

# Moving Towards Disability Inclusion

## Ethiopia

### Disability inclusion through effective legislation and policies

*Over the past four years in Ethiopia, several factors have played a pivotal role in intensifying the focus on disability and better understanding the barriers faced by disabled persons. At the international level, the United Nations Convention on the Rights of Persons with Disabilities (CRPD), which came into force in 2008 and was ratified by Ethiopia in 2010, stimulated much discussion on the implications of the new international human rights instrument and how it might be utilized to support disability-inclusive policies and practices. At the national level, the synergies and complementarities created by two recent instruments - "Right to Employment of Persons with Disability" (Proclamation No. 568/2008) and the Growth and Transformation Plan for 2011 to 2015 - provide a framework for more effective participation of disabled persons in Ethiopian society and embrace a disability perspective.*

*Together, all three instruments help to strengthen and support legal protection, policymaking and inclusive planning for development. The ILO-Irish Aid Partnership Programme's PEPDEL project has made significant contributions to the legislation process of the disability employment law (Proclamation No. 568), advocacy efforts to support CRPD and the inclusion of disability as a development issue in the national development plan. Working through the Ministry of Labour and Social Affairs, and in collaboration with the Federation of Ethiopian National Association for Persons with Disabilities (FENAPD)<sup>1</sup>, the Partnership Programme has facilitated dialogue to encourage support for the implementation of legislation and policy, enhanced the exchange of information and the development of capacity in promoting the rights of persons with disabilities.*

#### **About the ILO-Irish Aid Partnership Programme**

*The ILO-Irish Aid Partnership Programme supports two disability specific projects. The Promoting the Employability and Employment of People with Disabilities through Effective Legislation, or PEPDEL, project supports governments in improving disability-related laws and policies. The Promoting Decent Work for People with Disabilities through a Disability Inclusion Support Service, or INCLUDE, project works to build capacity at regional and national levels to effectively support equal access of persons with disabilities to training, employment services, entrepreneurship and business development services and micro-finance. Both projects operate in selected countries of South-East Asia and East and Southern Africa.*

# Ethiopia

## The challenge

Public misunderstanding about the capacity of disabled persons and negative attitudes towards them still present major barriers to their being able to access employment opportunities in Ethiopia. As a result, a majority of disabled persons remain dependent on their families and society for their economic needs. This has contributed to a negative public perception that disabled persons lack the capacity to work and need the support of others to survive. Laws often based on this 'caring approach' work against a rights-based view. Yet, over the past two decades, understanding about disability and persons with disabilities has started to change worldwide. There is a growing emphasis that barriers to participation in society and its institutions stem from the societal and physical environment in interaction with impairments rather than the individual. This trend has fostered an increasing recognition of the rights of persons with disabilities and their status as citizens.

The new "Right to Employment of Persons with Disability" (Proclamation No. 568/2008)<sup>2</sup> seeks to ensure equal opportunities in employment, participation in training programmes and that rights of persons with disabilities are protected and respected. It also requires employers to make reasonable accommodation by providing "appropriate working and training conditions and working and training materials for persons with disability". Many of these same principles are supported by Article 27 on 'work and employment' of the CRPD and key ILO Conventions and other legal standards.

Proclamation No. 568 replaces Proclamation No. 101/1994 on the "Right of Persons with Disabilities to Employment", which included a provision calling for select vacancies to be reserved for disabled persons, implying that there were certain jobs that they could do. To a large degree, Proclamation No. 568 complements existing labour laws in effect which, while making no specific references to the employment of disabled persons, do contain provisions on workers who become disabled in the course of employment.

The new Right to Employment Proclamation sets out to tackle society's deeply rooted negative perceptions about disabled persons, and together with key ILO Conventions, the CRPD and other legal standards, will play a significant role in creating opportunities for persons with disabilities.

## Meeting the challenge

*The Ministry of Labour and Social Affairs (MOLSA)*

For nearly a decade, the ILO- Irish Aid Partnership Programme has been working with the Ministry of Labour and Social Affairs (MOLSA) to raise awareness of the need for review and reform of legislation and policy on disability and employment. At Federal level, MOLSA - specifically its Rehabilitation Affairs Department - is responsible for policy formulation concerning persons with disabilities, including protection and employment rights<sup>3</sup>. To this end, it helped promulgate the "Right to Employment of Persons with Disability" (Proclamation No. 568/2008).

The ILO-Irish Aid PEPDEL project has provided MOLSA with support in both development of the law and raising awareness of Proclamation No. 568. More concretely, project staff, in particular, the National Programme Coordinator, have shared materials related to other countries' employment legislation concerning persons with disabilities and provided technical support for a series of national, regional and woreda-level awareness raising workshops aimed at 'enforcement agents' (judges, labour inspectors, employers and worker representatives), regional officials of the Bureau of Labour and Social Affairs (BOLSAs) and other ministries. Additional workshops are also being planned. The workshops have provided valuable inputs for the drafting of the directives that will help to ensure proper implementation of the Proclamation. MOLSA aims to have a draft directive for consideration by the Council of Ministers by the first quarter of 2011. Following approval by the Council, the directives must be approved by the House of Parliament.

Proclamation No. 568 will make a difference in the hiring practices of many government agencies as well as several non-governmental organizations and international organizations. At present, MOLSA employs six disabled persons, with the Addis/BOLSA employing an equal number, if not more. The Ministry of Justice has also employed several disabled persons as has the Institution of the Ombudsman. What is more, "Ethiopian Building" Proclamation No. 624/2009, still in draft form, requires all new building constructions over four floors to have elevators, in addition to accessible toilets - a first step in the direction of greater accessibility.

