



International
Labour
Office

UNITED REPUBLIC OF TANZANIA COUNTRY PROFILE

March 2004

Employment of People with Disabilities: The Impact of Legislation (East Africa)

Prepared by the ILO InFocus Programme on
Skills, Knowledge and Employability
in the framework of a project funded by
Development Cooperation Ireland (DCI)

**International Labour Office
Geneva**



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ISBN 92-2-115546-3

First published 2004

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Printed by the International Labour Office, Geneva, Switzerland

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1. Introduction

Many countries throughout the world have, in recent years, adopted policies aiming to promote the rights of people with disabilities to full and equal participation in society. This has often been in response to the ILO Convention No. 159 concerning Vocational Rehabilitation and Employment of Disabled Persons (1983). Policy on employment opportunities for people with disabilities is frequently supported by legislation and implementation strategies as essential tools to promote integration and social inclusion.

Some countries in Africa have made progress in introducing disability-related legislation, but many of these laws have not yet been implemented. In other African countries, existing national laws need to be reviewed in order to achieve equalization of opportunities for persons with disabilities. Improving legislation and implementation strategies has been identified as one of the main issues to be tackled in the African Decade of Disabled Persons 1999-2009.

The effectiveness of laws in improving employment opportunities for disabled persons – whether they are vocational rehabilitation laws, quota legislation or anti-discrimination legislation – 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.

The country study for the United Republic of Tanzania is part of the ILO project “*Employment of People with Disabilities – the Impact of Legislation*”, funded by the Government of Ireland¹ which aims to enhance the capacity of national governments in selected countries of East Africa and Asia to implement effective legislation concerning the employment of people with disabilities. Starting with a systematic examination of laws in place to promote employment and training opportunities for people with disabilities in the selected countries of each region,¹ the project sets out to examine the operation of such legislation, identify the implementation mechanisms in place and suggest improvements. Technical assistance is provided to selected national governments in implementing necessary improvements.

This country study outlines the main provisions of the laws in place in the United Republic of Tanzania (Tanzania Mainland and Zanzibar) concerning the employment of people with disabilities. An initial review of the implementation of the legislation is also provided, based on a survey of documentary sources, and feedback from Tanzanian delegates to a Technical Consultation held in Addis Ababa, 20-22 May 2002. It may be read in conjunction with the regional overview for this Consultation *Employment of People with Disabilities - The Impact of Legislation (East Africa), Technical Consultation Report, Addis Ababa, 20-22 May 2002*, ILO 2002.

¹ East Africa: Ethiopia, Kenya, Mauritius, Sudan, Sudan, Uganda and United Republic of Tanzania; and Asia and the Pacific: Australia, Cambodia, China, Fiji, Japan, India, Mongolia, Sri Lanka and Thailand.

2. Context

The United Republic of Tanzania is located between Mozambique and Kenya and borders the Indian Ocean. Tanzania was formed in 1964 through the political union between Tanganyika and the islands of Zanzibar and Pemba. The two parts of the union gained independence from Britain separately: Tanzania Mainland in 1961 and Zanzibar in 1963. Zanzibar retains considerable autonomy on its internal affairs: it has a semi-autonomous status and its own legislature and an executive that is streamlined in ministries such as Trade, Education, Agriculture, Health, Finance and many others.

With an estimated population of 33,776,988 in 2001, Tanzania was ranked 140 out of 162 on the 2001 UNDP Human Development Index (HDI). The four key indicators used to calculate the HDI, longevity, educational attainment, standard of living and adult literacy rate show the following:

- Longevity, measured as life expectancy at birth, was 50.0 years for men and 52.2 for women;
- Educational attainment, measured as the gross enrolment ratio, was 33 per cent among boys and 32 per cent among girls;
- The standard of living, measured as per capita GDP, was US\$501 in 1999; and
- The adult literacy rate was 74.7 per cent with a higher rate recorded for men (84.0 per cent) than women (65.7 per cent).

