CHAPTER ONE

1.0   INTRODUCTION

1.1   Background

Persons with disabilities in Malawi, as in many other countries, face numerous challenges that result in their exclusion from the mainstream of society, making it difficult for them to access their fundamental social, political and economic rights. Many make their way through life impoverished, abandoned, uneducated, malnourished, discriminated against, neglected and vulnerable. For them, life is a daily struggle to survive. Whether they live in urban centres or in rural areas, they share these common problems. They are largely excluded from essential services and they lack the protection of the family and community, and are often at risk of exploitation and abuse. The factors contributing to this pathetic situation are many and varied but include poverty, unemployment, social isolation, environmental, institutional, attitudinal, and economic barriers.

However, some countries have, in recent years, made a series of commitments to ensure that the rights of persons with disabilities are met. They have adopted laws and policies aiming to achieve equalization of opportunities for persons with disabilities by promoting their rights and ensuring their full and equal participation in society. This has often been in response to national Constitutions, other national policies and legislations as well as regional, continental and international Conventions. These policies are frequently supported by legislation and implementation strategies as essential tools to promote the integration and social inclusion of persons with disabilities.

In Malawi, the most far-reaching and comprehensive of these commitments is the development of the National Policy on Equalization of Opportunities for Persons with Disabilities that is intended to meet the challenges and aspirations of people with disabilities. The effectiveness of the Policy in achieving equalization of opportunities for disabled persons is central, not only in terms of the economic rights of disabled people, but also their broader social and political rights, which are closely linked to economic empowerment. It is for this reason that the policy was developed following a broad-based consultative process that involved men and women from various levels and sectors of the country, reflecting the cross-cutting nature and prevalence of disability in Malawi.

1.2   Purpose Of The Policy

The purpose of the National Policy on Equalisation of Opportunities for Persons with Disabilities is to promote the rights of people with disabilities to enable them play a full and participatory role in society. The aim is to ensure that concrete steps are taken for people with disabilities to access the same fundamental rights and responsibilities as any other Malawian citizen. This means that there must be integration of disability issues in all government development strategies, planning and programmes. There must be an integrated and coordinated management system of planning, implementation and monitoring at all levels. To complement the process, there must be capacity building

and wide public education and awareness about disability. Reaching these goals should benefit not only persons with disabilities, but also society as a whole.

1.3 Linkages With Other Relevant Policies

Disability is a cross-cutting issue. It affects and is affected by all aspects of life namely, economic, social, cultural, political, environmental and technological. A comprehensive policy and action plan to address disability issues and their effects on persons with disabilities should be based, therefore, on a thorough exploration and appreciation of its relationships with other relevant Government policies and legislations. The National Policy on Equalisation of Opportunities for Persons with Disabilities is linked to a number of other national policies, legislation and instruments such as the Constitution of Malawi which prohibits discrimination on the grounds of disability and promotes the inclusion of people with disabilities; the Vision 2020 and the Malawi Poverty Reduction Strategy Paper (MPRSP) as well as the Malawi Economic Growth Strategy (MEGS) which recognize the need to develop the capabilities and potential of persons with disabilities to increase their productive capacity; remove barriers which limit their participation in society; and improve social, economic and environmental conditions that limit their access to decision-making processes.

It is also linked to the Education Policy which contains provisions for all learners with special needs; the Handicapped Persons Act, 1971 which established the Malawi Council for the Handicapped with the responsibility to promote the welfare of disabled persons and to administer vocational and special training centres, as well as rehabilitation and welfare services for people with disabilities. It is also related to the Employment Act that prohibits any discrimination on any grounds, including disability in such areas as training, recruitment, pay and advancement of people with disabilities. The Policy is related to Health, which provides for the establishment of medical rehabilitation services in government hospitals, and to provision of health services including mobility aids and appliances to people with disabilities. It is also linked to Gender and Youth policies, among others.

1.4 Outline of the Policy

This Policy document is organised into five chapters as follows: The Introduction in Chapter One sets the background of the policy stating its purpose and aim. The Policy also describes briefly how it links with other existing policies and other pieces of legislation. Chapter Two describes the existing situation of persons with disabilities including the prevalence rate of disability and the key challenges and barriers faced by persons with disabilities in Malawi. In setting the broad policy directions in Chapter Three, the document highlights the vision, mission and the principles that will guide its implementation. It also states the overall goal and objectives of the policy. Chapter Four highlights the policy statements identifying sector priority policy areas and singles out the goals, objectives and strategies for each priority policy area. The Policy document in Chapter Five highlights implementation arrangements including institutional arrangements. Then finally in Chapter Six, issues of monitoring and evaluation including the review of the Policy are considered.

CHAPTER TWO

2.0 SITUATION ANALYSIS

2.1 NATURE AND MAGNITUDE OF THE PROBLEM

The major problem facing people with disabilities in Malawi is that of exclusion. People with Disabilities are excluded from the mainstream of society and as such experience difficulty in accessing fundamental social political and economic rights. There is a strong relationship between disability and poverty. Poverty makes people more vulnerable to disability and disability reinforces and deepens poverty.

Disability tends to be couched within a medical and welfare framework, identifying people with disabilities as ill, different from their non-disabled peers, and in need of care. Because the emphasis is on the medical needs of people with disabilities, there is a corresponding neglect of their wider social needs. This has resulted in severe isolation for people with disabilities and their families.

However, over the recent past years, disability has been repositioned as a human rights and development issue with the recognition that if society cannot cater for people with disabilities, it is society that must change.

