**Policy brief:** How inclusive are Zambia’s Social Protection Policies of the needs of Persons with Disabilities? An Analysis of Selected Policies

**Key policy messages**

- Even though the majority of the Social Protection-related policies that were analysed tended to be quite inclusive of the needs of persons with disabilities, some policies are still not inclusive, despite being formulated after Zambia ratified and signed the UN Convention on the Rights of Persons with Disabilities (UNCRPD).

- Social Protection policies are well articulated in terms of rights, access, inclusiveness and implementation plans as they mirror international best practices, but they are not detailed enough with regards to budgetary and enforcement mechanisms, which makes effective implementation a challenge.

- Policy documents should be clear on budgetary allocations for programmes targeting persons with disabilities, and include detailed enforcement mechanisms that clearly spell out the consequences of non-compliance, as well as the incentives accompanying compliance.

**Overview**

Recognising that households with persons with disabilities tend to be poorer than households without a disabled member, there has been an increased drive towards addressing these imbalances and inequalities by providing social protection to poor people with disabilities and their households (World Report on Disability, 2011). In an assessment of living conditions among persons with activity limitations (Eide and Loeb, 2006), persons with disabilities, or indeed households with persons with disabilities, scored low on a number of indicators of level of living conditions, compared to households without persons with disabilities, or persons without disabilities. The right to social protection for persons with disabilities is enshrined in Article 28 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), which recognises the “right of persons with disabilities to social protection and the enjoyment of that right without discrimination on the basis of disability”. The main argument for the inclusion of persons with disabilities in social protection is based on the relationship between poverty and disability, especially in developing countries such as Zambia.

The Zambian Government has introduced a number of laws and policies targeted at providing social protection to vulnerable persons, which includes persons with disabilities. In addition to signing and ratifying the UNCRPD at the international level, there are local policies and legislations that regulate the provision of social protection for vulnerable persons, including persons with disabilities. Key among these is the adoption of the National Social Protection Policy (2014) as part of a nationwide social reforms programme. This policy considers disability as one of its main pillars, as well as the provision of the social cash transfers and other funds for persons considered to be vulnerable which, by implication, includes persons with disabilities. The importance of including persons with disabilities
in all national programmes is also clearly outlined in Zambia’s long-term development plans in the Vision 2030 and the revised Sixth National Development Plan (r-SNDP), which aims to promote inclusive growth and significantly reduce hunger and poverty.

However, despite the various legal frameworks for protecting the rights of vulnerable persons, such as persons with disabilities, translating these intentions into implementable programmes still falls far short of expectations. These results and policy recommendations are drawn from analysis of selected policy documents related to social protection in Zambia. These include the National Social Protection Policy (2014); National Gender Policy (2014); National Youth Policy (2015); National Housing Policy (1996) and Gender Equity and Equality Act (2015). These documents are analysed against seven criteria in terms of content related to persons with disabilities: rights, accessibility, inclusivity, national implementation plan, enforcement mechanisms, budgetary concerns, and information management. Each of these criteria is scored on a scale of 1-4 depending on how disability is addressed: 1 (weak); 2 (questionable); 3 (medium); and 4 (high).

Specifically, ‘high’ means that the policy explicitly acknowledges the right to services and programmes and any issues addressed in that policy for persons with disabilities and specifically mentions persons with disabilities; ‘questionable’ means the policy states the right to services but does not mention persons with disabilities; while ‘weak’ means no mention in the policy of access to services or the rights to services by persons with disabilities.

