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Ethiopia Country Profile

Abstract
[From Introduction] The country study for Ethiopia is part of the ILO project 'Employment of People with Disabilities – the Impact of Legislation', funded by the Government of Ireland, 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 region1, 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 Ethiopia 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, a study by an in-country consultant and feed-back from Ethiopian 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

Keywords
Ethiopia, rehabilitation, disabled persons, services, policy, rights, social, participation, ILO, labour, proclamation, federal, employment, vocational, opportunities, government

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ETHIOPIA 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
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International Labour Office
Geneva

Development
Cooperation
Ireland

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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 Ethiopia is part of the ILO project '*Employment of People with Disabilities – the Impact of Legislation*', funded by the Government of Ireland, 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 Ethiopia 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, a study by an in-country consultant and feed-back from Ethiopian 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, Seychelles, Sudan, Uganda and United Republic of Tanzania; Asia and the Pacific: Australia, Cambodia, China, Fiji, Japan, India, Mongolia, Sri Lanka and Thailand.

2. Context

In the Federal Democratic Republic of Ethiopia, an estimated 46 per cent of the total population of 65.9 million (2003 estimates) lives below the poverty line, with a daily income of under US$1[2] (World Bank. 1998). There are many reasons for the low development ranking and the poverty of the country. The population of Ethiopia has suffered from three decades of war, most recently from a border war with Eritrea, 1998-2001, which displaced hundreds and thousands of persons form the border areas, and left an estimated 20,000 soldiers and civilians disabled. The country also suffered from economic mismanagement under the socialist regime, in power from 1978 to 1991. Additionally, Ethiopia suffers from cyclical drought that often produces famines, the worst being in 1984-85.

Ethiopia is among the least developed countries in the world according to the 2001 UNDP Human Development Index (HDI), being ranked 158 out of 162 countries. 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 43.3 years for men and 44.9 for women;
- Educational attainment, measured as the gross enrolment ratio, was 34 per cent among boys and 19 per cent among girls;
- The standard of living, measured as annual per capita GDP, was US$628 in 1999; and
- The adult literacy rate was 37.4 per cent with a higher rate recorded for men (42.8 per cent) than women (31.8 per cent).

In 1998, the labour force participation rate for women was 58 per cent and 86 per cent for men[3]. The agricultural sector accounted for half of the total GDP, the service sector for 43.5 per cent and the industrial sector for 6.7 per cent of GDP[4]. In 1996, the majority of the labour force was employed in agriculture (72 per cent), less than a fifth (16 per cent) was employed in services and the remaining tenth worked in industry.[5.]

2.1 People with disabilities

According to the Population and Housing Census of 1994, of a total population of 53,477,265 there were 988,849 people with disabilities in Ethiopia (1.85 per cent of the population). The 1994 Census is acknowledged to have underestimated the number of disabled persons in the country. In 2003, it is estimated that there are over 5 million children, adults and elderly persons with disabilities in Ethiopia, representing 7.6 per cent of the population.

According to a recent survey on disability in Ethiopia[6], 60 per cent of persons with disabilities in Ethiopia were unemployed in 1995, of whom two-thirds were self-employed in rural areas in occupations such as agriculture, animal husbandry or forest activities. None of

[2] World Bank, 1998

[3] The World's Women 2000: Trends and Statistics

[4] Human Development Report, 2001

[5] African Development Report 2000, African Development Bank

[6] Baseline Survey on Disabilities in Ethiopia, Institute of Educational Research, Addis Ababa University, 1995

the disabled people surveyed were reported to be employed in administration or management positions.

3. Legislative framework

Ethiopia enacted legal provisions concerning employment of disabled persons through the Proclamation concerning the Rights of Disabled Persons to Employment, 1994. Disability provisions are also included in general legislation, such as the 1995 Constitution of the Federal Democratic Republic of Ethiopia, the Labour Proclamation 1993 and the Federal Civil Servant Proclamation 2002.

In 1971, the Order to Provide for the Establishment of a Rehabilitation Agency for the Disabled No. 70/1971 was enacted to establish and set out the functions of the Rehabilitation Agency. These included providing rehabilitation for those in need of it, and fostering and facilitating effective participation of private organizations engaged in rehabilitation work. The Rehabilitation Agency was operational until 1996, when it was dissolved. Although Order No. 70/1971 has not been abrogated, it is no longer relevant.

Currently (2004), several laws are being reviewed in Ethiopia, including the Labour Proclamation 1993, the Federal Civil Servant Proclamation 2002 as well as the associated regulations.

3.1 Constitution of the Federal Democratic Republic of Ethiopia 1995

Compared to previous Constitutions of Ethiopia, the Constitution of the Federal Democratic Republic of Ethiopia 1995 has made progress in terms of addressing the concern of persons with disabilities. Article 41(5) of the Constitution sets out the State's responsibility for the provision of necessary rehabilitation and support services for people with disabilities:

'The state shall, within its available means, allocate resources to provide rehabilitation and assistance to the physically and mentally disabled'.

