Disabilities (CRPD), the first international, legally binding treaty aimed at protecting the human rights of persons with disabilities. The Convention is available at www.un.org/disabilities/convention/conventionfull.shtml.
- Signing and ratifying other treaties that advance the rights of people, including those with disabilities, for example the UN Convention on the Rights of the Child, the African Charter on Human and People's Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the Beijing Platform for Action – all of which make some reference to protecting the rights of persons with disabilities to fair treatment, appropriate care, inclusion and full participation in society.

The African Commission on Human and Peoples' Rights has drafted a Protocol on the Rights of Persons with Disabilities. It was released for comment in April 2014 and once finalised, is likely to become part of Ethiopia's policy framework for advancing disability rights. Other important upcoming tools in 2014 are the CRPD Toolkit for Africa and the Accountability Framework for Africa which is part of the Common African position for Post 2015 Development.

In terms of **national laws and policies**, the following have the most direct bearing on the rights of persons with disabilities:

- Article 41(5) of the 1995 Constitution sets out the state's responsibility for the provision of necessary rehabilitation and support services to 'the physically and mentally disabled'. The wording of the article is out-dated and reflects a narrow, medical understanding of disability. However, under Article 9(4) and Article 13(2) of the Constitution, all international agreements ratified by the Ethiopian government automatically become part of the law of the

land. The state is therefore obliged to ensure the rights of persons with disabilities as prescribed in the CRPD.

- The Proclamation 568/2008 Concerning the Rights of Disabled Persons to Employment, which aims to protect and promote the rights of persons with disabilities to appropriate training, employment opportunities and salaries, and to prevent workplace discrimination.
- The Developmental Social Welfare Policy of 1997, which makes reference to the inclusion, participation and independence of persons with disabilities, including children. Implementation strategies include creating accessible physical environments, promoting positive attitudes towards disability, and assisting NGOs working on the issue.
- The Ethiopian Building Proclamation of 2009 makes it mandatory for public buildings to be physically accessible for persons with disabilities.
- The National Plan of Action for the Inclusion of Persons with Disabilities 2012 – 2021 is an ambitious policy framework that aims to mainstream disability issues in all fields of society. It makes provision for comprehensive rehabilitation services, equal opportunities for persons with disabilities in education, skills training and work, as well as full participation in the lives of their families, communities and the nation.
- Ethiopia's Growth and Transformation Plan (2010-2015) identifies disability as a crosscutting development issue. This is the third, 5-year term Poverty Reduction Strategy Paper formulated by Ethiopia since 2000, and it is the first to expressly address disability. It focuses on education and training, rehabilitation and equal access to services and opportunities for persons with disabilities, as well as strategies to prevent disability.

In spite of the policy advances above, formal commitment has not yet sufficiently manifested in action (Yibeltal 2013). There are still legislative and policy gaps. For example, Ethiopia has not signed the Optional Protocol to the CRPD, which would allow persons with disabilities whose rights have been violated to bring individual complaints to the Committee on the Rights of People with

Disabilities. Several domestic laws still have to be harmonised with the CRPD, as required by article 4 of the treaty. In addition, monitoring of disability policy implementation, especially in rural areas, remains weak. In recent years, some restrictive policies and legal frameworks that impede activities of disabled peoples' organisations (DPOs) and other civil society organisations in Ethiopia have been adopted (Wakene 2011). The Charities and Societies Proclamation of 2009 requires all non-governmental organisations working on rights-based advocacy to generate 90% their operational funding *only* from local sources and not from international collaborations of any sort.

Implementing agencies

Lead responsibility for advancing the rights of persons with disabilities in Ethiopia is vested in the Ministry of Labour and Social Affairs (MOLSA). Within the ministry, the Department of Rehabilitation Affairs has the mandate to coordinate disability issues at the federal level, provide policy guidance and technical support to other organs of state. In each of the 11 regions, there is a Bureau for Labour and Social Affairs (BOLSA) that is responsible to implement national disability policies and promote the integration of persons with disabilities at the regional level.

Besides MOLSA, the other main ministries involved in disability policy and programme implementation are the Ministries of Health and Education:

- The Ministry of Education is responsible to implement Ethiopia's mainstreaming approach to education for children with disabilities. There is some indication that a greater percentage of children with disabilities are attending school in Ethiopia than in a number of other African countries (ACPF 2011). However, it is not clear whether children attending school are in fact participating fully in the educational process and/or receiving special educational support when required. A significant number of children with disabilities reportedly drop out by Grade 5 because their schools would not allow them to progress further, due to their disability (ACPF 2011).
- While the Ministry of Health is responsible to provide general health services to persons

with disabilities along with the rest of the population, there appears to be little specific focus on disability within health policies. For example, in the Ministry's Annual Performance Report for 2012/13 (EFY2005), there are only two oblique references to disability.

- Per a law passed in 2010 (Proclamation No. 691/2010: Definitions of Power of the Executive Organs of the Federal Democratic Republic of Ethiopia), other ministries are also required to take responsibility for mainstreaming disability into their respective areas of work.

