

Issue paper on the participation and inclusion of persons with disabilities in the social protection COVID-19 processes in Lesotho

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Abstract

The Lesotho National Federation of Organisations of the Disabled (LNFOD) is an umbrella body of organisations of persons with disabilities in Lesotho.

Its mission is to advocate for, promote, protect and defend the human rights of persons with disabilities and their families through training, emotional support and by representing their needs to government, private sector, development partners, and the wider community.

LNFOD has been working towards the promotion and inclusion of persons with disabilities in various aspects of development including in advocacy on social protection for persons with disabilities

As a consequence, the United Nations Resident Coordinator's office is partnering with LNFOD to develop an issue paper on the participation and inclusion of persons with disabilities in the social protection COVID-19 processes in Lesotho.

In this issue paper regarding the participation and inclusion of persons with disabilities in the social protection COVID-19 processes LNFOD reveals that persons with disabilities have been disproportionately affected by the negative impact of COVID-19 due to limited access to social protection COVID-19 processes.

Hence, persons with disabilities have suffered greater social and economic inequalities resulting from the disruption of economy, limited access to rehabilitation services, loss of informal and formal jobs by persons with disabilities and their family members, as the majority of them rely on the support from the family members.

The paper concludes by encouraging the social protection COVID-19 decision-making processes to promote participation and inclusion of persons with disabilities so as to create a disability inclusive COVID-19 response and recovery which will help Lesotho to build back better in an inclusive and accessible manner for all.

The issue paper therefore recommends actions which should be put in place in order to foster inclusion of persons with disabilities in the social protection COVID-19 processes.

Introduction

On 30 January 2020, WHO declared the COVID-19 outbreak a public health emergency of international concern.¹In response, Lesotho has developed an Integrated National COVID-19 Plan and the National Preparedness and Response Plan for COVID-19.²Under the leadership and coordination of the United Nations Resident Coordinator and in line with principles of 'Delivering

1 World Health organisations 'declaration of the outbreak as a public concern and a pandemic' <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen> (accessed 22 April 2021).

2 UNDP terms of reference for the development of disability issue papers and communication materials in accessible formats.

as One', the UN Lesotho has established a response team that is aligned to the United Nations Development Assistance Framework (UNDAF) pillars, to support the national response to COVID-19. ³By adopting the "One Health Approach" and "Whole-of-Society Approach", the UN support focuses on strengthening national coordination and leadership, national emergency response and health systems to ensure inclusive and equitable access to facilities by all, particularly vulnerable segment of society.

Interaction with organizations of persons with disabilities reveal that limited disability awareness and capacity among COVID-19 coordinating and decision-making bodies, and the society at large, has excluded persons with disabilities from participating and benefiting from COVID-19 preventative and recovery processes on an equal basis with others.⁴

In order to promote participation and inclusion of persons with disabilities in the social protection COVID-19 decision-making processes, the United Nations' Resident Coordinators' Office is partnering with LNFOD to develop issue papers on how to ensure participation and inclusion of persons with disabilities in social protection COVID-19 processes.

The objective is to prepare an issue paper on promotion of the participation and inclusion of persons with disabilities in social protection COVID-19 decision-making processes to support policymakers and programmers to include persons with disabilities in their decision-making processes. This issue paper also targets the management of the international and national humanitarian organisations which have been responding to COVID-19 and facilitating recovery to ensure that they promote inclusion of persons with disabilities in their social protection COVID-19 processes.

This issue paper is divided into five sections, the first section deals with the summary; the second section introduces the topic; the third section provides for the context; the fourth section focuses on the issue whilst, the fifth section recommends what can be done to ensure participation and inclusion of persons with disabilities in social protection COVID-19 decision making processes.

Context

In regular circumstances, persons with disabilities, who comprise 2.5% of the total population of Lesotho are more likely to be poor, with fewer employment opportunities, and have weaker social networks, fewer assets, lower income and savings, and a heightened risk of food insecurity.⁵

³ UNDP terms of reference for the development of disability issue papers and communication materials in accessible formats.

⁴ As above.

⁵ World bank and W.HO report on disability (2011).