3.2 Proclamation concerning the Rights of Disabled Persons to Employment No.101/1994

The Proclamation concerning the Rights of Disabled Persons to Employment No.101/1994 is the only legislation in Ethiopia which specifically provides for the employment of disabled persons.

The Proclamation aims to protect and promote the rights of disabled persons to appropriate training, employment opportunities and salary, and to prevent any workplace discrimination. Sections 3 and 4 refer to the promotion of employment opportunities for disabled persons in the open labour market. They state that no selection criteria shall refer to the disability of the candidate, and that necessary equipment shall be provided to allow a disabled person to carry out his duty. Article 6 provides for grievance procedures:

'Any disabled person whose rights are affected because of non-compliance with the provisions of this Proclamation and regulations and directives issued hereunder, may lodge his grievance to the organ empowered by law to hear the labour dispute'.

The Proclamation defines a disabled person as *'a person who is unable to see, hear or speak or suffering from injuries to his limb or from mental retardation, due to natural or man-made causes; provided, however, that the term does not include persons who are alcoholics, drug addicts and those with psychological problems due to socially deviant behaviours'.*

3.3 The Federal Civil Servant Proclamation (Proclamation No. 262/2002)

Article 13 of the 2002 Federal Civil Servant Proclamation prohibits discrimination because of ethnic origin, sex, religion, political outlook, or any other ground. 'Disability' is not expressly mentioned, although provisions relating to disabled persons are made.

While the Right of Disabled Persons to Employment Proclamation 1994 bars discrimination, the Federal Civil Servant Proclamation goes further by effectively providing for affirmative action in the recruitment of persons with disabilities. It prescribes that meeting the passing score is sufficient for applicants with disabilities competing for vacancies and that those meeting this score get preference in appointments:

'priorities of appointment shall be given to candidates with disabilities who meet the minimum passing score'.

The Federal Civil Servant Proclamation is currently under review along with the regulations to give effect to it.

3.4 Labour Proclamation No. 42/1993

The 1993 Labour Proclamation has no specific provisions which deal with employment opportunities for persons with disabilities. Article 14(1)(f) states that employers shall not discriminate against workers on the basis of nationality, sex, religion, political outlook or on any other conditions. Discrimination on the basis of disability is not explicitly mentioned, although the clause '*any other conditions*' can be taken to include disability.

The Proclamation defines disablement as '*any employment injury as a consequence of which there is a decrease or loss of capacity to work*'. The degree of disability ranges from temporary, permanent, partial to total disablement depending on the effect of the injury on the working capacity of the worker. The Proclamation states that the degree of disability shall be fixed by a competent medical board in accordance with the assessment table of disability prescribed by directives issued by the Minister. Disablement which has been assessed may be reviewed where the worker's condition deteriorates or improves or is wrongly diagnosed.

Under Article 29, the Proclamation ensures security of employment for disabled persons, by protecting them from dismissal when reduction of workers takes place in an undertaking:

'Whenever a reduction of work force takes place […] workers having skills and higher rate of productivity shall have priority of being retained in their posts and, in the case of equal skill and rate of productivity, the workers to be affected first by the reduction shall be in the following order : […] those having the shortest length of service in the undertaking; those who have fewer dependents; those not covered under sub-article 3(a) and (b) of this Article; those who are disabled by an employment injury in the undertakings; workers' representatives; expectant mothers'.

3.5 International commitment

ILO Convention concerning Vocational Rehabilitation and Employment (Disabled Persons) No. 159 (1983) was ratified by Ethiopia in 1991.

4. Implementation

4.1 Institutional framework

The Rehabilitation Agency for Disabled Persons as provided for in Order No. 70/1971 was operational until 1996, when it was dissolved, to be then restructured and established as a Department for Rehabilitation Affairs within the Ministry of Labour and Social Affairs (MOLSA). This Department coordinates disability issues at the federal level as part of its wider brief to deal with employment and social issues. It is responsible for providing policy guidance and technical support concerning social and economic integration of disabled persons. It has the duty to '*study and in cooperation with the appropriate organs, ensure the implementation of ways and means of providing assistance to the aged and the disabled as well as the rehabilitation of the disabled*'.[7]

In each of the 11 Regions of Ethiopia, there is a Bureau for Labour and Social Affairs (BOLSA) responsible for employment and social issues at regional level, in a policy framework defined by MOLSA. As part of their mandate, the BOLSAs are responsible for mobilizing public and private services and for promoting integration of persons with disabilities.

