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The situation of persons with disabilities

There are no reliable data on the number of persons living with a disability in Mozambique. In the data collection from 2007 (III RGPH), it was calculated that approximately 500,000 persons were living with a disability, certainly a gross underestimate.

According to a livelihood study carried out by the Norwegian SINTEF in 2009, almost one-third (26 per cent) of the households have one or more members with functional limitation while 6 per cent of the individuals in the study had a functional limitation.

This would mean around 1.5 million persons with disabilities. According to a UNICEF mapping (2013), 14 per cent of school age children have a disability. The National Statistics Institute (INE), an independent branch of the Ministry of Planning and Development, has no specific instructions or funding to collect information regarding disability. The different results of various studies reflect the absence of a commonly agreed definition of disability and poor data collection methods.

The education level for persons with disabilities is very low, especially in rural areas. According to a report made by the Secretariat of the African Decade in 2007, it was estimated that 80 per cent of children with disabilities don't go to school, although education is free and compulsory. In 2013, UNICEF embarked on a campaign to make the school system more inclusive.

Discrimination is common in employment, education, health care, and the provision of other state services. Despite economic growth, poverty reduction strategies and establishment of regional funds, persons with disabilities have had difficulties to access these programmes and funds targeting the poor. Persons with disabilities are often hindered by doubts on their own ability and negative attitudes of the service providers that often treat them as "objects of care".

Other challenges include the services for persons with mental health conditions. The country's only psychiatric hospital is overwhelmed with patients and lacks the means to guarantee basic nutrition, medicine, or shelter. Doctors at the hospital report that many families abandon members with disabilities. Mozambique has an estimated 0.04 psychiatrists per 100,000 individuals, and only 69 psychiatric nurses – representing 0.28 per 100,000 population. There are only eight psychiatrists operating in Mozambique who are Mozambican. If Mozambique wanted to meet the minimum WHO targets, they would need to train an additional 236 psychiatrists and 2,389 mental health nurses (WHO study, 2014).

More than 300,000 mines have been removed in Mozambique since 1992 and the country was expected to be declared mine-free by the end of 2014. However, these same minefields continue into Zimbabwe and continue to severely impact the lives of hundreds of thousands of Mozambicans and Zimbabweans alike. The mines have killed 2 500 persons many more have become disabled from mine injuries.

Legal and policy framework

The government of Mozambique 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 2012) the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol, 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 – 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.
- Ratifying the Optional Protocol to the Convention against Torture (in 2014) which requires the government must establish a body independent from government to inspect all places of detention including mental health facilities.

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 Mozambique'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:

The Constitution of Mozambique states that persons with disabilities shall fully enjoy the rights enshrined in the Constitution (art 37). The Constitution have a range of specific provisions for persons with disabilities, outlining their rights to special protection by family, society and the state (art 124 and 125) such as

- the state shall promote the creation of conditions for learning and developing sign language
- the state shall promote the creation of conditions necessary for the economic and social integration of the disabled
- the state shall promote, in co-operation with associations of the disabled and with private entities, a policy that will guarantee **(a)** the rehabilitation and integration of the disabled ; **(b)** the creation of appropriate conditions to prevent

- them from becoming socially isolated and marginalised; (c) priority treatment of disabled citizens by public and private services ; and (d) easy access to public places
- the state shall encourage the establishment of associations of the disabled

Article 15 and 16 of the Constitution specifies how the state shall ensure the special protection of those who were disabled in the national liberation struggle, as well as the orphans and other dependants of those who died in this cause.

There is not yet a comprehensive disability law in Mozambique, but in 2014 the government put in place a technical committee to drive the process of developing such a law to be called "The Rights of Persons with Disabilities Bill". The new law aims at domesticising the UNCRPD. The government has also put in place clear Terms of Reference for the technical committee and a road map for its work. The present draft is considered to need substantial revision. Presently there are only pieces of legislation that is applicable for persons of disabilities such as the Education Law, the Labour Law, the Law on Assistance to demobilised combatants with a disability and their relatives or dependents, the Law creating a national disability council, the Electoral Law which provides for the needs of voters with disabilities in the polling booths, the Law on rights and duties of persons living with HIV and AIDS, including the rights of persons with disabilities to communication and civic education in a language or means that take into account their special needs.

