

**“UNITED FOR AN INCLUSIVE ELECTORAL PROCESS -
MAKING EVERY VOICE COUNT”**

**A COMPREHENSIVE STATEMENT TO THE MEDIA ON THE STATE OF
DISABILITY INCLUSION IN THE 2021 GENERAL ELECTION**

**ISSUED TO THE MEDIA AT THE ZAMBIA NATIONAL WOMEN’S LOBBY
SECRETARIAT IN LUSAKA ON TUESDAY 29th JUNE, 2021**

**BY PARTNERS AND ALLIES UNDER THE PROJECT
‘STRENGTHENING THE POLITICAL PARTICIPATION OF PERSONS WITH
DISABILITIES IN ZAMBIA 2020-2022’**

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DISABILITY RIGHTS WATCH

PEACEFUL POLITICAL LANDSCAPE A CONNERSTONE TO DISABILITY INCLUSION

INTRODUCTION

LADIES and gentlemen, we are greatly honoured that you could find the time to be here this morning. We recognise the presence of representatives of key government ministries and institutions, civil society leaders and leaders of organisations of persons with disabilities.

In view of the escalating situation of COVID-19 in the country, we have had to limit the number of media personnel and media houses to attend this press conference. We have also asked many persons with disabilities and our many stakeholders to stay away for the same reason. We have taken steps to ensure this conference is also live streamed on various platforms to allow those who are not here the opportunity to follow.

We stand in solidarity with government efforts to arrest the COVID-19 situation and continue to encourage all our citizens and particularly persons with disabilities who are especially vulnerable, to take the preventative measures very seriously and follow them to the latter. We appeal to parents of children with disabilities and caregivers to ensure that they protect themselves and the children from the risk of exposure to COVID-19.

It is our considered view that the efforts of government to roll out a COVID-19 vaccine must be supported and embraced by all. We appeal to the Ministry of Health and its specialised agencies to also categorise persons with disabilities among the top priority recipients of the vaccine considering their unique vulnerability.

THE POLITICAL SITUATION IN THE COUNTRY

Ladies and gentlemen, we now wish to address the political situation in the country. The 2021 general elections are being held under unique circumstances considering the COVID-19 pandemic which continues to ravage the global community. This has complicated the conduct of elections around the world and affected the way Zambia will hold its elections this year.

We commend government and the Electoral Commission of Zambia for providing clear guidance on how election campaigns shall be conducted and for periodically assessing the situation and introducing measures in response to the situation on the ground.

Persons with disabilities desire to make informed choices on the day of voting and they cannot do so without access to information and campaign messages from various parties and candidates contesting in this election. It is therefore important that an environment is cultivated within the existing regulations for persons with disabilities to receive information including in accessible formats such as braille, large print and sign language. These measures must be enhanced in the voter education exercise being undertaken by the Electoral Commission of Zambia.

The disability movement is extremely concerned at the escalating levels of political violence we have experienced in recent days as campaigns heat up across the country. Persons with disabilities have repeatedly singled out political violence as one of the biggest obstacles to their participation in politics and to their exercise of their civic rights. If this culture of intolerance and physical confrontation among competing players in the elections is not arrested, persons with disabilities will continue to be reduced to mere spectators from safe distance even if the law and principles of human rights dictate that they ought to be active participants in the electoral process as voters and candidates.

Another major obstacle to the political inclusion and participation of persons with disabilities is the negative public perceptions and attitudes. Persons with disabilities are often perceived as inexperienced, incapable and even unfit mentally and emotionally to fulfill public positions of power or political leadership.

The Zambia National Women's Lobby and Disability Rights Watch under the project, *strengthening the political participation of persons with disabilities*, trained 8 political parties in disability inclusion. Through this, we have seen a number of political parties embracing

persons with disabilities not only as party members, but according them the opportunity to vie for elective positions. So far, we are aware of at least 9 persons with disabilities who have been adopted at various levels to contest this year's election. Three of the 9 will be contesting as members of parliament in three different constituencies and six are contesting for the local government positions. This is a demonstration that we are making steady progress in realizing the rights of persons with disabilities to participate in the political and civic life of the country.

The project has trained over 50 persons with disabilities, in Lusaka and Mansa preparing them to take up political positions. One of the participants that attended the training is an aspiring candidate, Mr. Thomas Mtonga, who is contesting under the Patriotic Front ticket in Chasefu Constituency in Eastern Province.

According persons with disabilities leadership positions gives them an opportunity to demonstrate that they are able to effectively represent their communities, thereby hanging traditional perceptions and attitudes and normalizing their political acceptance and inclusion.

By being able to show that they can be strong politicians, make decisions that help their communities and effectively fulfill their roles and responsibilities, persons with disabilities can start changing people's attitudes and improving how citizens perceive the political inclusion of marginalized groups.

THE PARTICIPATION OF PERSONS WITH DISABILITIES IN THE 2021 ELECTIONS

Ladies and gentlemen and the general public following this press conference online, the right to participation of persons with disabilities in Zambia is protected by the constitution and further enshrined in section 51 of the persons with Disabilities Act 2012. Participation of persons with disabilities in political, public and social life is crucial to fighting existing stereotypes, prejudices and segregation.