In 1998, the labour force participation rate for women was 83 per cent and 89 per cent for men.² The agricultural sector accounted for nearly half of the total GDP (48.1 per cent), followed by the service sector (36.5 per cent), with the industrial sector contributing 15.4 per cent to GDP.³ In 1996, the majority of the labour force is employed in agriculture (79 per cent), less than a fifth (14 per cent) is employed in services and the remaining 7 per cent works in industry.⁴

2.1 People with disabilities

There are no recent data on the situation of persons with disabilities in Tanzania. Some statistics are available, although it is generally agreed that these do not give an accurate picture of the actual prevalence.

The 1981 Census of Disabled Persons in Tanzania undertaken by the Ministry of Labour and Social Welfare on the mainland identified 193,599 disabled persons in the 20 regions, representing approximately 1 per cent of the population at that time. The three following facts stood out in this census: a majority of disabled persons were of working age, illiterate and unemployed. Approximately 45 per cent of disabled persons identified were women. According to UNESCO, in 1995-96, about 3 per cent of disabled persons in Tanzania received basic education.⁵

² The World's Women 2000: Trends and Statistics

³ UNDP Human Development Report 2001

⁴ African Development Report 2000, African Development Bank

⁵ World Databank on Education, IBE's web page

In Zanzibar, a programme of registration of disabled persons was carried out by the Ministry of Health, in 1988-89, in the North Region of Unguja. A total of 4,254 disabled persons were registered, representing 4.3 per cent of the total population of the region. 1,866 disabled persons declared to be working.⁶

In 2002, a national census with disability-specific questions was carried out in the United Republic of Tanzania. The Basic Demographic and Socio-economic Characteristics are expected to be published in April 2004. It will include demographic and socio-economic characteristics of the population such as marital status, education, employment, type of disabilities, citizenship, migration and housing conditions.

⁶ Employment of Disabled Persons Report, Tanzania, undated.

3. Legislative framework

The Constitution of the United Republic of Tanzania, 1998 guarantees fundamental rights such as the right to employment and education:

*'The State authority shall make appropriate provisions for the realisation of a person's right to work, to education and social welfare at times of old age, sickness or disability and in other cases of incapacity. Without prejudice to those rights, the State authority shall make provisions to ensure that every person earns his livelihood.'*⁷ [Article 11]

3.1 Tanzania Mainland

Tanzania Mainland enacted a specific act concerning the employment of disabled persons 'The Disabled Persons (Employment) Act 1982 (No. 2)' and related regulations in 1982. Disability provisions are also included in the general legislation such as the Constitution of the United Republic of Tanzania of 1998, the National Employment Promotion Service Act, 1999 and the Vocational Education and Training Act, 1994.

Tanzania Mainland also issued 'The Disabled Persons (Care and Maintenance) Act No. 3 of 1982' which gives legal support as well as obliging the family to provide support to persons with disabilities. The Act also provides for the registration of persons with disabilities and of institutional settlements operated by local authorities and voluntary organizations. Finally, the Act establishes a 'National Fund for Disabled Persons' to provide for *'maintenance, education, benefit or advancement of disabled persons; to provide assistance to any disabled persons; to establish and maintain any settlements and other institutions for the disabled; to provide financial assistance to voluntary or charitable organizations that are providing for the welfare of disabled persons'*.

3.1.1 Disabled Persons (Employment) Act 1982 (No. 2)

This Act makes provisions for enabling persons with disabilities to secure employment or to engage in self-employment. It provides for the establishment of a register of disabled job-seekers and for the establishment of the National Advisory Council whose functions include to advise and assist the Minister⁸ relating to the employment, self-employment or training of disabled persons; to coordinate policies and programmes and the provisions of grants to disabled persons; and to formulate programmes which may facilitate the educational, vocational and social integration of disabled people. The Act also states that the Minister may provide for vocational training and industrial rehabilitation courses for *'disabled persons, not being under the age of fifteen years who are in need of training in order to render them competent to undertake employment, or work on their own account, of a kind suited to their age, experience and general qualifications'*.

With regard to employment, the Act provides for the compulsory placement of people with disabilities. Under Section 15, every registered employer must give a job to persons who are registered as disabled persons:

⁷ Under Article 5 (2) Parliament may enact a law imposing conditions restricting a citizen from exercising the right to vote by reason – amongst others- of mental disability.

⁸ According to the 1982 Act 'Minister' means 'the Minister for the time being responsible for social welfare of the disabled persons'.