2.2 PREVALENCE OF DISABILITY IN MALAWI

Malawi has people with various kinds of disabilities. There is, however, a lack of reliable statistics on the nature and prevalence of disability in Malawi. According to a 1983 national survey, there were 190,000 people with disabilities in Malawi that translated into 2.9 per cent of the population of the time, 54% of which was male and 46% female. The study also revealed that 45% were in the 15 – 45 age category and 24% were 50 years or older and that 90% of them lived in rural areas with little or no access to rehabilitation services.

However, a 2003 study on the Living Conditions among People with Activity Limitations indicated that the number of people with disabilities in Malawi has grown up by 30% in the twenty-year period (1983 to 2003). The study revealed that 4.18% or 480,000 persons of the population consist of persons with disabilities, 51% being males and 48% females. The study further shows that access to education is restricted to persons with disabilities especially those with sensory and mental impairments. The level of unemployment among persons with disabilities is higher. In general women score lower on many of the indicators of the level of living conditions. Individuals with mental/emotional impairments experience activity limitations in social participation to a greater degree than do others with other types of impairments. There is, however, need to conduct a comprehensive disability survey in order to determine the accurate numbers of people with disabilities, types of disabilities and their prevalence, geographic coverage and age distribution.

2.3   POVERTY AND DISABILITY

Poverty, which is defined as the lack of productive means to fulfil basic needs such as food, water, shelter, education and health, is prevalent among persons with disabilities. Disabled people, in all parts of the world, experience discrimination and are widely excluded from the social, economic and political life of the community. This exclusion is the basic cause of high rates of poverty among disabled people in the poorest countries.

In Malawi poverty is widespread, deep and severe.   There is a close link between poverty and disability in the sense that poverty often causes disability and disability increases poverty. This situation has been recognized in the Malawi Poverty Reduction Strategy Paper (MPRSP).   Under Pillar 3; Improving the Quality of Life of the Most Vulnerable: Action will be taken to "ensure that the quality of life of the most vulnerable is improved and maintained at an acceptable level by providing moderate support to the transient poor and substantial transfers to the chronically poor."

2.4   BARRIERS AND KEY CHALLENGES

Persons with disabilities face a number of barriers such as environmental, institutional, attitudinal and economic barriers that prevent them from participating fully in and being included in the mainstream of society.   Environmental barriers include inaccessible public and private buildings; institutional barriers include expulsion, exclusion and segregation from key social institutions; while due to attitudinal barriers, persons with disabilities are treated with prejudice of varying degrees.   Persons with disabilities also face a number of economic barriers and are disadvantaged in terms of access to loans; land and property ownership; business ventures and employment avenues resulting in the majority of persons with disabilities living in abject poverty with no access to resources and income.

Owing to these barriers, the majority of people with disabilities in Malawi are confronted with many and varied challenges as they struggle to achieve their broader political, social and economic rights that would lead to their inclusion and integration into the mainstream Malawian society.   The following are the major challenges that need to be addressed in order to create a society for all:

2.4.1 Exclusion, Marginalisation and Vulnerability

Disabled people experience discrimination from birth, or from the moment of becoming disabled, onwards. The birth of a disabled child is often considered a tragedy. Disabled children need more attention and may not be considered to have the potential to support themselves, let alone the older generation, in the future. In communities that are already living in chronic poverty this is very significant. Disabled children may be protected and cared for, but are often excluded from the day-to-day activities of the family and the community.

2.4.2 Health Care

Disabled people have the same needs for basic health services as anyone else. This is often denied. Health centres may be physically inaccessible and/or far apart,

particularly in rural areas, and health workers may discriminate against them. Information on health care is often not provided in accessible formats and disabled persons are not targeted for health education. Meeting such needs is a prerequisite for achieving full participation.

2.4.3 Education

Universal primary education is unobtainable without the inclusion of disabled people. Ninety-eight percent of disabled children receive no formal education (UNICEF). Even if the schools are physically accessible, many disabled children remain excluded. Parents may fear that the child will not cope or that disclosure of a disabled child will stigmatise the whole family and affect the marriage prospects of siblings. They may consider that investment in a disabled child is not worthwhile. Children who do not get education often receive inferior treatment, have low self-esteem and do not get support that they need in order to participate equally.

2.4.4 HIV AND AIDS

Disabled people are particularly affected by and vulnerable to HIV and AIDS. Many disabled people are also indirectly affected by HIV and AIDS. They are often dependent on their families and due to HIV/AIDS they risk losing the family that assist them. They have inadequate access to information, health care and treatment. Information is rarely available on appropriate formats for disabled persons. The sexuality of disabled persons is rarely appreciated and therefore infrequently discussed. Disabled persons are presumed not to have sexual desire, which may yet be another reason why information about HIV and AIDS does not reach these groups.

2.4.5 Employment

People with disabilities have restricted employment opportunities, mainly due to discrimination, inadequate education and training, job experience and confidence. As a matter of fact, employment opportunities for disabled people in developing countries are often almost non-existent. Consequently many depend on welfare or even beg for a living.

2.4.6 Exploitation

Disabled persons with requisite qualifications often lack opportunities to use them due to a number of factors such as discriminatory employment practices, inaccessible start up capital and negative attitudes in general. Exploitation is worse for people with intellectual disabilities and those with speech and hearing impairments. As a consequence, the latter may gain more from begging than as workers, a situation that may sometimes leads to new forms of exploitation.