Participation of persons with disabilities in this year's elections is very critical to the disability movement. During the voter registration exercise, persons with disabilities across the country were encouraged to register as voters and we saw a number of them doing so. This was not without challenges. The report by the Zambia Federation of Disability Organisations (ZAFOD) on the accessibility of the 2020 voter registration centers reviewed that some centers in Lusaka were not accessible to persons with disabilities. We know that the ECZ did take some commendable steps to include persons with disabilities such as engaging some persons with disabilities during the registration exercise as voter registration officers.

The Electoral Commission of Zambia has published the statistics of registered voters disaggregated in various categories among others, gender, what we have not seen are statistics of persons with disabilities. As we speak now, we are not aware of the total number of registered voters with disabilities. We demand that the ECZ should publish this information as it is necessary for effective planning and for ensuring that persons with disabilities in various categories receive the support they require to exercise their right to vote. As civil society, we are anxious to monitor this year's elections for disability inclusion but we cannot do so without this vital statistics and information.

Inclusion is an essential condition to upholding human rights, sustainable development, and peace and security. It is also central to the promise of the 2030 agenda for sustainable development to leave no one behind.

We wish to condemn strongly the discrimination of persons with disabilities who have shown interest in taking part in politics. A case in point is the Chasefu PF parliamentary candidate Thomas Mtonga who was discriminated against on the basis of his disability as a visually impaired person by his political opponent. We wish to warn politicians that using derogatory words against persons with disabilities is an offence punishable under the Persons with Disabilities Act and we are taking practical steps to ensure this discrimination comes to an end.

It was gratifying to see President Edgar Lungu condemn the act strongly, more needs to be done to completely eliminate the discrimination as this will restore the confidence of persons with disabilities who wish to take part in politics.

We made a strong appeal to political parties to adopt persons with disabilities. We have documented the political journey of a number of persons with disabilities across the country who have positioned themselves and demonstrated their leadership qualities. We are disappointed that some of these candidates did very well in primary elections but were left out by the political parties at the last minute. Some had their adoptions certificates withdrawn hours before filing of nominations. This is systemic discrimination in political parties which needs to come to an end.

We now wish to address the preparedness of the Electoral Commission of Zambia to include persons with disabilities in this year's general elections.

Prior to the 2016 general elections, Disability Rights Watch through its lawyers Ellis and Company pursued the enforcement of the High Court Judgment in the case of Selah Brotherton Vs ECZ case delivered by Justice Nigel K. Mutuna, On 19th Day of September 2011. In the judgment delivered in favour of persons with disabilities, it was established that the ECZ unlawfully discriminated against the Petitioner and other persons with disabilities represented by the organization on whose behalf this action was brought contrary to Article 23 of the Constitution as read with Section 19 of The Persons with Disabilities Act. The judgment showed that the ECZ had unlawfully limited the rights of the Petitioner and other persons with disabilities represented by the organization on whose behalf this action is brought, to exercise their franchise by not providing premises and services that are accessible to persons with disabilities, contrary to Article 75 of the Constitution. Some of the orders contained in the judgment include that the ECZ erect temporary ramps for use by persons with disabilities in all polling stations, ensure that all polling booths are located on the ground floors of premises used as stations and in places accessible to persons with disabilities. The

commission was further ordered to provide a tactile ballot guide for voters who are blind or are partially sighted but do not wish to be assisted in casting their secret vote in respect of all elections and not just the Presidential Elections. Disability Rights Watch managed to have the ECZ produce an action plan which included a budget detailing the specific measures they would put in place to ensure that the 2016 general elections were accessible to persons with disabilities.

The commission in line with international best practices in 2016 intended to enhance the provision of electoral services to Persons With Disabilities in the following four areas:

1. Access to polling stations by Persons with Disabilities.
2. Enhanced electoral services to voters with visual impairment.
3. Enhanced electoral services to voters with hearing impairment.
4. Enhanced voter education to persons with disabilities.

The Commission had budgeted to spend K79, 268, 030 on the enhancement of services to persons with disabilities in 2016. The commission needs to indicate to us how much they are proposing to spend on the above issues, in this year's elections.

Our election monitoring report for 2016 showed that this plan was only partially implemented as the Commission budget was not adequately funded and there was poor involvement of persons with disabilities in monitoring and implementation of the disability inclusion action plan.

Whilst we commend the Commission for ensuring that the voters register this time around carries disability data, we call upon the Electoral Commission of Zambia to publish the disability data so that we know how many persons with disabilities have registered as voters and what types of disabilities have been captured amongst the voters. The Commission

should also inform the public the action plan it has developed to ensure full and effective participation of persons with disabilities in the August 2021 elections.

We wish to urge the Electoral Commission of Zambia to direct all participating political parties to provide their campaign messages in accessible formats so that all persons with disabilities can elect their representatives from an informed perspective. There is need for evidence of inclusive communication strategies targeted at persons with disabilities around their civic rights as relates to the electoral process.

We also wish to echo the call by the Christian Churches Monitoring Group on all stakeholders to abide by the Electoral Code of Conduct and for the ECZ to take an active role in its enforcement, including Statutory Instrument 35 of the 2020 Electoral Code of Conduct (Enforcement) (Amendment).

In addition duty-bearers, including political party leaders, need to take concrete steps to ensure a credible, transparent and accountable pre and post-election period.

Ladies and gentlemen we wish you God's blessings and protection.

Thank you very much.