Despite these government arrangements, civil society is still playing a major role in the financing and delivering of services for persons with disabilities within all areas of social welfare. According to the ACPF survey, specialised health care services for children with disabilities in Ethiopia, and in particular rehabilitation, were predominantly offered by NGOs. For example, NGOs provided 87% of community-based rehabilitation services, 65% of specialised rehabilitation services, and 88% of occupational therapist services.

Accountability measures

Despite all the legal provisions and institutional arrangements in place, the attainment of the rights of persons with disabilities remains a major concern. At a broad level, the Ethiopian Human Rights Commission and the Institution of the Ombudsman have the mandate to monitor the protection and advancement of human rights in the country. In addition, a National Implementation Monitoring Coordinating Committee (NIMCC) was created under the chairmanship of MOLSA, with representation from key ministries and civil society, including DPOs. The NIMCC is responsible to monitor and report on the implementation of national laws and policies on disability, as well as the CRPD. Equivalent structures have been formed at regional levels. However, government capacity and technical expertise to monitor implementation is generally inadequate, and DPOs often have weak structures and synergy, especially at regional and district levels. The role of non-governmental actors in monitoring and advocating for the advancement of disability rights has also been limited by the 2009 NGO Proclamation. At the international level,

Ethiopia submitted its first report to the UN Committee on the CRPD in 2013. To monitor the continued process at the Committee, visit <http://www.ohchr.org/en/hrbodies/crpd/pages/crpdindex.aspx>.

Main civil society actors

As far as organisations of people with disabilities (DPOs) are concerned, the main actors in Ethiopia are:

- The **Federation of Ethiopian National Associations of People with Disabilities (FENAPD)** is an umbrella body that promotes the human rights of persons with disabilities and advance their well-being. It focuses mainly on awareness-raising, capacity-building and resource mobilisation. Its member organisations include: Ethiopian National Association of the Deaf; Ethiopian National Association of Persons Affected by Leprosy; Ethiopian National Association on Persons with Intellectual Disabilities; Ethiopian National Association of the Deaf-Blind; Ethiopian National Association of the Blind; and Ethiopian National Association of the Physically Handicapped.
- The **Ethiopian Women with Disabilities National Association (EWDNA)** is a membership-based organisation promoting the rights of women with disabilities nationwide.
- The **Ethiopia National Disability Action Network (ENDAN)** is another umbrella organisation, formerly known as the Ethiopian National Disability Forum. Its members include DPOs, as well as local and international organisations working in the disability terrain. It aims to support the exchange of information amongst organisations working on disability issues and to coordinate their efforts.
- The **Ethiopian Centre for Disability and Development (ECDD)** is a membership-based organisation of mostly prominent individuals reflecting different professions and aspects of society, the majority being persons with disabilities, and at least 50% women. It is active in the fields of rural and urban development, inclusive education and health services, as well as programmes aimed at children and youth. As of 2013, the female

lawyer and poet, Yetnebersh Nigussie is serving as Executive Director of ECDD.

Several international organisations are active in the disability movement in Ethiopia, including Oxfam, Save the Children, World Vision, UNICEF Ethiopia, Light of the World, the Steve Sinnot Foundation and Inclusion International. Other organisations playing a key role in awareness-raising, advocacy and service provision include (but are not limited to); The Cheshire Services Ethiopia, Cheshire Foundation, Handicap International, The International Labour Organisation, The Community-based Rehabilitation Network, The Tigray Disabled Veterans Association and the Secretariat of the African Decade of People with Disabilities (now the African Disability Alliance), which is working in Addis Ababa to influence the African Union, recently in the area of programmes related to conflicts and disasters.

What Sweden can do: 9 questions to discuss

- Could Sweden do more to systematically include disability rights as an explicit part in its support to accountability mechanisms, human rights institutions and watchdog organisations? Monitoring tools can be downloaded [here](#).
 - Could Swedish civil society support modalities become more inclusive of DPOs and strengthen their capacity to raise awareness around disability rights and engage in monitoring of the implementation of legal and policy commitments?
 - Could Sweden do more to include and enable DPOs and persons with disabilities to participate in its professional networks, academic engagements and in social and cultural events?
 - Could Sweden do more to ensure that women with disabilities are included in programmes focussing on SRHR - in particular in gender-based violence and women's empowerment initiatives?
 - Could Sweden do more to promote inclusions of disability rights in access to justice programmes, for example efforts to assist children with disabilities to be registered and access their educational rights?
 - Could Sweden do more to ensure that the supported entrepreneurship and private sector programmes are accessible to and inclusive of persons with various disabilities? Examples of tools can be found [here](#).
 - Could Sweden do more to bring a disability perspective into joint donor planning meetings with bilateral and multilateral agencies, taking into consideration that article 32 of the CRPD requires donors to do so? What support and additional information would the embassy need to take such initiative?
 - Could Sweden do more to encourage and support base line studies and participatory research on disability in Ethiopia so as to address the absence of reliable data? Could Sweden make better use of local disability researchers and experts – also as team leaders?
 - Could Sweden do more to keep up to date on the situation and rights of persons with disabilities in Ethiopia and of the Swedish position on these rights?
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The human rights of persons with disabilities are a Swedish government priority. As a service to staff, briefs have been prepared to provide basic information about the situation of this (often forgotten) group and inspire discussions on what Sweden could do to better include disability rights in diplomacy and programming.