2.4.7 Poverty

Exclusion leads disabled people to fall further into chronic poverty with little opportunity of breaking out of the cycle. When the main family breadwinner becomes

disabled, the whole household risks sliding more deeply into poverty. Removing barriers and enabling disabled people to contribute could help reduce poverty in the whole community. Conversely, without their inclusion, sustainable poverty reduction for the whole community may not be achieved.

2.4.8   Access Barriers

In addition to social and attitudinal barriers, disabled people also face architectural and environmental barriers that limit access to community services and facilities and hinder equal participation. Most roads, buildings, houses and public utilities – including public transport – do not cater for special mobility needs. Little or no attempt is made to legislate to require accessibility provisions in public services. Persons with sensory disabilities are completely cut off from the information world when public services fail to provide information in accessible formats, such as Braille, sign language and easy-to-read texts.

2.4.9   Political Process

Disabled people are frequently excluded from decision-making processes, including the fundamental right to participate in elections. This is most often due to barriers to access, such as lack of access to information and lack of access to voting booths.

2.4.10   Specific Concerns of Disabled Women and Children

Children and women with disabilities experience greater discrimination and higher levels of exclusion from the mainstream society. Women with disability are subjected to dual discrimination; first based on their gender which assign them a lower status and secondly, they are further devalued because of how society perceives disability and are in some instances discriminated against by fellow non-disabled women. On the other hand, children with disabilities are severely disadvantaged by their dependence on the goodwill of their parents and guardians for them to access the very limited early intervention and rehabilitation services that are available in the country.

CHAPTER THREE

3.0 BROAD POLICY DIRECTIONS

To promote the rights of people with disabilities and enable them play a full and participatory role in the Malawi society, the Policy sets out broad directions as follows:

3.1 VISION

Malawi becoming a nation where people with disabilities have equal opportunities to participate in various undertakings and realize their potentials and goals in life.

3.2 MISSION

To promote the inclusion of persons with disabilities at all levels of society through the creation of an enabling environment for the respect of human diversity, human rights and the development of all human potential.

3.3 GUIDING PRINCIPLES

In view of the challenges and externalities highlighted and in order to achieve its vision and mission, the implementation of the Policy will be guided by a number of principles including the following:

3.3.1 Recognition of the diversity of the disabled population

The policy recognises that disabled persons in Malawi do not form a homogeneous group. Only policies that respect this diversity will work. In particular, people with severe needs may require more support and specialised intervention.

3.3.2 Advocacy and support to the human rights approach to disability

The policy affirms that disabled people want equal rights, not charity. They are entitled to the same human rights, as all other citizens as enshrined in the Universal Declaration on Human Rights, the Malawi Constitution and various international Conventions that all stress that all human beings are free and equal and should be treated with dignity.

3.3.3 A twin-track approach to service delivery

The policy underscores the need to mainstream disability issues across all relevant government policies, plans, programmes and projects and to have at the same time specific policies, plans, programmes and projects administered by the responsible line Ministry. This means that sector disability priority areas should be recognised and their cost of implementation included in the individual budgets of line Ministries and Departments as well as Local Assemblies, apart from the Ministry responsible for Persons with Disabilities maintaining its own budget.

3.3.4 Ensuring access for disabled people to all public sector activities

The policy confirms the importance of recognising the access needs of people with disabilities. Disability should be adequately reflected within the national development strategy process and documentation. Government should ensure that public infrastructure including buildings is accessible to all.

3.3.5 Ensuring the inclusion of disabled people – "nothing about us without us"

The policy recognises the need for disabled people to be involved in the development of national programmes, projects and services. Nobody knows as much about disability and the processes of exclusion as disabled people themselves. It is essential to consult regularly with representative disabled people's organisations.

3.3.6 Participatory approach and community empowerment

The policy adopts the Community-Based Rehabilitation (CBR) as a national strategy in view of its proven potential to contribute to the empowerment of disabled people in selected districts in Malawi. This strategy should be implemented through the combined efforts of people with disabilities, their families and communities, and the appropriate health, education, vocational and social and other related services.

3.3.7 Monitoring and evaluation of inclusiveness of government programmes

The policy calls upon Government, through its monitoring and evaluation of the implementation of its programmes, to examine the extent to which the programmes of line Ministries, Departments and parastatals are responsive to the needs of persons with disabilities.

3.3.8 Promotion of gender equality and equity in disability programmes

The policy recognises the need to promote gender equality and equity and, therefore, encourages the adoption of programmes and projects that give both men and women with disabilities an equal influence on the design, decision-making and implementation of such programmes.

3.3.9 Inclusion of disabled people in the workforce

The policy recognises the need for the public sector to take the lead and be exemplary in employing a reasonable proportion of disabled people among its staff. This could be achieved by working with specific quotas although a more fruitful approach would be to ensure that disabled people are fully included in training and employment

programmes. Public servants should be made aware of the need to include disabled people in the workplace.

3.3.10 Facilitation and supporting capacity building of disabled people's organisations

The policy recognises the need to take deliberate efforts to facilitate the process of establishing or strengthening disabled people's organisations. This could be supported through funding of capacity building for these organisations in order that they can be empowered and, thereby, have increased influence in decision-making.

3.4 OVERALL GOAL

The overriding goal of the Policy is to integrate fully persons with disabilities in all aspects of life thereby equalizing their opportunities in order to enhance their dignity and well-being so that they have essentials of life.