'It shall be the duty of every registered employer to give employment to disabled persons who are registered as disabled to the number which may, from time to time be fixed by regulations made in that behalf by the Minister and, where he is not already doing so at times when vacancies occur, to allocate for that purpose'

Exception can be made in the following circumstances if the employer can prove to the satisfaction of the Minister:

- *'that even after reasonable effort he has failed to get any disabled persons';*
- *'that taking into consideration the nature of the employment, he cannot get a disabled person with the necessary skill or experience required for the employment';*
- *'that taking into consideration the nature of the work or the circumstance of the place of work it may not be possible to employ a disabled person';*
- *'that taking into consideration the condition of the disabled person he is not or would not be able to perform adequately the work genuinely and reasonably required for the employment'.*

The definition of 'disabled person' in the Act refers not only to physical and mental impairment, but also to the substantial reduction of the individual's occupational prospects as a result of the impairment:

'A person who, on account of injury, disease or congenital deformity is substantially handicapped in obtaining employment or in undertaking work on his own account, of a kind which apart from injury, disease or deformity would be suited to his age, experience and qualifications'.

3.1.2 Government Notice No.464: Disabled Persons (Employment) Regulations 1985

These regulations define the eligibility and registration requirements for disabled persons under Disabled Persons Employment Act 1982. They reserve for disabled persons two per cent of the vacancies in vocational training centres and require every registered employer⁹ to reserve at least two per cent of jobs for registered disabled persons. They include schedules showing the towns and districts to which the Regulations apply and the registration forms to be used. These regulations should be implemented by departments of the government, local authorities, parastatal organizations and private enterprises.

3.1.3 Vocational Education and Training Act, 1994 (No.1/1994)

The Vocational Education and Training Act aims to provide for a legal framework for the implementation of a flexible vocational education and training system capable of responding quickly to the needs of the labour market.

The Act establishes a Vocational Education Training Authority (VETA); imposes a vocational training levy on every employer who has four or more employees; makes provisions for the regulation of vocational education and training, and provides for greater decentralisation with the establishment of Regional Vocational Education Training Boards responsible for planning and provision of vocational training at the regional level. The VETA is an autonomous government agency whose functions include promoting access to vocational education and training for disadvantaged groups and meeting the demands of the labour market for employees with trade skills.

⁹ Under section 9 of the 1982 Act 'an employer shall be registered in the Register if he has the capacity to employ fifty or more employees'.

3.1.4 National Employment Promotion Service Act 1999

This Act establishes the National Employment Promotion Service, a government service mandated to provide or make arrangement for the registration, employment, counselling, vocational rehabilitation and placement of persons with disabilities. Under Article 11, the Service is required to maintain a register of persons with disabilities at every employment services office.

3.2 Zanzibar

Zanzibar plans to formulate a specific disability-related law, to give effect to the disability policy adopted in 2004. It has recently reviewed its labour laws including the Workmen's Compensation Act 1986 and drafted the Safety and Health Act 2004 and the Labour Relations Act. These laws provide for disability issues, as described below. The Zanzibar Labour Act 1997 lays down anti-discrimination provisions.

3.2.1 Labour Laws

- Bill for the Act to amend the Workmen's Compensation Act 1986

Section 12 of the Bill provides for compensation to workers with permanent partial capacity resulting from an injury. This compensation *'shall be such percentage as verified by a recognised medical practitioner of forty-eight month's earning as being the percentage of the loss of earning capacity caused by [the] injury or three million shillings whichever is the great'*. Offenders are liable to a fine or to imprisonment.

The Bill establishes a schedule to guide the medical practitioner in verifying the percentage of permanent incapacity.

- The Occupational Safety and Health Act, 2004 Draft

Part XII of the Draft 'Occupational Safety and Health Act 2004' states that where permanent total or partial incapacity is a consequence of the occupier or owner of a workplace having contravened any provisions of the Act, the latter shall be liable to a fine or to imprisonment.

- Labour Relations Act Draft

The Draft 'Labour Relations Act' bars discrimination based on disability in the context of Trades Unions' constitution or activities:

'No union or organization shall discriminate in its constitution or through its action against any persons on the grounds of race, colour, national extraction, social origin, religion, political opinion, sex, marital status, family responsibilities, age or disability...'