Ethiopia's National Plan of Action for Inclusion of Persons with Disabilities, 2010 -2020, which is to be finalized in 2011 and presented to the Council of Ministers for endorsement, also reflects the government's focus on disability mainstreaming. The document has been designed in line with the provisions of the CRPD. Once finalized, all sectors of the economy - health, education, labour - will have a role to play in its implementation, promoting a better standard of living and the equal rights and full participation of disabled persons in society.

### *The Federation of Ethiopian National Association for Persons with Disabilities (FENAPD)*

The past three years of the ILO-Irish Aid's long history of collaboration with FENAPD has centred on advocacy in support of ratification of the UN Convention of the Rights of Persons with Disabilities (CRPD) by the Ethiopian government, and promoting the inclusion of disability as a development policy issue in the national development plan (the Growth and Transformation Plan (GTP) for 2011 to 2015)<sup>4</sup>. Other groups, in particular, the Ethiopian National Disability Action Network (ENDAN) - a consortium of Ethiopian Resident and International Charities working on disability - have also played a role and supported these advocacy efforts, in part with ILO sponsorship.

With financial and technical support provided by ILO-Irish Aid, FENAPD has organized a series of informational and awareness raising workshops on the CRPD which targeted parliamentarians, ministers and disabled persons' organizations at the federal and local levels. One particular workshop on how to ratify the CRPD which targeted at over 120 members of parliament helped forge a stronger partnership between the non-governmental organization and government. Ethiopia ratified the CRPD in July 2010. Consequently, a review of existing national legislation is required to ensure that its provisions are aligned with the international instrument.

Committed to sustained dialogue with its members, FENAPD organized consultative meetings with other disabled persons' organizations to discuss the GTP, in particular, areas of concern, identification of needs, views on priorities, services, and other issues.

FENAPD also contributed to the development of Proclamation No. 568, having participated in the drafting committee and in promoting discussions and awareness of the new employment law both to inculcate positive public attitudes and to boost confidence and self-esteem among disabled persons.

Some progress has been made in the past years on including a disability perspective in national laws and policies. Yet, many challenges remain. Negative attitudes, mistaken assumptions, lack of awareness of the rights of disabled persons and access issues persist. Additional technical and financial resources are needed to continue awareness raising initiatives and help build the government's capacity to implement many of the new legislation and social protection policies that aim to empower people with disabilities and offer them real choices, in particular, in the world of work.



## Building capacity

For nearly ten years the ILO-Irish Aid PEPDEL project has supported capacity building efforts aimed at MOLSA, FENAPD and ENDAN. Leadership training, information exchange based on disability legislation in other countries, and workshops in subject areas ranging from small enterprise development to association building to training and employment of disabled persons have contributed to the main project aims of inclusive employment laws and policies. Highlights of both recent and past capacity building activities and events aimed at Ethiopian stakeholders and partners include their participation in:

- Training courses on Labour Market Inclusion of Persons with Disabilities in collaboration with the ILO's International Training Centre (ITC) in Turin, Italy;
- A distance learning course on Mainstreaming Disability Equality in The World of Work, organized through the ITC;
- A disability law and policy course at the Centre for Disability Law and Policy at the University of the Western Cape in South Africa.

## The good practice

Disability perspective mainstreamed in key national laws and policies, in particular, as it concerns equal opportunities in skills development, training and employment. What is more, laws specifically dealing with persons with disabilities have been reformed to reflect a rights-based approach.

## Lessons learned

- Building knowledge of and skills for effective advocacy is central to the work of ILO-Irish Aid in promoting change - *changes in attitudes, laws, policies and actions* - that are important to opening opportunities for disabled persons to engage in all spheres of society (social, political and economic).
- Targeted capacity building yields sustainable results.
- Targeted awareness-raising efforts are a key to gaining the support and buy-in necessary for creating a favourable environment for persons with disabilities.
- Disabled persons' organizations (DPOs) play an important role in raising the visibility of disability and the needs and concerns of disabled persons among government, international bodies and other civil society groups. They also raise awareness among disabled persons who might not even be aware of their basic rights, such as their right to education, training, employment or a better quality of living.
- Despite their limited resources, which include limited or no physical offices in parts of the country, many DPOs in Ethiopia have developed a tremendous capacity to influence policy shapers and decision makers.

### ENDNOTES

- <sup>1</sup> Founded in 1996, FENAPD, originally called the Ethiopia Federation of Persons with Disabilities, is an umbrella association of four single disability-focused national associations. They are the Ethiopian National Association for the Deaf; the Ethiopian National Association of Ex-Leprosy Patients; Ethiopian National Association for Intellectual Disability; and the Ethiopian National Association for the Deaf-Blind.
- <sup>2</sup> Ethiopia: The Right to Employment of Persons with Disability (Proclamation No. 568/2008), <http://www.ilo.int/dyn/natllex/docs/ELECTRONIC/85197/95284/F845089098/ETH85197.pdf>, accessed on 10.02.11.
- <sup>3</sup> In Ethiopia, at Regional level it is the 11 Regional Bureaus of Labour and Social Affairs (BOLSA), or their equivalent, that are responsible for actually providing services to persons with disabilities.
- <sup>4</sup> In Ethiopia, the Growth and Transformation Plan 2011-2015 supersedes the National Plan for Accelerated and Sustained Development to End Poverty (PAS-DEP) for 2006-2010.

### Further information:

International Labour Office  
Skills and Employability Department  
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ILO/Irish Aid Partnership Programme  
<http://www.ilo.org/inclusion>