3.5 OVERALL POLICY OBJECTIVES

The main objectives of this Policy document are to:

3.5.1 Formulate strategies towards disability prevention, rehabilitation and equalization of opportunities for persons with disabilities.

3.5.2 Support community-based service delivery, in collaboration with local and international development agencies and organizations.

3.5.3 Promote efforts that encourage positive attitudes towards children, youth, women and adults with disabilities,

3.5.4 Develop programmes that alleviate poverty amongst disabled people and their families.

3.5.5 Put in place programmes that create greater awareness and conscientiousness of communities and government relating to disability.

3.5.6 Strengthen the National Advisory and Coordination Committee on Disability Issues by, among other things, ensuring the effective representation of disabled persons and other stakeholder organisations.

3.5.7 Mainstream disability on the social, economic and political agenda of development programmes.

CHAPTER FOUR

4.0 POLICY STATEMENTS

To achieve its overall goal and objectives, the Policy identifies the specific priority areas that need addressing as follows:

4.1 Prevention, Early Identification and Intervention

4.1.1 Objective

Facilitate the development of a coordinated system for the prevention, detection and intervention of disabilities and reduction of secondary disabilities.

4.1.1.0 Strategies

4.1.1.1   Undertake research to continuously update disability information.

4.1.1.2   Make available current information to planners and stakeholders for appropriate   interventions and programmes.

4.1.1.3   Develop and implement appropriate screening tools for the identification of disabilities.

4.1.1.4   Facilitate the training and availability of personnel to implement screening and health care messages.

4.1.1.5   Increase the capacity of trained medical and other rehabilitation personnel.

4.1.1.6   Promote occupational health and safety in the work place.

4.1.1.7   Strengthen measures to prevent risky social activities and practices.

4.1.1.8   Encourage mass awareness about the causes and prevention of disabling conditions.

4.2 Rehabilitation

4.2.1 Objective

Promote availability of the necessary equipment, skills and services to all persons with disabilities to enable them achieve and maintain their optimum physical, sensory, intellectual and social functional level.

4.2.1.0   Strategies

4.2.1.1   Increase access and availability of trained rehabilitation personnel.

4.2.1.2   Facilitate availability of adequate and accessible medical and other rehabilitation services and facilities.

4.2.1.3   Equip social workers with necessary counselling techniques in health, social, education and employment issues.

4.2.1.4   Facilitate the production and availability of quality adaptive equipment and assistive aids.

4.2.1.5   Promote access to vocational training and socio-economic advancement.

4.2.1.6   Provide minimum disability package.

4.2.1.7   Consolidate and extend CBR programmes.

4.3   Accessibility

4.3.1   Objective

Promote easy access to the physical environment.

4.3.1.0   Strategies

4.3.1.1   Develop building standards and guidelines including internal furnishings that are appropriate and accessible for persons with disabilities.

4.3.1.2   Produce regulations for stakeholders compliance.

4.3.1.3   Encourage owners of public property to adapt existing buildings.

4.4   Transport

4.4.1   Objectives

Develop an accessible, appropriate and affordable transport system for persons with disabilities.

4.4.1.0 Strategies

4.4.1.1   Design public transport facilities and internal furnishings to allow easy access and convenience for persons with disabilities.

4.4.1.2   Support innovative designs for appropriate modes of transport for private use.

4.4.1.3   Make available and accessible travel information, signs, symbols and warning signals for all users with disabilities.

4.4.1.4   Undertake disability awareness among public transport staff and encourage the use of sign language and alternative communication systems.

4.4.1.5   Install appropriate and adequate road safety measures for persons with disabilities.

4.4.1.6   Allocate appropriate parking lots for persons with disabilities in public and private car parks.

4.5   Information and Communication

4.5.1 Objective

Develop a multi-sector integrated national disability awareness strategy.

4.5.1.0 Strategies

4.5.1.1   Promote public awareness of human rights for persons with disabilities.

4.5.1.2   Develop a disability awareness programme within every line Ministry/Department in Government.

4.5.1.3   Develop disability awareness projects aimed at journalists and the public broadcasters.

4.5.1.4   Increase visibility of people with disabilities in the media.

4.5.1.5   Provide guidelines on disability friendly terminology for use by the media and general public.

4.5.2 Objective

Improve access to public information and communication by persons with disabilities.

4.5.2.0   Strategies

4.5.2.1   Facilitate availability and accessibility of public communication and service points to women and men with disabilities.

4.5.2.2   Provide information and education materials in accessible formats to persons with disabilities.

4.5.2.3   Establish a national sign language.

4.5.2.4   Research and develop alternative communication systems for persons with communication difficulties.

4.5.2.5   Provide equipment and technology to reproduce accessible materials.

4.6   Education and Training

4.6.1   Objective

Promote equal access and inclusion of persons with disabilities in education and training programmes.

4.6.1.0   Strategies

4.6.1.1   Promote awareness among parents or guardians on the need to send children with disabilities to school.

4.6.1.2   Design and develop appropriate technologies, assistive devices and learning materials.

4.6.1.3   Provide free appropriate technology, equipment and resources to assist boys, girls, men and women with disabilities with their learning needs.

4.6.1.4   Review and reform the delivery of the national curriculum and examination system to cater for the needs of learners with disabilities, where necessary modify the curriculum to be competency and modular based for groups such as learners with intellectual challenges.

4.6.1.5   Adapt and adopt communication systems appropriate for learners with special education needs in all centres of learning.