The Living conditions study among persons with disabilities, conducted in Lesotho indicates that in comparison with their non-disabled counterparts, persons with disabilities are more likely to be found in the informal sector, where they work with no social security, or are self-employed.⁶

In order to mitigate the effects of poverty and lack of economic opportunities for vulnerable groups, including persons with disabilities, the Kingdom of Lesotho, through the Ministry of Social Development, has put in place several social protection services in order to reduce vulnerabilities and social inequalities existing between the vulnerable groups of society and the rest of the society.⁷

This includes the adoption of the National Social Protection Strategy (2014/15-2018/19). This strategy requires government and other stakeholders to provide social protection to persons with disabilities. This should be among others through a disability grant to support persons with disabilities and their families to cope with disability related costs, such as assistive devices and rehabilitation services.⁸

In an effort to mitigate the effects of vulnerability among the vulnerable groups, the Ministry of Social Development provides a public assistance scheme to the destitute; persons with disabilities are more often than not found in the poor of the poorest section of the society and therefore are frequently beneficiaries of this scheme.⁹

The public assistance fund provides M750.00 to the destitute every three months, which is equal to M250.00 per month.¹⁰ Persons with disabilities have long been saying that they are not happy with this money since it comes to them after a very long time, and does not help them to respond to both their economic and disability needs.¹¹

The national Information system for social assistance (NISA) along with the social protection strategy of (2014) provide that, only persons with severe disabilities should get a disability grant.¹² Severity of disability in this context refers to the seriousness of the impairment of an individual in question.

¹³Meaning that, disability according to this definition amounts to an impairment.

As a result, persons with disabilities through their representative organisations express concerns over this definition because it is not in line with the human rights definition of disability which makes a distinction between an impairment and disability.¹⁴ The human rights definition of disability considers

⁶Sintiff Living conditions study among persons with disabilities (2011).

⁷ Policy on social development (2014).

⁸National social protection strategy (2014-2015-2018-2019).

⁹ Ministry of social development public assistance scheme service.

¹⁰ Ministry of Social Development public assistance scheme.

¹¹ Interview held with Members of the Disabled Organizations On 27 April 2021

¹² National social protection strategy 2014 and National information system for social assistance (NISA).

¹³CRPD art 1.

¹⁴ Interview with the DPOS on the impact of COVID-19 on social protection for persons with disabilities April 30).

the social and other external social barriers as the factors which hinder persons with impairments from participating in society on an equal basis with others, rather than their impairments.¹⁵

The problem with the approach taken by NISA and National social protection strategy is that, it has a potential of leaving the vast majority of persons with disabilities from benefiting from the social protection schemes such as the disability grant, because it focuses more on the body conditions of a person with impairment than on the social and economic barriers such a person encounter in society. Meaning that, even if the government was already implementing the disability grant, it would still be covering a small number of people with disabilities if the Ministry of Social Development's approach toward this issue is used to determine eligibility of the grant.

Despite the fact that the disability grant is considered by many as the breakthrough envisaged in several government instruments including: Persons with Disability Equity Act, National Disability and Rehabilitation Policy, and the National Protection Strategy of 2014 (which has now phased out and the new strategy is under way), persons with disabilities have not yet benefited from these programmes because the disability grant is not yet implemented in Lesotho.¹⁶

The Issue

The issue is that persons with disabilities have been disproportionately affected by the negative impacts of COVID-19 in terms of access to social protection services provided during COVID-19 response and recovery. This increases the existing social, and economic inequalities which promote discrimination, isolation and attitudes towards persons with disabilities.

Loss of job and economic opportunities

COVID-19 has put a lot of pressure on the Lesotho economy, and many people have lost their sources of income and economic opportunities.¹⁷ This situation has prompted government to provide increased social protection services to the affected population of Lesotho in order to mitigate COVID-19 effects.¹⁸ Hence, different segments of the society who are vulnerable were identified and given relief packages, which they can use to recover their livelihoods and survive the difficulties of COVID-19.

However, persons with disabilities, who are in similar or worse positions as those who have been identified, were not outlined explicitly as persons who are vulnerable and marginalized and therefore need relief packages to re establish their businesses as well.^{19,20}

¹⁵ CRPD general comment 1 art 12 on equal recognition before the law para 6.

¹⁶ C Johnstone 'Ministry of Social Development situational analysis study on persons with disabilities' (2019) at 40.

¹⁷ UNDP Lesotho on the social and economic impact of COVID-19 assessment report (2020).

¹⁸ UNDP Lesotho socio-economic assessment report (2020).

¹⁹ Interview with DPOS (3 May 2021).