There is also a national disability Strategy from 2009. The underlying principles and strategies are aiming to ensure people with disabilities' effective participation in every aspect of contemporary society. It outlines some specific rights for people with disabilities, including, but not limited to the right to independent living; the right to integration in the family and community; the right to rehabilitation and access to compensatory means; the right to formal, special or vocational education; the right to employment; and the right to social protection.

There is also a national action plan on disability for the period from 2012 to 2019 (PNAD), which is

informed by various national and international instruments and inputs from all stakeholders.

Despite all these provisions persons with disabilities continue to have limited access to livelihood opportunities, education and skills training, participation in public and political life; health care, justice, legal capacity etc.

Implementing Agencies

The National Disability Council has a coordinating and monitoring role in relation to the Strategy and Plan of Action (PNAD), although very little is reported on its functioning. All Ministries have the responsibility to develop their own guidelines and activities according to National Action Plan (PNAD).

At national level it seems that the *Ministry for Women and Social Action* (MMAS) takes the key responsibility to coordinate and monitor the implementation of policies aiming at persons with disabilities. The National Institute of Social Action (INAS) is a branch of the MMAS that implements the Ministry's activities for all vulnerable groups countrywide.

Mozambique's *Ministry of Education and Culture* is primarily responsible for monitoring policies and implementing strategies to ensure that persons with disabilities have access to basic education and skills training. The legislation enunciates the right of children with disabilities to education and foresees special classes in mainstream schools ensuring the right of children with multiple or severe disabilities tailored to their capacities in a personalised manner. The Law also sets forth that vocational training shall be provided to children with disabilities in order to assist their integration into society and the labour market. However, children with disabilities still face huge difficulties in accessing their right to education.

The *Ministry of Health* (MISAU) is responsible for the design and implementation of policies that give PWD to access health care, rehabilitation and assistive devices. Rehabilitation services fall under the ambit of the Physical Medicine and Rehabilitation department (SMFR) that is responsible for the provincial rehabilitation centres. In many cases these are inaccessible to the country's dispersed rural population. The Ministry of Women and Social Action

is responsible for coordinating psychosocial and economic reintegration activities, which include community-based rehabilitation. Therefore, some services are provided by both ministries.

The *Ministry of Labour*, through the Institute for Employment and Professional Training (INEFP) provides training which enables people with disabilities to acquire specific skills and thus become self-employed.

The *Ministry of Youth and Sports* has been working towards creating an enabling environment for young people to engage in sporting and recreational events, with specific provisions to promote the involvement and participation of youngsters with a disability. The government has established a Sports Federation for People with Disability.

The poverty reduction strategy, Plano de Acção para o Aumento da Produção e Produtividade 2010-2015 (PARPA III) aimed at making economic growth more inclusive and strengthen social safety nets. Disabled people's organisations (DPOs) participated actively in the strategy process supported by the Global Partnership for Disability and Development (GPDD). Despite this there are no concrete targets or indicators for persons with disabilities in the strategy. Disability is mentioned in a general way as an issue that needs to be addressed, while concrete actions are missing.

In late 2011, the United Nations Partnership to Promote the Rights of Persons with Disabilities was established to support joint programming at the country level for the effective implementation of the Convention on the Rights of Persons with Disabilities and the promotion of disability-inclusive internationally agreed development goals. [A multi-donor trust fund](#) was launched to support and manage resources to carry out the programmatic activities of the partnership, with the main sponsor being the Government of Australia. Since then, the Governments of Finland, Greece and Sweden have also committed resources to the fund. Mozambique was one of the first recipients in 2012. Since then UN agencies in Mozambique have increased their support to disability inclusive initiatives.

Accountability Mechanisms

The following accountability mechanisms are established:

The National Human Rights Commission was created by law in 2009, but only became operational in 2013. Its mandate is to promote and defend human rights and to ensure that human rights provisions of the Constitution and international treaties are followed. Its formal mandate is still weak and the commission has been criticised by the UN Human Rights Committee.