4.6.1.6   Implement appropriate education and training mechanisms for persons with learning difficulties.

4.6.1.7   Train specialist educators and ensure that their training is recognized.

4.6.1.8   Incorporate special needs education in the teacher- training curriculum.

4.6.1.9   Establish accessible specialist education resource centres through out the country.

4.6.1.10   Support and encourage inclusive education.

4.6.1.11   Promote research in special needs education.

4.7   Economic Empowerment

4.7.1   Objective

Increase access to technical, vocational and entrepreneurial training opportunities for persons with disabilities.

4.7.1.0   Strategies

4.7.1.1   Facilitate adaptation of and provision of support mechanisms to existing vocational training colleges to make them more inclusive and responsive to the needs of persons with disabilities.

4.7.1.2   Promote development of a national programme of action for vocational guidance, training and rehabilitation of persons with disabilities.

4.7.1.3   Facilitate the integration of national norms and standards for the training, testing and certification of persons with disabilities into the National Trade Testing.

4.7.1.4   Provide training for men and women with disabilities in special and marketable skills.

4.7.1.5   Support Disabled Persons Organisations engaged in vocational training or sheltered employment.

4.7.2   Objective

Improve access to loans and credit facilities for income generating activities.

4.7.2.0 Strategies

4.7.2.1. Provide access to business loans for both men and women with disabilities.

4.7.2.2. Encourage development of cottage industries.

4.7.2.3. Promote the removal of barriers and implementation of enabling and inclusive mechanisms within existing and proposed small, micro and medium enterprises.

4.7.3 Objective

Improve equal access to open employment opportunities for persons with disabilities.

4.7.3.0 Strategies

4.7.3.1 Facilitate the development and implementation of enabling legislation on employment equity that will protect job-seekers and workers with disabilities against unfair discrimination.

4.7.3.2 Promote an inclusive work environment that accommodates diversity.

4.7.3.3 Encourage employers to comply with the stated quotas.

4.7.3.4 Encourage employers to provide necessary adaptive equipment to enable men and women employees with disabilities to do their jobs effectively.

4.7.3.5 Promote adaptation of work premises to guarantee safe access for male and female employees with disabilities.

4.7.3.6 Maintain a gender disaggregated data bank of available services capturing the level of job placement.

4.8 Social Welfare and Social Protection

4.8.1 Objective

Develop a coordinated and effective welfare system framework to enable persons with disabilities live self-sufficient and independent lives.

4.8.1.0 Strategies

4.8.1.1   Develop an effective referral system for persons with disabilities to access services.

4.8.1.2   Provide a co-ordinated and equitable system of social security to meet the basic needs of persons with disabilities.

4.8.1.3   Provide information to persons with disabilities for accessing benefits that they are entitled to.

4.8.1.4   Facilitate availability of effective feedback mechanisms for co-   coordinated social protection and safety nets

4.8.1.5   Enforce systems, through legislative and administrative means, to protect the rights of persons with disabilities against any form of discrimination and abuse in society.

4.9   Self-Representation and Participation

4.9.1   Objective

Promote effective self-representation, participation and inclusion of persons with disabilities at all levels in decision-making, planning and development activities.

4.9.1.0   Strategies

4.9.1.1.   Support and promote the work of organizations of persons with disabilities.

4.9.1.2.   Empower persons with disabilities through counselling, education and training.

4.9.1.3.   Encourage public awareness campaigns.

4.9.1.4.   Promote representation of persons with disabilities in leadership structures.

4.9.1.5.   Promote the involvement of persons with disabilities and their families in the provision of services.

4.9.1.6.   Facilitate the establishment of mechanisms to improve access to election polls   by persons with disabilities.

4.9.1.7.   Create avenues for self-expression.

4.10   Sports, Recreation and Entertainment

4.10.1   Objective

Promote the development, participation and inclusion of persons with disabilities in sports, leisure, entertainment, and crafts.

4.10.1.0 Strategies

4.10.1.1   Make available adequate numbers of competent teachers and trainers in sports, arts and craft for participants with disabilities.

4.10.1.2   Promote accessibility of sports, entertainment and arts facilities to persons with disabilities.

4.10.1.3   Improve access and availability to sports and leisure equipment for persons with disabilities.

4.10.1.4   Increase public awareness and profile of persons with disabilities in sports and the arts.

4.11   Housing

4.11.1. Objective

Improve access to adequate housing for persons with disabilities.

4.11.1.0 Strategies

4.11.1.1   Provide building materials at subsidised costs on a case-by-case basis to eligible men and women with disabilities.

4.11.1.2   Provide men and women with disabilities with access to secure land tenure, housing, and property rights.

4.11.1.3   Eliminate prejudice and discrimination in housing transactions and provision of services.

4.12   Research and Appropriate Technology

4.12.1 Objective

Promote and support disability research and the development and application of appropriate technologies for disability programmes.

4.12.1.0   Strategies

4.12.1.1   Facilitate availability of financial and technical assistance to key stakeholders, universities and other research institutions to conduct disability related research.

4.12.1.2   Encourage innovations in appropriate technologies.

4.12.1.3   Facilitate the co-ordination and integration of gender disaggregated disability data collection and research in national census, household surveys and other relevant studies.

4.12.1.4   Disseminate research findings to planners and stakeholders of disability programmes.

4.12.1.5   Establish a national disability user-friendly information management system.

4.13   HIV and AIDS

4.13.1   Objective

Promote access to HIV/AIDS information and health care by persons with disabilities.

