



REVIEWING POLICIES

Reasons to review policies

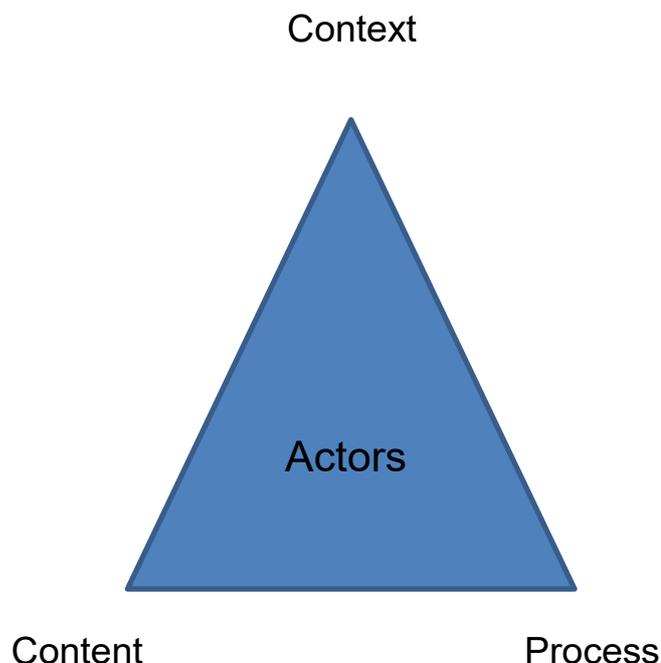
The main reason to review national policies on a variety of sectors is to investigate how well the national policies reflect the articles of the UN CRPD and the Zanzibar Disability Act No 9 of 2006, and contribute towards the Sustainable Development Goals and its objective to *leave no-one behind*.

There remains a lack of awareness of the UN CRPD and SDGs in all sectors, which means that persons with disabilities struggle to hold the government accountable. There is a need to review policies to ensure that they are / or can be brought in line with the UN CRPD which has been signed and ratified by Tanzania in 2009, as well as the Zanzibar Disability Act No 9 of 2006.

OPDs also often lack the understanding of the legislative making process, both at the local and national Zanzibar level. Often, they have not been included in the development processes, or their views have not been sufficiently reflected.

Reviewing a policy in three areas:

It is useful to look at three areas to consider when reviewing a policy, law or act. Considering these in turn will help you to develop your lobbying strategy for change.



Source:
EQUINET, Policy series No 21, Regional Network for Equity in Health in East and Southern Africa, 2008

1. Context:

Has the law or policy been reviewed in Zanzibar since Tanzania signed the UN CRPD? If no, when can it be reviewed and aligned and how can we ensure persons with disabilities are involved?

If the policy has been reviewed in Zanzibar since Tanzania signed the UN CRPD, do the revisions reflect the UN CRPD? (see three below).

Has the policy or law been developed since the launch of the SDGs? Does it relate to any of the SDGs and in what way?

2. Process:

- Do we know who was involved in developing / revising the law? Were persons with disabilities involved and if so, did they have the skills and knowledge to identify any gaps that exist.

3. Content:

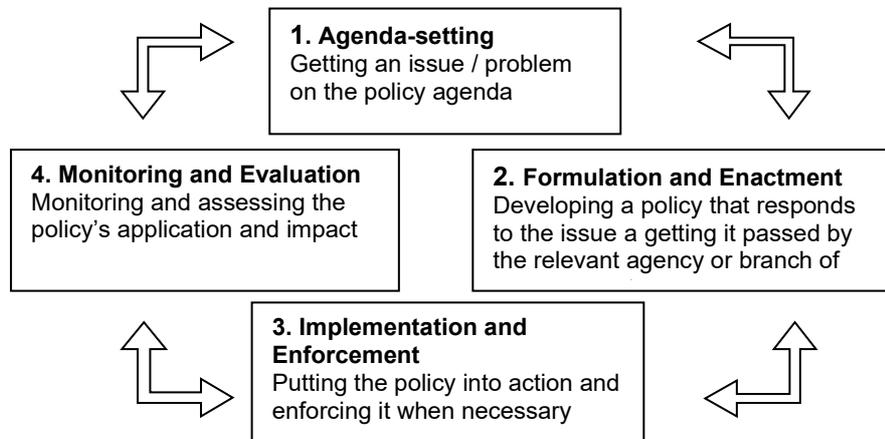
- Does the law respect the provision of the corresponding article of the UN CRPD, the rights of persons with disabilities and obligation of states?
- Does the law or policy consider the philosophy of the UN CRPD in relation to the respective articles?
- Do the different articles reflect the general principles of the UN CRPD?

General articles of the UN CRPD

1. Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons
2. Non-discrimination
3. Full and effective participation and inclusion in society
4. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity
5. Equality of opportunity
6. Accessibility
7. Equality between men and women
8. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

Phases of Policymaking

This cycle is similar to the project cycle, and highlights the different stages of policy development, implementation and review.



Advocacy Source Book, IDR 1997, Valerie Miller and Jane Covey

Following policy change

Advocating and lobbying does not end once a law has been changed. It also needs to be implemented. Often implementation doesn't happen because stakeholders are not aware of it. OPDs can play a role in raising awareness, and in monitoring implementation.

If policy is in place, does the practice match the policy?

It is important to ensure that policies are in line with the national and international laws and conventions that have been adopted by Zanzibar, but often policies are there, but the practice is not.

Ensuring that practice matches policy is a major objective of CBID, to achieve inclusive practices as well as policies. Without policies being implemented and monitored, they remain as words on a shelf. OPDs are in a unique position to know the reality on the ground for persons with disabilities.

Case study from 2017 focusing on the European Union (EU)

Nine policy or strategy documents produced by the AU were analysed, covering the policy domains of education, health, employment and social protection that are crucial to the inclusion of persons with disabilities in international development. These were analysed according to seven discrete elements (rights, accessibility, inclusivity, implementation plans, budgetary allocations, enforcement mechanisms or disaggregated management information systems.

None of the policies reached even 50% of the total possible score, indicating poor levels of genuine inclusion. Rights scored a highest rating, but still at a low level. This suggests that there is recognition of the rights of people with disabilities to inclusion, but this is not generally integrated within inclusive implementation plans, budgetary allocations, enforcement mechanisms or disaggregated management information systems for monitoring

Sources

Bridging the Gap delivery, BRIDGE Training. 2020 Arusha, Tanzania

Shumba, T.W. & Moodley, I., 2018, 'Review of policy and legislative framework for disability services in Namibia', *South African Journal of Physiotherapy* 74(1), a399. <https://doi.org/10.4102/sajp.v74i1.399>