Section 5 deems that affirmative actions do not constitute discrimination and are not unlawful.

- Zanzibar Labour Act 1997

This Act lays down fundamental rights concerning the employment of disabled persons:

'(1) Persons with any kind of disabilities shall have equal right to be employed in any type of work depending on their standard of education, skill and ability and shall be employed on the same terms and enjoy the same rights and privileges under the contract';

(2) No employer shall deny a disabled person employment on grounds of his disability;

(3) No employer shall terminate a disabled person from employment before the expiry of his term of service on grounds of disability;

(4) The Minister may make regulations to provide for further conditions and procedure of employment of disabled persons’.

Section 121(5) provides for penalties on any employer who contravenes conditions of employment of disabled persons as provided under Section 120: *‘any employer who contravenes conditions of employment of disabled persons as provided under section 120 of this Act shall be guilty of an offence and shall on conviction, be liable to a fine of not less than the sum equivalent to one thousand United States Dollars’.*

The Act defines a disabled person as *‘...a person who has a physical or mental impairment that substantially limits one or more of the major life activities of such individuals’.*

3.3 International commitment

The United Republic of Tanzania has not ratified ILO Convention 159. According to the Government in a 1997 report to the ILO, the economic and social conditions imposed by the structural adjustment programme has aggravated the employment situation of people with disabilities, but ratification has not been ruled out and could be considered once a tripartite forum has been convened.¹⁰

¹⁰ Report for the period ending 1 April 1997 made in accordance with Article 19 of the ILO Constitution by the Government of the United Republic of Tanzania, on the position of national law and practice in regard to the matters dealt with in the following instruments: the Vocational Rehabilitation and Employment (Disabled Persons) Convention No. 159 (1983) and Recommendation No. 168 (1983) concerning Vocational Rehabilitation and Employment (Disabled Persons).

4. Implementation

4.1 Institutional Framework: Tanzania Mainland

4.1.1 Ministry of Labour and Social Welfare

- Department of Social Welfare

At national level, the Department of Social Welfare is headed by a Commissioner for Social Welfare, with an Assistant Commissioner in charge of rehabilitation. The Assistant Commissioner's staff includes two rehabilitation officers and a placement officer, as well as social welfare officers. The Department adopted a strategy of Community-Based Rehabilitation (CBR) in the 1980s.

- National Advisory Council

The National Advisory Council is entrusted with the formulation, coordination and monitoring of disability policies and programs. It aims to advise and assist the Ministry of Labour and Social Welfare in issues relating to employment and training of persons with disabilities. In the preparation of this report, no further information could be obtained about the Council.

- Vocational Education and Training Authority (VETA)

In 1994, the Vocational Education and Training Authority was created as an autonomous body within the Ministry of Labour and Social Welfare, replacing the previous National Vocational Training Council under the Ministry of Labour. The VETA is headed by a National Vocational Education and Training Board including representatives of ministries, employers' and workers' organizations, as well as representatives of non-governmental training institutions. It is represented in the Regions by regional offices headed by regional boards. The overall objective of the VETA is the coordination of vocational education and training in such areas as craft and basic skills. It is responsible for formulating national policies; implementing vocational education and training through programmes in VETA centres; monitoring and implementing training programs; and coordinating basic skills programs with a view to addressing training needs of both formal and informal sectors.

4.1.2 Ministry of Education and Culture

The Ministry of Education and Culture administers an Integrated Community-Based Adult Education Programme that aims to provide essential skills to illiterate and neo-literate people with special attention to women and people with disabilities.

4.2 Institutional framework: Zanzibar

Responsibility for disability matters lay with the Ministry of Health and Social Welfare up to 2004, when a decision was taken to move this to the Prime Minister's Office.

4.3 Policy: Tanzania Mainland

In the early days of Independence in 1964, the Government emphasized that the provision of basic social services to the entire population was one of the Government's major

priorities. The Arusha Declaration¹¹ made services to disabled persons a national responsibility, and specified that support to them, as well as to children and the elderly, was the responsibility of all. In 1975, the Ruling Party, in a circular addressed to all regional Commissioners, directed that services to disabled persons should be provided in their communities, except where persons with disabilities had no supportive relative.

