

Sri Lanka

Disability Information Sheet

May 2014

Note: this Information Sheet has not yet undergone review by a Disabled Persons Organisation, government representative or DFAT Post in Sri Lanka.

Introduction

People with disability make up about 15 per cent of the global populationⁱ – the world’s largest and most disadvantaged minority. It is estimated that eighty per cent of people with disability live in developing countries.ⁱⁱ Prevalence is higher in lower income countries, where 18 per cent of adults experience disability.ⁱⁱⁱ

Disability and poverty are fundamentally connected. In any community, people with disability are amongst the poorest and most vulnerable. They are less likely to access health care, education, livelihoods and social opportunities than people without disability, and often face discrimination or are stigmatised. This results in reduced income, poorer health and social exclusion. Poverty is also a cause of disability, due to factors such as malnutrition, disease, hazardous working conditions and poor sanitation. Disability prevalence is highest amongst the poorest people: 22.4 per cent of the poorest quintile of adults in lower income countries has a disability.^{iv}

The UN Convention on the Rights of Persons with Disabilities (CRPD), which entered into force in 2008, is a key international instrument on disability. The CRPD marked a paradigm shift in attitudes and approaches to people with disability, shifting perspective towards viewing people with disability as rights-holders who are active members of society, rather than objects of charity or protection.

The CRPD Article 1 states that people with disability “include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others”.^v This definition emphasises that disability is not simply a physical, sensory or intellectual impairment: rather, it also results from disabling barriers that people with impairments face. These barriers can be physical, such as an inaccessible school building; institutional, such as the refusal of a school to enrol students with a disability; or attitudinal, such as a teacher who believes a child with a disability in their class is not worth teaching.

While men and women with disability both experience discrimination and disadvantage, women with disability typically face double discrimination on the grounds of both their gender and impairment.^{vi} In comparison to women and girls without a disability, women and girls with disability experience high rates of violence, which remains largely hidden.^{vii} Females with intellectual disability and psychosocial impairment are particularly vulnerable to physical and sexual violence.^{viii} Women with disability face significant disadvantage in many other areas, including employment and education. For instance, *World Report on Disability* data indicates that females with disability are less likely than people without

disability, or men with disability, to complete primary school (41.7 per cent of females with disability compared to 50.6 per cent of males with disability), and typically complete less mean years of education.^{ix} In low income countries, the average employment rate for women with disability is just 20.1 per cent, compared to 58.6 per cent of men with disability (and 31.5 per cent of women without disability).^x

The United Nations High Level Meeting on Disability and the Millennium Development Goals (MDGs) promoted the importance of development efforts to include and involve people with disability. Through ratifying the CRPD, Australia has committed under Articles 11 and 32 to ensuring that humanitarian interventions and international cooperation activities are inclusive of, and accessible to, people with disability. *Development for All: Towards a disability-inclusive Australian aid program 2009-2014*, which sets out approaches and priorities to guide the Australian aid program in its approach to disability-inclusive development, focuses on inclusive education and infrastructure as priority sectors.

Purpose of this document

This Disability Information Sheet compiles and presents information about the situation of people with disability in Sri Lanka, including statistical information, international and national policy commitments, key stakeholders, services, and barriers to participation. It is intended that the information contained in this document be supplemented through consultation with key disability stakeholders, including Disabled People’s Organisations (DPOs), in order to obtain a more comprehensive overview of the situation in Sri Lanka.

Available figures and statistics related to disability in Sri Lanka have been included. However it should be noted that many developing countries lack valid, reliable information on disability. This is due to factors including limited data collection methods, stigma associated with identifying oneself or one’s family member as being a person with a disability, and variations in how disability is defined. Overall, countries under-report disability prevalence and needs. The internationally accepted figure for disability prevalence is around 15 per cent. As a point of reference, 18.6 per cent of Australians have some form of disability.^{xi}

People with disability in Sri Lanka

Definition

- The **Sri Lankan Protection of the Rights of Persons with Disabilities Act, No. 28 of 1996** defines a person with a disability as “any person who, as a result of any deficiency in his physical or mental capabilities, whether congenital or not, is unable by himself to ensure for himself, wholly or partly, the necessities of life.”^{xii} This is considered the legal definition of disability in the Sri Lankan context, although the National Policy on Disability also notes the ICF classification model and the need to consider environment, cultural and social factors when understanding disability.^{xiii}

Prevalence

- The World Report on Disability identifies a disability prevalence rate of 12.9 per cent in Sri Lanka, based on the findings of the World Health Survey.^{xiv} This is considered the best available estimate on prevalence.
- Information on disability was also obtained in the 2001 Census of Population and Housing. The Census found a prevalence rate of disability of 1.6 per cent. This is likely to be a significant underestimate. The Census also excluded parts of the

Northern and Eastern provinces.^{xv} Of people with disability identified by this Census, 57.7 per cent were male and 42.3 per cent female.^{xvi}