4.13.1.0   Strategies

4.13.1.1   Increase awareness on HIV/AIDS among various categories of persons with disabilities.

4.13.1.2   Utilise Disabled Persons Organisations (DPOs) for disseminating information about HIV/AIDS to persons with disabilities.

4.13.2   Objective

Empower persons with disabilities to develop and maintain safer sexual and reproductive health practices.

4.13.2.0 Strategies

4.13.2.1   Encourage persons with disabilities to go for voluntary counselling and testing (VCT).

4.13.2.2   Support relevant projects/programmes that include orphans with disabilities.

4.13.2.3   Encourage discussion and openness about sex and sexuality among persons with disabilities.

4.13.2.4   Promote safer sexual and reproductive health practices among persons with disabilities.

CHAPTER FIVE

5.0 INSTITUTIONAL ARRANGEMENTS AND STRATEGIES FOR IMPLEMENTATION

5.1 IMPLEMENTATION ARRANGEMENTS

The policy implementation plans will have short, medium and long-term outcomes that are in consonant with the country's socio-economic status. The National Policy on Equalisation of Opportunities for Persons with Disabilities therefore needs to be harmonized with existing and new policies and legislation in various areas that impact on persons with disabilities.

The successful implementation of the policy strategies will require substantial amount of financial and material resources. These resources are expected to come from Government and other development partners. The use of existing and available resources and facilities is encouraged as the most cost-effective way of implementing the policy.

It is logical, therefore, to assume that coordinated efforts of several governmental and non-governmental organizations are imperative for the successful realization of the policy objectives. To achieve this, it is important to revitalize the National Coordinating Committee on Disability Issues (NACCODI), under the leadership of the Ministry responsible for Persons with Disabilities. The responsibilities of the Committee are to:

- Ensure the availability and commitment of resources;
- Negotiate key performance indicators with all role players; and
- Ensure effective reporting and monitoring.

5.2 INSTITUTIONAL ARRANGEMENTS

An appropriate and efficient administrative structure and system shall be put in place to manage, coordinate and oversee the implementation of the National Policy. The following are the roles and responsibilities of structures at macro and micro levels:

5.2.1 Line Ministries and Government Departments

All Government Ministries, Departments and statutory bodies are responsible for the implementation, monitoring and evaluation of the National Policy on Equalisation of Opportunities for Persons with Disabilities within their sectors. They have a responsibility to ensure that persons with disabilities have equal access, rights and responsibilities as any other Malawian. This would enable persons with disabilities to play a full and participatory role in national development. The successful integration of persons with disabilities in the mainstream of society, therefore, requires a multi-disciplinary approach in Government. However, the following Ministries will play leading roles in the implementation of the policy as highlighted:

5.2.1.1 Ministry of Social Development and Persons with Disabilities

- Coordinate machinery for policy formulation and review.
- Coordinate implementation, monitoring and evaluation of policy in all sectors.
- Represent government at all national and international fora on disability issues.
- Provide direction, guidance, advice and support to agencies within and outside government, including local authorities, that are involved in implementation of the policy.
- Mobilise resources from both internal and external sources for policy development and implementation.
- Mainstream disability issues in all sectors.
- Enhance advocacy to facilitate effective and efficient implementation of the policy.
- Strengthen capacity of Disabled Persons Organisations.

5.2.1.2 Ministry of Health

- Promote prevention and occurrence of disabilities.
- Provide early detection and early intervention services.
- Provide medical rehabilitation services.
- Provide specialised training in the area of disability.

5.2.1.3 Ministry of Education

- Facilitate adequate access by persons with disabilities to quality education and ample opportunities to develop their skills.
- Promote inclusion education and training programmes.
- Establish the Malawi Institute of Special Education.

5.2.1.4 Ministry of Labour and Vocational Training

- Promote equal access to open employment opportunities by people with disabilities.
- Increase access to technical, vocational and entrepreneurial training opportunities for persons with disabilities.

5.2.1.5 Office of the President and Cabinet

- Attain a barrier-free environment that will enable persons with disabilities to have access to public and private buildings and establishments.
- Improve representation of people with disabilities in leadership structures.

- Facilitate equal access to employment in public service opportunities by people with disabilities.
- Promote social support projects that target vulnerable groups, including persons with disabilities.
- Mainstream HIV and AIDS.

5.2.1.6 Ministry of Economic Planning and Development

- Promote economic empowerment of persons with disabilities by, *inter alia*, facilitating their access to loans and credit facilities for income generating activities.
- Include persons with disabilities in planning, monitoring and evaluation.
- Liaise with cooperating partners for financial and technical support.

5.2.1.7 Ministry of Finance

- Develop a sustainable micro-finance industry that provides credit, saving opportunities and other services to the poor including persons with disabilities.

5.2.1.8 Ministry of Lands, Housing and Survey

- Promote Access to land ownership, housing and property rights by persons with disabilities.
- Ensure non-discrimination of persons with disabilities in the allocation of houses for rent by the Malawi Housing Corporation.
- Ensure non-discrimination of civil servants with disabilities in the management of the Home Ownership Scheme.

5.2.1.9 Ministry of Transport and Public Works

- Provide access of persons with disabilities to public transport facilities; existing and new buildings; public information and communication, signs, symbols, and warning signals; appropriate public parking lots.
- Conduct public awareness campaigns among public transport operators on disability issues.

5.2.1.10 Ministry of Gender, Child Welfare and Community Services

- Provide access to social services and safety nets to persons with disabilities.
- Include persons with disabilities in social and community developmental programmes.