4.2 Policy

Government policies and programmes concerned with the employment of disabled persons are both mainstream and disability-specific. Ethiopia formulated a Developmental Social Welfare Policy which reflects the needs of people with disabilities in 1997 and a National Programme of Action for Rehabilitation of Persons with Disabilities in 1999.

4.2.1 Developmental Social Welfare Policy 1997

The Developmental Social Welfare Policy, developed in 1997, specifically targets people with disabilities and sets out to safeguard their rights and to promote opportunities for vocational rehabilitation. It provides '*for creating conditions where rules, regulations, programs and services could be strengthened and expanded whilst enhance vocational training and placement opportunities for persons with disabilities*'.

The policy includes the following recommendations related to disabled persons:

- Conditions enabling persons with disabilities and promoting their full participation in political, economic and social activities shall be facilitated;
- Education, skill training, employment opportunities and other services shall be increased and appropriate legislative measures shall be taken to ensure the welfare of persons with disabilities;
- Mechanisms providing persons with disabilities with appropriate medical/health services and supportive appliances shall be created;
- Mechanisms providing persons with disabilities with appropriate support services in the context of their family and community shall be created;
- Special centres where disabled persons without any family support will be cared for shall be established;

[7] Proclamation to define the Powers and Duties of the Executive Branches of the Federal Democratic Republic Government of Ethiopia (Proclamation No. 4/1995), Article20 (10).

- Appropriate and sustainable educational programs and awareness-raising campaigns shall be launched;
- Prevention strategies and programs shall be formulated;
- Physical barriers shall be removed and residential areas, work and other public places shall be made accessible to persons with disabilities; and
- Support shall be provided to non-governmental organizations and voluntary organizations providing services to persons with disabilities.

4.2.2 National Programme of Action for the Rehabilitation of Persons with Disabilities 1999

In 1999, the Ministry of Labour and Social Affairs prepared a National Programme of Action for the Rehabilitation of Persons with Disabilities. The main objectives of the Programme are:

- To take disability prevention measures by promoting community participation;
- To enable persons with disabilities to achieve a better standard of living by building their capacity;
- To ensure their equal rights and full participation in society.

The focus areas of the programme are: disability prevention, medical rehabilitation, educational rehabilitation, vocational rehabilitation and employment services, accessibility, awareness-raising, strengthening and expanding disabled persons' organizations, religion, culture sport, recreation, and family life.

This National Programme of Action focuses on promoting equalization of opportunities for and full participation of persons with disabilities by implementing rehabilitation measures. The vocational rehabilitation process is understood to encompass vocational guidance, vocational training and appropriate placement which enable persons with disabilities to engage in occupations which generate an adequate income. This process includes follow-up and evaluation procedures which are undertaken after placement. In addition, the Programme of Action addresses the needs of disabled persons in rural areas who do not have access to vocational rehabilitation centres, by promoting community-based rehabilitation services.

The UN Standards Rules on Equalization of Opportunities for Persons with Disabilities and the Developmental Social Welfare Policy of Ethiopia were the basis for preparation of this Programme, which aims to further promote these instruments.

4.3 Consultative mechanisms

The National Programme of Action has been prepared by a technical committee composed of representatives from the Ministry of Labour and Social Affairs, Ministry of Education, Ministry of Health, Ministry of Education, the Ethiopian Federation of Persons with Disabilities and the Community-Based Rehabilitation Network. It was enriched at the drafting stage by comments from relevant Federal and Regional government bodies and Non-Governmental Organizations. The Department of Rehabilitation Affairs maintains regular contacts with disabled persons' associations.

4.4 Enforcement

The Ministry of Labour and Social Affairs, the Public Servants Administration Commission and the Council of Ministers are entrusted with the power to issue regulations necessary for the implementation of the Right of Disabled Persons to Employment

Proclamation No.101/1994. Implementation regulations have not yet been issued, but are currently being formulated.

In the 1999 National Programme of Action for the Rehabilitation of Persons with Disabilities, the Government of Ethiopia reported difficulties in putting the Proclamation into effect. As a consequence, many persons with disabilities with the potential and capability to work are not employed and those who are employed encounter barriers, as conducive conditions required to perform their job are not met[8]. No measures have yet been enacted to ensure special action to enable disabled persons to better compete in the labour market, and the National Programme of Action for Rehabilitation of Persons with Disabilities has not yet been implemented.

4.5 Organizations of and for persons with disabilities

4.5.1 The Ethiopian Federation of Persons with Disabilities (EFPD)

The Ethiopian Federation of Persons with Disabilities (EFPD) aims at promoting human rights of persons with disabilities; assisting them to ensure their well-being; developing their self-confidence and attaining equalization of opportunities for disabled persons. It is the umbrella organization of the five following national disability associations.