In 1981, however, the Government recognized the necessity of adopting special measures for persons with disabilities, particularly in towns, who had no family or community on which to rely. Cabinet Paper No. 19 of 1981 was the first national document outlining the basic principles that should guide services for disabled persons, and became the basis for the two disability acts concerning employment and care that were passed by parliament in 1982.

4.3.1 National Policy on People with Disabilities

In 1999, the Government stated its intention to elaborate a National Policy on People with Disabilities in the National Population Policy Draft. Responsibility for the promotion of employment opportunities, especially for youth and people with disabilities, lies with the Ministry of Labour and Youth Development, in liaison with other institutions.¹² The Ministry of Community Development, Gender and Children is required to ensure that special attention is paid to programmes that are directed at elimination of social-cultural and discriminatory practices against the girl child, elderly and people with disabilities.¹³ Persons with disabilities are identified as a target group for which the Ministry should adopt the following strategies:

- Encourage the private sector, NGOs and religious organizations to invest in provision of social services for people with disabilities;
- Develop talents and capabilities of disabled persons; and
- Establish social security measures that address problems of people with disabilities.¹⁴

4.3.2 National Employment Policies

Disability issues are taken into account as part of national employment policies in Tanzania Mainland.

- The National Employment Policy (2000) contains employment strategies for youth, people with disabilities and women. The thrust of the employment policy and programme to promote employment in general is to assist these disadvantaged groups to engage in self-employment, mainly in agriculture and the informal sector.
- The National Youth Development Policy (2000) has the overall goal of youth empowerment, which involves developing the potential of youth as active driving forces for multi-sector national development. The policy specifically makes reference to the empowerment of people with disabilities as central to socio-economic development.

¹¹ The Arusha Declaration is a set of principles drafted by the governing party of Tanzania in 1967 as a guide toward economic and social development.

¹² Section 76(ii)

¹³ Section 77(iii)

¹⁴ The National Population Policy Draft 1999

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- Tanzania's Small and Medium Enterprises Policy aims to ensure equal access to employment for women, youth and disabled persons.

4.3.3 Training/Vocational Rehabilitation Programmes

In the context of its strategy of Community-Based Rehabilitation (CBR), the Department of Social Welfare established a pilot CBR programme in 1986 in Kibaha district, with international assistance. This CBR programme uses specially trained social workers at district level, working in close collaboration with primary health care personnel, to provide assistance to disabled persons and their families in their villages.¹⁵ In the mid 1990s, the Government planned to expand CBR programme to additional districts through the training of more social workers in CBR techniques, to establish a revolving fund, and to provide technical training and follow up to individuals and groups of disabled persons engaged in small-scale income-generating activities.¹⁶

Given the limited resources available to the Department of Social Welfare for the vocational rehabilitation of disabled persons, the Government actively encourages non-governmental efforts in the subsector, particularly those undertaken by associations of disabled persons¹⁷

The Government of Tanzania has established several Vocational Training Centres to specifically cater for disabled persons.¹⁸ In a 1997 report¹⁹ to the ILO, the Government reports that these centres should be strengthened. The Tanzania Assistance Strategy (2000) also emphasises the need to reorient vocational education and training. It highlights the need to raise the standard of vocational education and training programmes and to link them to new and emerging labour market conditions paying special attention to the disadvantaged groups.

4.3.4 Education

In Tanzania Mainland, children with disabilities generally attend special schools, though there is an emerging trend towards inclusive education. Almost all special schools are run by NGOs, which receive subsidies from the Government [UNESCO²⁰]. In 1996, there were 13 secondary schools which enrolled children with different disabilities. These schools originally catered to non-disabled children only, but have been now provided with facilities to enrol children with disabilities. Disabled children follow the official curriculum.

¹⁵ Report to ILO, 1996

¹⁶ It was not possible in the preparation of this report to obtain more recent information about this programme.

¹⁷ Report to ILO, 1996

¹⁸ In the preparation of this report, no further details were found on these centres.