5.2.1.11 Ministry of Youth, Sports and Culture

- Include youths with disabilities in youth programmes.

- Facilitate accessibility of sports facilities and entertainment centres to persons with disabilities.

5.2.1.12 Ministry of Agriculture

- Provide access to food security by persons with disabilities.
- Provide access to farm inputs.
- Provide extension services.

5.2.1.13 Ministry of Irrigation and Water Development

- Make water and sanitation services and facilities more inclusive and accessible for disabled people.

5.2.1.14 Ministry of Trade and Private Sector Development

- Promote the development of micro and small-scale enterprises by providing technical support to persons with disabilities.
- Promote the formation of clubs and cooperative societies among persons with disabilities to improve their business acumen and creditworthiness.

5.2.1.15 Ministry of Information and Tourism

- Develop a comprehensive policy on access to public information by persons with disabilities in liaison with the public and private media organisations.
- Publicise and advocate for the disability cause and the implementation of the policy.
- Explore the use of Information and Communication Technology as an assistive device for persons with disabilities.

5.2.1.16 Ministry of Local Government-Local Assemblies

- Ensure user-friendliness of micro-building projects such as schools, hospitals, clinics, toilets to persons with disabilities.
- Incorporate special needs for persons with disabilities in Local Assemblies bye-laws.
- Maintain a data-base for all persons with disabilities in respective areas of jurisdiction.
- Integrate policy in district development plans in line with decentralisation programme.

5.2.1.17 National Statistical Office

- Develop disaggregated disability database.

- Timely provision of improved user-friendly and accessible socio-economic data.

5.2.2 Disabled People's Organisations

- Promote debate of legal and policy issues among respective members in their organisations.
- Promote consultative meetings with other stakeholders such as the State, employers and Trade Unions.
- Ensure that policy and legal recommendations are based on well-informed opinion.
- Undertake awareness campaigns and advocacy.
- Monitor and evaluate policy and legislation implementation.

5.2.3 Employers' Organisations

- Promote training and employment opportunities for disabled persons.
- Negotiate acceptable legal obligations.
- Negotiate of acceptable performance incentives.
- Sensitise employers on the rights based approach to training.

5.2.4 Workers' Organisations

- Lobby support for the employment of workers with disabilities, including new recruitment and job retention by those who acquire a disability while in employment.
- Sensitise members about the rights of persons with disabilities.

5.2.5 Service Providers

- Provide specialised services to people with disabilities such as training and rehabilitation as well as workplace services.
- Carry out research on disability issues.

5.2.6 Malawi Council on Disability Affairs (MACODA)

- Regulate the work of disability organisations.
- Implement government policy on disability issues.
- Register NGOs dealing with disability issues.

5.2.7 National Advisory and Coordination Committee on Disability Issues (NACCODI)

- Provide a forum for all stakeholders on disability issues through networking and resource mobilisation.
- Advise Government on all technical aspects of disability issues.
- Commission research and prepare technical documents required by Government.
- Provide Government with annual reports on progress with implementation of the National Policy on Equalisation of Opportunities for Persons with Disabilities.
- Assist Government in the execution of its functions directed towards the attainment of the goals of the policy.
- Provide policy guidance to the Ministry responsible for persons with disabilities.
- Ensure that disability is mainstreamed in all line Ministries and Departments and that the requisite funds are allocated in the respective budgets and utilised accordingly.
- Oversee the implementation, monitoring and evaluation of disability-related projects and programmes.

5.2.8 Research Institutions

- Undertake disability-related research in areas of political, social, cultural, and economic development as the bases for formulating realistic programmes for guiding policy implementation and review.

5.2.9 Parliamentary Committee on Social Welfare

- Advocate for the implementation of the Policy.
- Provide support and advice to the Ministry of Social Development and Persons with Disabilities on the implementation of the policy.
- Lobby for realistic budgetary allocation for implementation of disability programmes and activities.
- Lobby for review and enactment of policies, laws, and guidelines that will facilitate the implementation of this policy

5.2.10 NGOs and Civil Society

- Carry out, on a continuous basis, advocacy programmes and activities for the implementation of the policy.

5.3   IMPLEMENTATION PLAN

The implementation plan for the Policy is in the form of an Action Programme that is derived from the main Policy document and appears as Part II of the Policy. The Plan was developed after extensive consultations with key stakeholders. The need for a comprehensive implementation plan is paramount considering Government's past inability to comprehensively implement well-developed policies. The reasons for such inability were numerous but the most common one was the lack of a clear and well-defined implementation plan or action programme, with detailed tasks, deliverables, responsibilities and resource requirements.

This Action Programme is, therefore, a bold attempt to operationalise the statements contained in the National Policy on Equalisation of Opportunities for Persons with Disabilities by implementing the overall goals and objectives, strategies and actions over time. Indicative specific timeframes have been assigned in the Action Programme that will be subject to periodic review, taking into account the realities on the ground.

The Action Programme is presented in a tabular format for ease of implementation, monitoring and review. Specific objectives have been highlighted to ensure that there is focus on what each component of the Policy is trying to active. Each objective is linked to a strategy, clearly indicating how the objective will be achieved. The strategy in turn is supported by key tasks or activities to be implemented or carried out, if the objective is to be achieved. The Action Programme also clearly highlights who will be responsible for the carrying out of the tasks, and what the outputs for the various tasks will be. Finally, an estimate on the cost of carrying out the tasks has been made.