The EFPD is one of two implementing partners of the ILO Project "Developing Entrepreneurship among Women with Disabilities" which is being implemented in two regions of Ethiopia. This project aims to promote economic empowerment among women with disabilities and women with disabled dependants, by providing training in micro-enterprise skills, arranging access to vocational skills training and credit and supporting the women to start a business activity or develop an existing one.

4.5.2 The Ethiopian National Association of the Blind (ENAB)

The Ethiopian National Association of the Blind (ENAB) was created in 1960. It aims to provide education and assist persons with visual disability in furthering their integration into Ethiopian society; to raise awareness on the situation of people with visual impairment, and to promote employment opportunities for visually impaired persons. The ENAB runs elementary boarding schools, organizes training activities and community-based rehabilitations programmes for blind persons and promotes self-employment activities.

4.5.3 The Ethiopian National Association of the Deaf (ENAD)

The Ethiopian National Association of the Deaf (ENAD) was founded in Addis Ababa in 1971. The main aims of the association are the following: to promote the rights of deaf persons; to participate in the provision of educational and vocational training programmes for persons with hearing impairment, and to promote full participation and equalization of opportunities for persons with hearing disability.

4.5.4 The Support Organization of the Mentally Challenged (SOOM)

The Support Organization of the Mentally Challenged (SOOM) was established in 1994 with a view to raising awareness of the causes of intellectual disability; providing health

[8] National Programme of Action for Rehabilitation of Persons with Disabilities, MOLSA, Ethiopia, 1999

care, functional literacy and vocational training for persons with mental disability; and setting up small enterprises run by persons with mental disability. In 1997, the organization started its vocational training programme to enable persons with mental disability become self-supportive.

In 1998, SOOM conducted a survey on the situation of children with disabilities in Addis Ababa Region. The survey results show that 87 per cent of children with disabilities are kept at home without access to education.

4.5.5 The Ethiopian National Association of the Physically Handicapped (ENAPH)

The Ethiopian National Association of the Physically Handicapped (ENAPH) focuses on attitudinal changes towards persons with physical disability by running awareness-raising campaigns and advocacy activities. It provides for basic education courses and vocational rehabilitation in the areas of tailoring, agriculture, leather work and carpentry. The community-based rehabilitation program of ENAPH is focused on psychological rehabilitation of persons with physical disabilities. It also provides them training and employment opportunities.

4.5.6 The Ethiopian National Association of Ex-Leprosy Patients (ENAELP)

The Ethiopian National Association of Ex-Leprosy Patients (ENAELP) was founded in 1997 with the aim of raising awareness of leprosy issues; advocating equal opportunities and full participation of persons affected by leprosy; and promoting the rehabilitation of ex-leprosy persons.

The Association runs socio-economic rehabilitation projects through income-generating activities and education programmes, among other activities.

4.5.7 The Rehabilitation and Development Organization (RaDO)

The Rehabilitation and Development Organization (RaDO) was established in 1997 to improve the quality of life of persons with disabilities in providing vocational rehabilitation services; improving access to social services and facilities for persons with disabilities; mainstreaming disability issues in other development programmes; and providing for social and physical rehabilitation services.

4.5.8 The Tigray Disabled Veterans Association (TDVA)

The overall objective of the Tigray Disabled Veterans Association (TDVA) is to reintegrate war veterans into the society and to advocate for the provision of training and job placement for them. It provides, among other things, for basic education courses and vocational rehabilitation in the area of carpentry, metal and leather work.

TDVA is the second implementing partner in the ILO project, “Developing Entrepreneurship among Women with Disabilities” (see 4.5.1 above).

5. Concluding comment

ILO Convention concerning Vocational Rehabilitation and Employment (Disabled Persons) No. 159 (1983) was ratified by Ethiopia in 1991. Subsequently, the Government has introduced several legislative and policy measures in relation to employment opportunities for person with disabilities. In 1994, a Proclamation concerning the Rights of Disabled Persons to Employment was adopted, prohibiting discrimination of people with disabilities. The Federal Civil Servant Proclamation 2002 provides for special treatment in the selection of disabled persons for vacancies. This provision is applicable to government offices only.

Unlike previous Constitutions, the Constitution of the Federal Democratic Republic of Ethiopia 1995 addresses disability issues. It refers more to the obligation of the State to support persons with disabilities, than to the promotion of opportunities for disabled persons. A disability-oriented Developmental and Social Welfare Policy was prepared in 1997, while a National Programme of Action for Rehabilitation of Persons with Disabilities was formulated in 1999.

Implementation of the National Programme of Action and of the Proclamation concerning the Rights of Disabled Persons to Employment remains essential for the effective integration and equal participation of disabled people in Ethiopia. In addition, the revision of labour laws currently underway (March 2004) may be an opportunity to further the promotion of employment opportunities for job-seekers with disabilities in Ethiopia.