A Constitutional amendment from 2005 created the independent *Ombudsman* with a mandate to investigate abuses including human rights violations. It only started operating in 2012 and has still to develop its functions.

None of the above accountability mechanisms have so far engaged in monitoring of rights of persons with disabilities.

The *National Disability Council* also has a monitoring role.

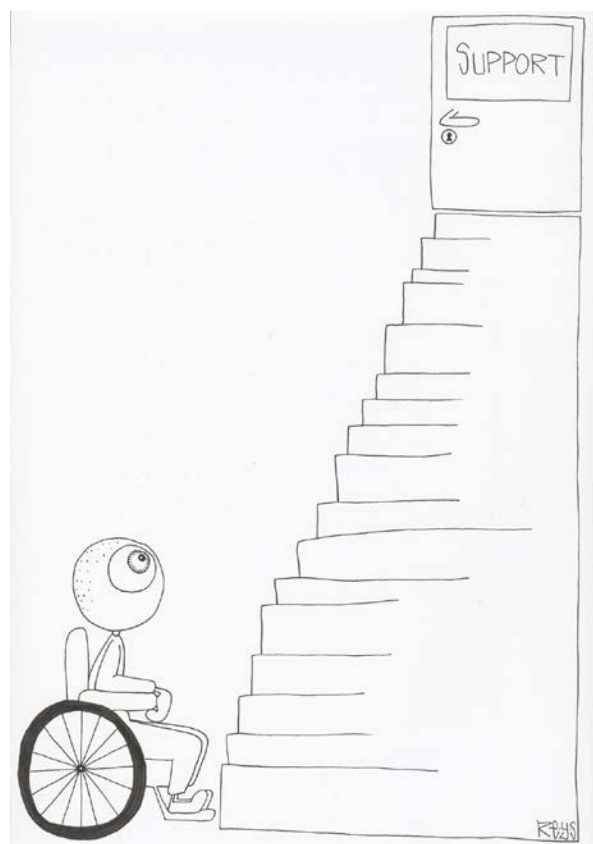
Main civil society actors

Most civil society organisations (CSOs), including disabled people's organisations, have existed less than 20 years and are still weak and highly dependent on donor support. The G20 is a national CSO platform, comprising of more than 20 CSOs. It was founded in order to facilitate the participation of the civil society in the development process, implementation and monitoring of the PRS. One of the members is the Forum of the Mozambican Associations for the Disabled (FAMOD), an umbrella organisation composed of 17 associations of and for persons with disabilities. FAMOD has not yet got a strong structure and is heavily dependent on donor financing. A list of disability organisation is provided below. Mozambican Association of the Retired (APOSEMO) has been appointed by the MMAS to represent all vulnerable groups.

There are a number of international non-governmental organisations present in Mozambique that interacts with some disabled persons organisations. The Global Partnership for Disability

and Development (GPDD) has supported capacity building in connection with the monitoring of the poverty reduction strategy. Other supporters are Helvetas, Switzerland, and Handicap International (supporting a Disability and HIV/AIDS mainstreaming program in Maputo, Sofala and Manica). There is also Finnish Disabled People's International Development Association (FIDIDA) and KEPA Service Centre for Development Cooperation, a Finnish NGO platform which has been an important partner for FAMOD and other disabled people's organisations. KEPA has played an important role in the formulation of the National Disability Policy and in the promotion of Human Rights of persons with disabilities. Swedish Diakonia has supported Mozambican Association of the Blind and Amblyopic People (ACAMO).

Since 2011, the UN has come aboard as a supporter of disability rights.



What Sweden can do – 10 questions to discuss

Coherent with the new results strategy for Mozambique with focus on human rights, rural development and livelihoods, women and youth economic empowerment entrepreneurship and employment and SRHR, Sweden has great opportunity to include persons with disabilities.