²⁰ This is because severe disability is considered similar to sever impairment. It is determined in terms of medical model as opposed to economic model

This situation compounded the effects of COVID-19 for persons with disabilities since they did not have means through which they can build back better their businesses on an equal basis with others.²¹

The practice of leaving persons with disabilities out of the COVID-19 crisis intervention is aggravated by the lack of capacity by the country to disaggregate data based on disability, which will in turn assist Lesotho to build back better in terms of participation and inclusion of persons with disabilities in the social protection COVID-19 processes.

Provision of disability grant during COVID-19 response and recovery

Government of Lesotho responded to COVID-19 by providing temporary grants to elderly people (between the ages of 60 and 69) in order to ensure that they are resilient to COVID-19 and they are able to survive through.²²

In addition, the Ministry of Social Development extended its bursary programs to parents and caregivers who lost their jobs due to COVID-19 resulting from the lockdown measures imposed to curb the disease.

Since the Government of Lesotho consider persons with disabilities as vulnerable, it was highly expected by persons with disabilities that they would be equally regarded to be facing the social and economic difficulties which would make them qualify for the provision of a temporary social grant.²³ However, persons with disabilities were never considered to be eligible for provision of the temporary social grant which would indeed make a difference in their livelihood status.²⁴

This was also the case with care givers of people with disabilities whose income generating prospects are limited under normal circumstances due to the fact that they give full-time support to their depended with severe Disabilities. Covid-19 caused their daily survival to become harder and their exclusion from the social protection grant disproportionately exacerbated their situation²⁵

Rehabilitation services and assistive devices for persons with disabilities

Persons with disabilities report that they comparatively incur extra costs relating to their disability due to COVID-19 as they have to choose a safe mode of transport.²⁶ The safe mode of transport in this instance means that they have to hire private taxi to and from the hospital where they need to access rehabilitation services.²⁷ Persons with disabilities further report that they incur extra cost in buying assistive devices, which they use to support their mobility and hiring

²¹ Interview with DPOS (3 May 2021).

²² Ministry of Social Development and WFP social protection COVID-19 programme (2020).

²³ National Disability and rehabilitation policy (2011).

²⁴ Interview with the DPOS (3 May 2021).

²⁵ Interview with the members of the disabled people's organizations held on 27 April 2021

²⁶ Interview with the DPOS (3rd May 2021).

²⁷ Interview with the DPOS (3rd May 2020).

guides and interpreters without getting any form of subsidy or support from the government including in the COVID-19 response and recovery processes.²⁸ Exclusion of people with disabilities and care givers of people with disabilities from benefiting from the social protection grant given to alleviate the disproportionate impact of covid-19 on vulnerable groups made it unclear how the vulnerable groups were identified.

Humanitarian assistance

Many international and national humanitarian organisations provided social protection services for the community as a response to COVID-19, working together with the Government of Lesotho. The form of assistance included cash transfers to vulnerable households, provision of seeds to vulnerable households and coaching services to build the social resilience of the community.

Unfortunately, persons with disabilities were not targeted by these social protection interventions due to lack of awareness on the impact of COVID-19 on persons with disabilities and the knowledge and understanding of the extent to which the exclusion of persons with disabilities in programmes such as this deepens inequalities among persons with disabilities. It will be difficult for Lesotho to realize Goal 10 of the SDGS, reducing social inequalities, if Lesotho through its COVID-19 social protection interventions does not target explicitly persons with disabilities through targets and indicators.²⁹ It

Loss of family income

Most persons with disabilities are poor and rely on the family members who are the breadwinners in the household to provide for food, shelter and clothing. COVID-19 caused many people including those supporting persons with disabilities to lose their jobs and income. This situation aggravated the social and economic status of persons with disabilities due to COVID-19.

Inaccessible Social Protection for persons with disabilities

Persons with disabilities report that they have been hit hard by the effects of COVID-19 due to the lock down measures which were put in place to curb the spread. The lockdown measures prevented them from accessing social protection services from government agencies since gatherings of persons in one place was not allowed. As a result, it was more difficult for them to go to the service points than under ordinary circumstances where they go to the local community councils' offices to get their grants and other forms of social protection. Government did not provide the public assistance fund through the mobile telecommunication services like it was done with the temporary elderly grant resulting into low reception of the grants and confusion as to how others get it since persons with disabilities thought that they would be given the grants through other means so as to curb the spread of COVID-19. This created a lot of economic stress

²⁸ Interview with the DPOS (3rd May 2020).