¹⁹ Report for the period ending 1 April 1997 made in accordance with article 19 of the ILO Constitution by the Government of the United Republic of Tanzania, on the position of National law and practise in regard to the matters dealt with in the following instruments: the Vocational Rehabilitation and Employment (Disabled Persons) Convention 1983 (No.159) and the Vocational Rehabilitation and Employment (Disabled Persons) Recommendations 1983 (No.168).

²⁰ World Databank on Education, IBE's web page

The community benefits of integration are stressed in policy of the Tanzanian Ministry of Education and Culture, which states that disabled children should be integrated in regular schools near their home, so that they share school resources and experiences with their non-disabled peer group. Thus, efforts are being made to ensure that more disabled individuals get access to education. The steps being taken to achieve this goal include: integration of special education into normal schools; establishment of centres to prepare special education teaching/learning materials; training of teachers; establishment of centres for early identification of disabilities.

The Integrated Community-Based Adult Education Programme administered by the Ministry of Education and Culture aims to provide essential skills to illiterate and neo-literate people with special attention to women and people with disabilities. So far, it covers four regions. The aim was to reach all regions throughout the country by the year 2003. Traditional and modern vocational skills are offered with a view to promoting self-employment. The adult education facilitators are professional and para-professional. Local communities participate in the programme by establishing centres of adult education.

Patandi Teachers' College offers diplomas in special education and is the only Tanzanian Institute to do so.

4.3.5 Mainstream policies

In Tanzania Mainland, there is a series of policies and measures which are interesting from a disability viewpoint. While these do not expressly mention disabled persons, they could be extended to specifically target unemployed disabled persons:

- *The National Poverty Eradication Strategy (NPES) (1998)* includes among its goals the reduction of unemployment. The strategy to be adopted includes job creating development programmes, allocation of areas for informal sector activities and facilitating MSE operations and promoting investment in MSE development.
- *The Tanzania Assistance Strategy (2000)* puts emphasis on the following issues relating to employment: generation of labour market information; stimulation of employment creating investment; enhancement of women's employment; promotion of labour-based public works; coordination of employment generation efforts; raising labour productivity; enhancement of enterprise development; reorientation of vocational education and training.
- *The National Employment Promotion Services Act (NEPSA) (1999)* aims to identify strategies and to create an institutional framework for promoting employment. The functions of the employment promotion services include placement, vocational guidance and employment counselling, active labour market interventions, labour market and occupational information, advisory services for lawful income generating undertakings and promotion of self-employment and co-ordination of trainings needs.

4.4 Policy: Zanzibar

In Zanzibar, priority has been given to the development of policies regarding the promotion of people with disabilities. A disability policy has been recently formulated (2004), which views disability as a human rights issue. It focuses on culture and attitudes of the society towards persons with disabilities, poverty, employment, education, health services, environment and communication. It also addresses the following issues:

1. Adaptation and review of mainstream legislation in order to achieve equalization of opportunities for persons with disabilities;
2. Review of the social policy system in order that it benefits people with disabilities;
3. Promotion of self-representation of people with disabilities in decision making bodies;

-
4. Promotion of community-based rehabilitation as a mean to further integration of people with disabilities;
 5. Highlighting of the responsibilities of Government Ministries, Disabled Persons' Organizations , NGOs and other Institutions.

The policy also addresses specific target groups such as women, youth or elderly people with disabilities; disabled persons living in rural areas; people with learning difficulties and people with more than one disabilities.

The next step envisaged is the development and enactment of disability-related legislation.

Zanzibar adopted a policy on special education in 1990 and then enacted the Zanzibar Education Master Plan 1996-2006 which provides for inclusive education. This Plan focuses on disadvantaged groups, such as girls and children with disabilities and addresses issues of access, equity, quality and relevance of basic education. In addition, it aims at providing vocational training aimed at creating self-employment among youth after completion of basic education. The 'Zanzibar Poverty Reduction Plan: Basic Education and Skills Development',²¹ reports that although efforts have been made to promote equalization of opportunities in the field of education, disabled children are still a disadvantaged group in Zanzibar and still have limited access to education. Few schools cater for their specific needs and are mainly located in urban areas with only few qualified teachers to assist disabled children.