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Results

Figure 1 presents the comparisons of the averages for the selected policies in the social protection domain. Analysis of the individual policies under this domain shows some remarkably high scores for some policies. Among these are the National Youth Policy (2015) (3.7 out 4.0) and the National Social Protection Policy (2014), (3.6 out of 4.0). However, this is not surprising considering that that these policies were formulated after Zambia ratified and signed the UNCRPD (February 2010), which likely influenced the content of these policies. That said, it is also important to note that even though the Gender Equity and Equality Bill (2015) and the National Gender Policy (2015) were formulated after Zambia had ratified the UNCRPD, these documents score quite poorly on average (2.3 out of 4.0 and 2.7 out of 4.0 respectively).
The policies are also analysed with regard to their average performance on the criteria of rights to services/programmes, inclusivity of the programmes, clearly defined implementation plans, enforcement mechanisms, budgetary concerns and information management. These are also scored on a scale ranging between 1 and 4 depending on how the above thematic areas are covered or included in the documents in relation to persons with disabilities. The results (Figure 2) show that on average the selected policy documents scored relatively highly with regard to the rights of vulnerable persons, including persons with disabilities, and with regard to services and programmes (average score of 3.4 out of 4.0). However, the policy documents tended to score poorly with regard to enforcement mechanisms (averaging 2.5 out of 4.0).

**Figure 1: Average scores for the selected policy documents**

**Figure 2: Average performance of the education policies in the different thematic areas**
**Key message 1**

Zambia has performed relatively well with regard to developing policies and programmes aimed at providing social protection among vulnerable persons, which, by implication, also includes persons with disabilities. Furthermore, detailed analysis shows that these policies tend to be well articulated, as they mirror and are in alignment with internationally recommended best practices.

**Key message 2**

Even though most of the policy documents formulated after Zambia ratified and signed the UNCRPD tend to be quite inclusive of the needs of persons with disabilities, there are still some relatively newer documents that make no mention of disability. A case in point is the National Gender Policy (2014) and the Gender Equity and Equality Bill (2015).

**Key message 3**

Policies in the social protection domain tend to be quite articulate and rate fairly highly with regard to rights of persons with disabilities, accessibility of services and programmes, inclusiveness of services and programmes and the implementation plans. However, this detail is lacking in enforcement mechanisms, implying that although the policies may appear comprehensive in theory, effective implementation may be a challenge.

**Key message 4**

The policy documents tend not to have disability disaggregated and robust monitoring plans. In most cases, persons with disabilities are included within ‘vulnerable populations’, which masks the additional challenges that persons with disabilities face in accessing services and makes planning for them difficult. Finally, the lack of detailed enforcement mechanisms means that it is not clear on the implications of non-compliance, as well as the incentives that come with compliance. This also contributes to the lack of effectiveness of the policies.

**Recommendations**

The analysis of selected social protection policies shows that they are quite adequate and elaborate with regard to rights, accessibility and being inclusive of the needs of persons with disabilities. However, the same cannot be said when it comes to enforcement mechanisms, and budgetary and monitoring concerns, all of which tend to be quite weak. In this regard, it is recommended that:

1. The budgetary sections of the different policy documents include financial allocations specifically targeted for issues dealing with persons with disabilities, as well as clear indications on the sources of funding and the institutions responsible for providing the funding.
2. The lack of clear enforcement mechanisms makes it difficult to ensure compliance. Where provisions are made specifically to address challenges faced by persons with disabilities, these should be accompanied by clearly articulated enforcement mechanisms, as well as the specific penalties or incentives that go with non-compliance or compliance.
3. There is a need to improve on issues of monitoring. For instance, the tendency of looking at persons with disabilities as a homogenous group, or indeed in most cases not acknowledging that persons with disabilities tend to have special needs that are different from the needs of other vulnerable groups, results in designing programmes that tend to be inaccessible to persons with disabilities. It is therefore recommended that in policy documents, persons with disabilities be separated from the so-called ‘vulnerable groups’ in view of the additional challenges they face.

4. Following on from the above, it is also recommended that the monitoring of the policy documents is redesigned so as to be able to collect disability disaggregated data in order to ensure effectiveness. Furthermore, the disaggregation should not only indicate whether a person has a disability or not, but also the type of disability, because this will affect the challenges faced when accessing services and programmes.

Further reading


Research team

Richard Bwalya, Professor Mubiana Macwang’i, Dr. Joseph Simbaya, (Institute of Economic and Social Research, University of Zambia), Dr. Barnabas Chitalu and Inger Mutenekwa (Zambia Agency for Persons with Disabilities).

Principal Investigator: Professor Nora Groce, Leonard Cheshire Disability and Inclusive Development Centre, UCL, UK

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