²⁹ SDGS 10 2030 agenda.

and confusion among the beneficiaries of the social protection services since it was not clear to them how they will access them during the imposition of the lockdown measures. Persons with disabilities report that it was more difficult during COVID-19 period to get social protection information in accessible formats.

It has been observed throughout this paper that persons with disabilities experience considerable social and economic barriers in terms of access to social protection services provided in Lesotho because they are not actively participating in the public and private social protection COVID-19 decision-making processes. It is therefore imperative to promote participation and inclusion of persons with disabilities in the social protection COVID-19 processes so as to build an inclusive society.

People with disabilities were not involved in the design and implementation of the social protection and humanitarian strategies that were targeted to minimize the disproportionate impact of covid-19 on vulnerable groups hence people with disabilities benefitted minimally under these interventions.

Recommendations

In order to ensure that persons with disabilities are fully included in the COVID-19 response and recovery efforts, it is recommended that the following actions should be put in place:

1. **It is highly recommended that government of Lesotho through its various ministries including: The Ministry of Social Development, Ministry of Labour and Employment, Ministry of small Business development and Corporative, should as a matter of urgency build their capacity to disaggregate data based on disability so that they will be able to consider disability data when designing and implementing their social protection programmes.** These government institutions should improve the national information system for social assistance to capture the quality data on persons with disabilities so that they can design and implement disability inclusive social protection programmes which take into account the informal sector under which most persons with disabilities are found. For example, the national information system for social assistance (NISSA) can adopt the six set of questions as published by the Washington group on census for persons with disabilities. Additionally, persons with disabilities who are working in the formal sector should be provided with the business relief packages which may help them to respond and recover better from the effects of COVID-19. Government may create employment quota for persons with disabilities so as to recover from COVID-19 and ensure that persons with disabilities benefit from the creation of jobs which will later come post COVID-19.
2. **It is further recommended that the government should provide a disability grant to persons with disabilities as envisaged in the National Disability and rehabilitation**

policy, National Social protection strategy 2014, and recently in the Persons with Disability Act. The provision of the disability grant to persons with disabilities may help to reduce the COVID-19 impact on the social protection of persons with disabilities because it will empower them to purchase disability related cost including to cover their economic needs in a sufficient way than through the public assistance fund which does not address the disability needs at all. The disability grant envisaged by Persons with disability extends its coverage to the personal assistant of a person with disability who requires high support needs, and this arrangement will help to strengthen personal assistance service for persons with disabilities as the personal assistants will be working and their service will certainly improve.

3. **In terms of the inclusion of persons with disabilities in the social protection led by the international and NGO humanitarian organisations, it is recommended that, these organisations should be sensitized on disability mainstreaming and disability inclusive disaster risk reduction framework of the United Nations.** A capacity building workshop on disability inclusive disaster risk reduction can be organized so as to equip the management on disability inclusion and also advise them to choose one of them to become a disability focal person. The role of the disability focal point or person within an organisation is to advocate for disability consideration in the planning and implementation stage and advocate for the allocation of budget to support disability inclusive programming.
4. **It is recommended that, participation and inclusion of persons with disabilities should be promoted through consultation and active participation of persons with disabilities in the social protection COVID-19 processes.** In order to ensure meaningful participation and inclusion of persons with disabilities in the social protection COVID-19 processes in Lesotho, it is prudent to invite organisations of persons with disabilities to share their lived experiences in relation to the challenges they encounter in accessing social protection services, employ disability expert to provide technical support on disability inclusion, and consult the beneficiaries themselves about how best they can be included in the provision of social protection. This is normally referred to as the human rights based approach in which the beneficiaries are equally participating in the design and implementation of the programmes which will directly or indirectly affect them.

Reference

1. Bureau of statistics housing population housing census report 2016
2. C Johnstone Ministry of Social Development situational analysis study for persons with disabilities (2019).
3. Constitution of Lesotho 1993.
4. National Disability and Rehabilitation policy 2011
5. National Disability Mainstreaming plan revised 2020.
6. National social protection strategy 2014-2015-2018-2019
7. Social development policy 2014.
8. United Nations development programme COVID-19 socio-economic assessment report 2020.
9. United Nations on the Rights of Persons with Disabilities.