4.5 Consultative mechanisms

In Tanzania Mainland, organizations of employers and workers are usually called upon to cooperate in the implementation of Tanzanian legislation via tripartite boards and meetings. The Vocational Education and Training Authority, for example, is governed by a Board which has representatives from the Government, employers' and workers' associations and Non-Governmental Organizations.

The National Advisory Council set up under the Disabled Persons (Employment) Act 1982 includes representatives of employers' and workers' organizations. Organizations of persons with disabilities are not represented in the Council. As part of its mandate, the National Council advises on employment matters covered by the Act and thus, on its implementation.

In Zanzibar, Disabled Persons Organizations and Government Institutions are consulted. In the sources reviewed for this overview no further details on the consultation process were found.

4.6 Enforcement

The Vocational Education and Training Authority and the Commissioner for Social Welfare are entrusted with the supervision of the application of Disabled Persons (Employment) Act of 1982 and the Vocational Education and Training Act 1994; and all regulations made to give effect to these.

²¹ Zanzibar Poverty Reduction Plan: Basic Education and Skills Development, Government of Zanzibar, April 2002.

In a report compiled in 1997,²² the Government reported difficulties in the implementation of Disabled Persons (Employment) Act 1982, especially in the light of the austerity measures undertaken by the Government at that time. Poor economic growth, the implementation of structural adjustment programmes and servicing of international debt were top of a long list of constraints. Thus, lay-offs, redundancies and retrenchments were found to have hit employed disabled persons hardest in spite of the provisions of the Act.²³ Available information indicates that the provisions of the Act concerning arrangements for the vocational training of disabled persons, and these concerning the quota obligation on employers, have not been implemented.

4.7 Non-Governmental Organizations and International Organizations

4.7.1 People with visual disability

Training and employment-related services for persons with visual disabilities in the United Republic of Tanzania are provided by: Chama Cha Wasioona Tanzania, The Singida Blind Women's Training Centre, Zanzibar National Association of the Blind and Tanzania Society for the Blind.

Chama Cha Wasioona, the Tanzania League of the Blind was established in 1964. This association, with local branches in all regions of the country, promotes the education, training, employment and general welfare of and visually impaired people. Its main activities are the following: construction of Branch Development Resource Centres for blind and partially sighted people; running of education programmes; conducting of socio-economic and rehabilitation programmes; staff and leadership training programmes; sports, recreation and culture.

Information on The Singida Blind Women's Training Centre, Zanzibar National Association of the Blind and Tanzania Society for the Blind was not available in the sources used in compiling this report.

4.7.2 People with hearing disability

The associations providing training and employment-related services for hearing impaired persons in the United Republic of Tanzania include 'CHAVITA', the Tanzania Association of the Deaf and Katumba Rehabilitation Centre.

CHAVITA was founded in 1984. It promotes the education, training, employment and general welfare of the deaf. It has opened 13 grassroots region branches in the 20 regions of Tanzania Mainland. Its main objectives are to unite deaf people and facilitate the empowerment of the deaf community, to work for full education opportunities for deaf Tanzanians, and to develop and promote Tanzanian Sign Language as the language of deaf people in Tanzania.

²² Report for the period ending 1 April 1997 made in accordance with article 19 of the ILO Constitution by the Government of the United Republic of Tanzania, on the position of National law and practise in regard to the matters dealt with in the following instruments: the Vocational Rehabilitation and Employment (Disabled Persons) Convention 1983 (No.159) and the Vocational Rehabilitation and Employment (Disabled Persons) Recommendations 1983 (No.168).

²³ In 1998, the Tanzania Government planned to organize a workshop to review Disabled Persons Employment Act. 1982.

Information on the Tanzanian Association of the Deaf and the Katumba Rehabilitation Centre was not available in the sources consulted in compiling this overview.

4.7.3 People with physical disability

The following organizations provide training and employment-related services for persons with physical disabilities: Usa River Rehabilitation Centre for the Physically Handicapped and the Association of the Physically Disabled of Tanzania (CHAWATA).

Usa River Rehabilitation Centre trains young people with physical disability in various areas, such as carpentry, welding, tailoring, shoe-making and secretarial work. In addition to training students, the Centre provides them with follow-up support once they return to their villages. And through the Village Outreach Team, it trains and educates physically handicapped people who are unable to leave their villages.