5.4 RISK IDENTIFICATION

There are a number of risks associated with the successful implementation of this Policy. These include the following:

5.4.1 Failure to observe the principle of non-discrimination in interventions for persons with disabilities.

A human rights-based approach to development demands that every effort be made to reach out persons with disabilities without exception. The challenge, however, is how to identify and reach out to the most vulnerable people with disabilities and ensure their inclusion.

5.4.2 A 'business as usual' approach

A 'business as usual' approach will never lead to inclusive practices of persons with disabilities. Routine programmes are unlikely to benefit people with disabilities unless their plight and the factors behind their marginalisation, are taken into account.

5.4.3 Absence of a strong research

Reliable data on persons with disabilities disaggregated by such indicators as age, sex, household income, geographic area and other factors is usually in short supply, often because of inadequate funding to facilitate data collection and analysis. This inevitably complicates the development of evidence-based interventions and the formulation of appropriate responses targeted at reaching all persons with disabilities.

5.4.4 Flimsy excuses for inaction by policymakers

The absence or lack of comprehensive data or updated estimates of the number of persons with disabilities should not be a reason to delay programme development. While data collection and analysis are certainly important, it is also imperative to take judicious actions based on human rights principles in areas where quantitative data is still lacking.

5.4.5 Failure to adopt international commitments in national policies and laws

Malawi is a signatory to a number of regional, continental and international conventions and protocols on persons with disabilities. However, the ratification of these instruments means little unless their principles are enshrined in the national laws. The process of reforming and monitoring national legislation to meet international standards is often slow and selective.

5.4.6 Lack of pro-active disability legislation and/or poor enforcement of existing legislation

Several laws exist in Malawi that relate to disability. These are, however, either outdated and/or poorly enforced. Moreover, the process of identifying and repealing outdated laws can be cumbersome and painstakingly slow. Unless more pro-active legislation is enacted and all relevant legislation vigorously enforced and monitored, persons with disability will remain marginalized.

5.4.7 Low human capacity among Government and key stakeholder organisations in disability

Building capacity at the local and national levels is essential to the success of initiatives to further the rights of disabled persons. Yet, the disability sector in Malawi lacks the capacity to enable it to analyse its situation and status in society, to present its issues effectively to the larger society and to lobby various stakeholders locally and internationally in order to enact appropriate legislation to guide citizens, private sector and all other stakeholders in responding to the needs of persons with disabilities.

5.4.8 Inadequate funding for Policy implementation, institutional building and reform

The National Policy on Equalisation of Opportunities for Persons with Disabilities and related legislation will mean little if the financial resources from government and development partners to implement and enforce the new policy and legislation remain inadequate to fulfil commitments to persons with disabilities. Moreover, despite the much touted 'mainstreaming', few line Ministries or Departments in the Civil Service currently incorporate disability issues in their respective budgets. Furthermore, experience in Malawi has shown that the disability sector has limited ability to bring pressure to bear on the national budgetary process, probably due to the lack of prioritisation of disability issues on the national development agenda.

CHAPTER SIX

6.0   MONITORING AND EVALUATION

Monitoring and evaluation is an essential element of the implementation process of any policy. There should be monitoring, transparent reporting and oversight of the implementation process. In the specific case of the National Policy on Equalisation of Opportunities for Persons with Disabilities, monitoring can be used as a corrective tool against the violated rights of disabled persons. It can also be used to measure trends and patterns of discrimination on the grounds of disability, both at an individual, organisation and systemic levels.

The act of monitoring primarily investigates and records both achievements made and violation of disabled people's rights. The process itself often provides the impetus for addressing disability. Monitoring can also be used as an educative tool, to create public awareness.

The Ministry responsible for persons with disabilities, in collaboration with MACOHA, FEDOMA and the Malawi Human Rights Commission will establish a system of monitoring at all levels, in the private, as well as all spheres of government in the public sector. The system will be vertical and horizontal i.e. between government and citizens, and between citizen and citizen.

The monitoring shall encompass the full environment, although some particular groups shall be targeted. These include:

- Women and girls with particular emphasis in those with intellectual disabilities;
- Disabled elderly people;
- Rural disabled persons
- Disabled persons in the workplace;
- Abused disabled children in institutions;
- Parents with disabled children; and
- Disability groups with specific needs.

The monitoring and evaluation shall be guided by key performance indicators as contained in the Policy Action Programme as well as by the extent to which financial and material resources shall be allocated to and utilised by the disability sector. The monitoring shall also include a systematic review of all national laws and policies that impact on persons with disabilities.

For the monitoring to be effective, it shall require:

- Gathering, co-ordination and collation of findings;

- Findings to be made available to civil society in an accessible and understandable format;

- Participation by disabled people in decision making, planning and evaluation at all levels. In other words, disabled people shall collaborate in the monitoring and all stakeholders shall be partners in the process; and

- The act of reporting to be simple and sensitive to persons reporting violations.

The Ministry responsible for persons with disabilities shall ensure that appropriate action is taken to correct or ameliorate any shortcomings in the implementation process of the policy. To this end, it shall establish close links with people engaged in monitoring at community level, such as the District Community Development and Social Welfare Officers, Child Welfare and Community Services, Community Health Workers, District Education Managers, District Labour officers, Community Rehabilitation Officers, District Executive Committee Members of the District Assemblies, among other stakeholders.

6.1   REVIEW OF POLICY

The National Policy on Equalisation of Opportunities shall be operational for a period of five years. Thereafter, it shall be subject to review taking into account the successes and constraints experienced during its initial period of operation as well as new developments in the internal and external environments.