How does Kenya measure up?

Integrating disability sensitive measures into social protection policies:

Richard Rori, Social Protection Policy Analyst
Disability specific social protection legislations and policies are not sufficient on their own but must be accompanied by proactive enabling measures.
The Twin-Track Approach

Inclusion and participation of persons with disabilities in the formulation and implementation of SP policies

**POLICIES**
Formulation and development of disability inclusive SP policies

**SP PROGRAMS**
Provision and facilitation of disability sensitive SP programs and activities

Effective formulation and implementation of disability SP policies requires actions towards setting up disability inclusive SP programs and activities.
What are SP disability legislation and policies in Kenya?

Implementation strategies?

Main challenges and experiences in implementation?

Coherence and integration approach?

How does the SP laws and policies Measure up?
Setting the Scene

- Kenya’s population is approximately 48 million.
- 3.5% of Kenya’s population is disabled.
- 66% of the disabled population lives in rural areas.
- 47% of Kenyans live below the poverty line.
- At least 20% of the people living below the poverty line suffer from disability as well.
- 68% of the disabled population lives in poverty.
- Nearly 33 per cent of households with a disabled family member live below the poverty line compared to households without disabled people.
- Average household size for households headed by PWDs is 4.9 in rural areas compared to 3.4 in urban.
Disability prevalence by Type

- Visual: 19.09%
- Mobility: 26.2%
- Cognitive: 23.6%
- Auditory: 12.4%
- Speech: 10.6%
- Other: 8.2%
Significant Organizations of persons with disabilities

- United Disabled Persons of Kenya (UDPK)
- Kenya Society for the Blind
- Kenya Programmes of Disabled Persons
- Kenya Institute of the Blind
- Kenya Union of the Blind
- African Union of the Blind
- Kenya National Association of the Deaf
- Kenya Association of the Intellectually Handicapped
- Autism Society of Kenya
- Kenya Society of the Mentally Handicapped
Legislation and Policies for persons with disability – the journey

- National Year for people with disabilities: 1980
- Persons with Disabilities Act, and formation of National Council for Persons with Disabilities: 2003
- National Kenyan Constitution recognizes disability rights: 2010
- Social Assistance Act: 2013

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Legislation and Policies for persons with disability – the journey
Legislation and policies for persons with Disabilities

**Legislation**
- The Persons with Disabilities Act, 2003
- Employment Act 2007
- Constitution of Kenya, 2010
- National Gender and Equality Act, 2011
- Social Assistance Act, 2013

**Policies**
- The Draft National Disability Policy
- Vision 2030
- National Special Needs Education Policy
Objects of the legislation and policies

To affirm the basic human rights of persons with disabilities to equal access to social and economic opportunities; and

To create environments in which people with disabilities can maximise their capacity for making social and economic contributions
Although Kenya has a range of laws, policies, plans, and programmes to guarantee the social protection rights and address the needs of adults and children with disabilities, implementation is limited.
Government Support for persons with disabilities

- Persons with Severe Disabilities Cash Transfer (PWSD-CT).
- Tax exemption on assistive devices including modified cars
- Free Primary and Secondary Education,
- Older Persons Cash Transfer Programme,
- Youth Empowerment Development Fund,
- Women Enterprise Fund,
- Cash Transfer to Orphaned and Vulnerable children
- National Development Fund (NDF) for PWDs)
- Access to Government Procurement Opportunities (AGPO),
- Health Insurance Subsidy Program (HISP) for the vulnerable segments
Challenges in the implementation of the legislation and policies

- Disjointed programmes
- Lack of long-term strategic plans
- The forgotten middle
- Cultural beliefs and practices
- Critical shortage of Social Welfare Workforce
- Monitoring systems
- Political interests
- Geographical factor
- Eligibility criteria
- Inadequate data
- Insufficient budgets
- Lack of awareness and access,
Increase participation of PWDs in policy formulation and implementation

Establishing coherent systems

Designing and delivering appropriate social protection programmes, at scale

Implementing institutions need to be strengthened to deliver social protection predictably

Making Decentralisation happen

Enhance rights awareness

Increase participation of PWDs in policy formulation and implementation

Mobilize more public financing for PWDs
Key messages

Extensive social protection legal and policy framework

Complementary legal and policy framework are needed.

Constraints and barriers exist in the implementation.

Political will power and adequate resources needed.
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