CHAWATA was founded in 1969 and has local branches in different regions of the country. It has a revolving loan fund scheme providing capital for disabled persons to become self-reliant in productive activities.

4.7.4 People with intellectual disability

Mentally Handicapped Youth Trust Fund (MEHAYO) is a youth project for persons with intellectual disability, which provides vocational training in gardening, poultry-keeping and fish farming.²⁴

The Tanzania Association for Mentally Handicapped (TAMH) is an NGO whose main aim is lobbying and advocacy for the rights and empowerment of persons with intellectual disabilities. Its main activities include promotion of awareness of the rights and needs of persons with disabilities; empowerment of persons with intellectual disabilities; mobilization of parents and other members of the society; and networking with Government Institutions and other local and international organizations.

4.7.5 Other organizations

The Organization of People with Disabilities of Zanzibar (UWZ) represents persons of all categories of disability. Its main objectives are to influence the Government to implement services for disabled persons, educating persons with disabilities about their rights, raising awareness in the community on disability and running training and income generating activities. Founded in 1985, it operates five programmes: membership development; women and gender development; community-based rehabilitation; training and income generating activities; and advocacy.

²⁴ The following organizations cater for the education of children with mental disabilities: the Tanzania Society for Palsy and Mental Retardation, that was founded in 1980. It offers physical exercises, speech and improvement in every day routines. Also mental stimulation and special knowledge for children from 2 to 10; the Amani Centre for Mentally Disabled Persons; the Training Centre for Development Cooperation (the centre provides a classroom, a teaching assistant and some supplies. The Tanzanian Education Ministry seconded a teacher trained in special education); Zanzibar Association of Parents of Mentally Handicapped. In Tanzania the education of disabled children particularly the deaf and blind was purely an effort of missionaries. The Anglican Church opened the Wilson Carlile School for the blind Boys in 1962 and the Swedish free mission opened the mission Blind School at Tabora in 1962. The Lutheran Church opened the Trente School for the Blind Girls in Lushoto in 1963 while the Roman Catholic Mission opened the Tabora Deaf-Mute institute in 1963. Most of them receive subsidies from the Government.

The following organizations also provide training and employment-related services for persons with disabilities: Development Union of Disabled Persons; Tanzania Federation of Associations of Persons with Disabilities; the Community-Based Rehabilitation Support Organization (CBRSO); the Self Employment Trust for Persons with Disabilities; the Tanzania Organization for Persons with Disabilities Development; and the Iringa Vocational Training Centre for Handicapped Persons.

5. Concluding comment

The employment of disabled persons is covered by a specific Act, 'The Disabled Persons (Employment) Act 1982', in Tanzania Mainland. The Act establishes a quota scheme obliging employers to hire persons with disabilities. While a mechanism has been put in place to enforce this legislation, no reports could be sourced in preparing this country study.

In Zanzibar, there is as yet no disability-related legislation, as priority was given to developing a policy first. A disability policy has just been formulated (2004) and Labour Laws have been reviewed, taking into account disability issues. The next step envisaged is the development and enactment of a specific disability-related law.

A 1996 report on 'Training and Income-generating Activities for Disabled Persons' in the United Republic of Tanzania concluded that persons with disabilities do not fully participate in the economic, social and political life of the country and that only very few of them are self-supporting:

'Despite efforts made by the Government, by associations of disabled persons and by international agencies, to assist disabled youth and adult to learn skills and become self-employed, few disabled persons, especially in rural areas, have become economically self-sufficient'.²⁵

In addition, this 1996 report states that persons with disabilities comprise one of the poorest and marginalised groups of Tanzanian society. This situation has been worsened by the Government's Economic Recovery Programme, which - by reducing social sector expenditure - had a negative impact on programmes and activities aimed at promoting opportunities for disabled persons.

Given the momentum which has been created by the government in collaboration with organizations of disabled persons in the United Republic of Tanzania, it is timely to review the current situation of people with disabilities so as to establish the extent to which improvements have taken place.

²⁵ Training and income-generating activities for disabled persons: Project findings and recommendations, ILO, 1996.