Questions to discuss:

- Could Sweden do more to keep up-dated with the developments within the area of disability rights?
 - Could Sweden do more to build relations and include disability organisations in social and professional events and networks?
 - Could Sweden do more to facilitate national and regional networking in the area of disability rights? Especially encouraging linkages between DPOs and general human rights organisations and initiatives?
 - Could Sweden do more to include disability organisations in capacity building programmes/funding modalities for civil society/human rights organisations? Especially addressing issues of fragmentation and district level advocacy and monitoring capacities?
 - Could Sweden do more to support the accountability mechanisms to develop capacity in the area of disability rights (e.g. capacity of Ombudsman and Human Rights Commission, law reforms, access to legal aid, reporting on the CRPD, monitoring of violations)? Monitoring tools can be downloaded [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 to promote and support inclusion of disability aspects and indicators in the overall development agenda? E.g. Inclusion Made Easy - a quick programme guide to disability in development [here](#)
 - Could Sweden do more to promote inclusion (with quality and retention) of children and youth with various disabilities in education, skills training and economic empowerment programmes at all levels? Resources and tools can be found [here](#)
 - Could Sweden do more to ensure accessibility for persons with various disabilities to economic empowerment programmes such as micro-credits, loans, vocational/skills training, agricultural and rural livelihood programmes and literacy programs - particularly for women and youth with disabilities? Examples of tools can be found [here](#).
 - Could Sweden do more to include women with disabilities in women networks, economic empowerment and in SRHR/GBV initiatives?
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Disability organisations in Mozambique

FAMOD	Forum das Associações Moçambicanas de Deficientes (umbrella)
ACAMO	Associação de Cegos e Amblíopes de Moçambique
ACRIDEME	Associação de pais e amigos de Crianças Deficientes Mentais
ADEMIMO	Associação de Deficientes Militares e Paramilitares de Moçambique
ADEMO	Associação dos Deficientes Moçambicanos
ADESU	Associação dos Deficientes do Ensino Superior
ADPPDCM	Associação de Desporto da Pessoa Portadora de Deficiência da Cidade de Maputo
ADPPDPM	Associação Desportiva para Pessoas com Deficiência da Provincia de Maputo
AJODEMO	Associação dos Jovens Deficientes de Moçambique
AMDV	Associação Moçambicana dos Deficientes Visuais
AMMD	Associação Moçambicana de Mulheres portadoras de Deficiência
AMOFAS	Associação Moçambicana dos Familiares e Amigos dos Surdos
ASUMO	Associação dos Surdos Moçambicanos
CERCI	Cooperativa para a Educação e a Reabilitação de Cidadões Inadaptados
CINFORTECNICA	Associação de Jovens Técnicos Portadores de Deficiência de Moçambique
CODDEFAM	Comité de Defesa dos Deficientes das Forças Armadas de Moçambique
CPM	Comité Paralimpico de Moçambique
NLHUVUKU	Grupo teatral
RAVIM	Rede para Assistência as Vítimas de Minas

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Mental Health in Mozambique <http://www.healthallianceinternational.org/blog/post/mental-health-care-workers-in-mozambique>

Mine Clearance and Mine Victims in Mozambique <http://www.icbl.org/en-gb/news-and-events/news/2014/going-back-to-mozambique-country-spotlight.aspx>

Handicap International <http://www.handicap-international.us/mozambique>

New Disability Bill in Mozambique <http://disabilityrightswatch.blogspot.se/2014/05/draft-disability-bill-in-mozambique.html>

UNICEF/government campaign on children with disabilities, 2013 <http://reliefweb.int/report/mozambique/unicef-support-government-launches-campaign-rights-children-disabilities>

Education for children with disabilities in Mozambique <http://www.osisa.org/law/mozambique/preparing-evidence-based-advocacy-strategy-inclusive-education-children-disabilities-> and <http://www.globalpartnership.org/country/mozambique> and <http://www.right-to-education.org/resource/invisible-children-disability-challenge-mozambique>

UN web site on disability rights <http://www.un.org/disabilities/>

UN Disability Trust Fund <http://mptf.undp.org/factsheet/fund/RPD00>

ILO study (2010) “The Price of Exclusion: The economic consequences of excluding PWD from the world of work”, Sebastian Backup

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.