Types of disability

- Of people with impairments identified by the 2001 Census, 33 per cent experienced impairment in leg functioning; 26.7 per cent a hearing or speaking impairment; 25.2 per cent had a vision impairment; 25.12 per cent ‘mental disability’, which may encompass intellectual or psychosocial impairment (no definition is given); 17.5 per cent impairment in hand functioning, and 4.83 per cent other physical impairment. The total is greater than 100 per cent as some people had multiple impairments.^{xvii}
- Rates of disability were found to be much higher in older people. The World Report on Disability identifies that while those aged 65 or older represent only 6.6 per cent of the general population in Sri Lanka, they make up 22.5 per cent of people with disability.^{xviii}

Relevant factors for prevention

- The long-standing war in Sri Lanka has resulted in significant rates of physical impairment and mental illness. It is estimated that 27.6 per cent of the population in conflicted areas in the North Eastern province experience severe post-traumatic stress impairments.^{xix} Nationally, some estimates suggest two per cent of the population experience ‘severe’ forms of mental illness, while an additional ten per cent experience a range of impairments from phobic states to depression.^{xx} The suicide rate ranks seventh highest in global statistics, with a ratio of 31:100,000. It is estimated that 46 per cent of these suicides are due primarily to depression.^{xxi}
- Landmines and unexploded ordnance continue to cause physical injury and death, primarily amongst males. Children account for nearly 30 per cent of all landmine casualties.^{xxii}
- Natural disasters such as the 2004 tsunami have also resulted in impairments.^{xxiii}
- Other significant causes of disability include malnutrition, accidents and communicable and non-communicable diseases.^{xxiv} Accidents, violence and conflict are more commonly reported as causes of impairment for males than females; the reverse is reported for illness.^{xxv}

Community Attitudes and Behaviour

- People with disability in Sri Lanka typically face significant stigma and discrimination. Cultural factors including superstitions mean that disability can be seen as a punishment for wrong-doing in a previous life, and people with disability are perceived as omens of bad luck. The National Disability Policy notes that “individuals who have disability are often perceived by family and society as being helpless, or as persons who should be helped”. They may be discouraged from working or supporting themselves, and it may be assumed that they cannot get married or have children.^{xxvi}
- A 2003 survey found that 39 per cent of people with disability had never attended school.^{xxvii} Moreover, people with disability often did not take part in community activities, festivals or weddings. Only 33 per cent of people with disability surveyed went out to public events with members of their family.^{xxviii}
- Rates of unemployment are higher among people with disability, and there is limited access to education and training for people with disability. The incidence of poverty

amongst households receiving disability payments was 52 per cent higher than the national average.^{xxix}

- The National Disability Policy identifies certain groups as being particularly marginalised, including women and children with disability and those with intellectual, psychosocial or severe multiple impairments.^{xxx}
- Women with disability have lower rates of employment and higher rates of poverty than men with disability. Studies have also found that girls with disability are far less likely to attend schools than boys with disability.^{xxxi} This may stem from protectiveness of families towards girls with disability, as well as traditional attitudes about education being less important for girls.^{xxxii}
- Those with complex and/or more stigmatised impairments often have limited access to services and support.^{xxxiii} Sixty-seven per cent of people with disability who had never attended school had an intellectual impairment.^{xxxiv}

International Commitments

- In March 2007 Sri Lanka signed the **Convention on the Rights of Persons with Disabilities (CRPD)**.^{xxxv}
- In October 1981 Sri Lanka ratified the **Convention on the Elimination of all forms of Discrimination Against Women**^{xxxvi} and in July 1991 Sri Lanka ratified the **Convention on the Rights of the Child**.^{xxxvii}
- Sri Lanka has not signed the **International Labour Organization Convention 159**, which promotes vocational training and decent work for people with disability.^{xxxviii}
- In 2012, governments of Asia and the Pacific adopted the **Ministerial Declaration on the Asian and Pacific Decade of Persons with Disabilities, 2013–2022**, and the **Incheon Strategy** to “Make the Right Real” for Persons with Disabilities in Asia and the Pacific.^{xxxix} The **Incheon Strategy** applies in Sri Lanka.

National policy and legislative commitments

- Clause 1 of Article 12 of the **Constitution** specifies that “all persons are equal before the law and are entitled to equal protection of the Law”. Clause 4 notes that “nothing in this Article shall prevent special provision being made by law, subordinate legislation or executive action, for the advancement of women, children or disabled persons”.^{xl} To date this has not been broadly used as a means to promote the rights of people with disability, and many disability rights cases remain waiting to be heard.^{xli}
- The 1996 **Protection of the Rights of Persons with Disabilities Act** is one of the key pieces of legislation relating to disability. The Act provides protection for people with disability against discrimination with regard to employment, education and access to the built environment.^{xlii} It also provides a legal framework for the activities of the National Council for Persons with Disabilities.^{xliii}
- The **National Action Plan for the Protection and Promotion of Human Rights 2011 – 2016** includes focus areas and/or goals regarding disability; including non-discrimination, education, employment, physical accessibility, people with intellectual disability and poor mental health. It also notes the particular vulnerability of people with disability under other focus areas such as those relating to women, children and displaced persons.^{xliv} It is unclear what progress has been achieved in relation to it.

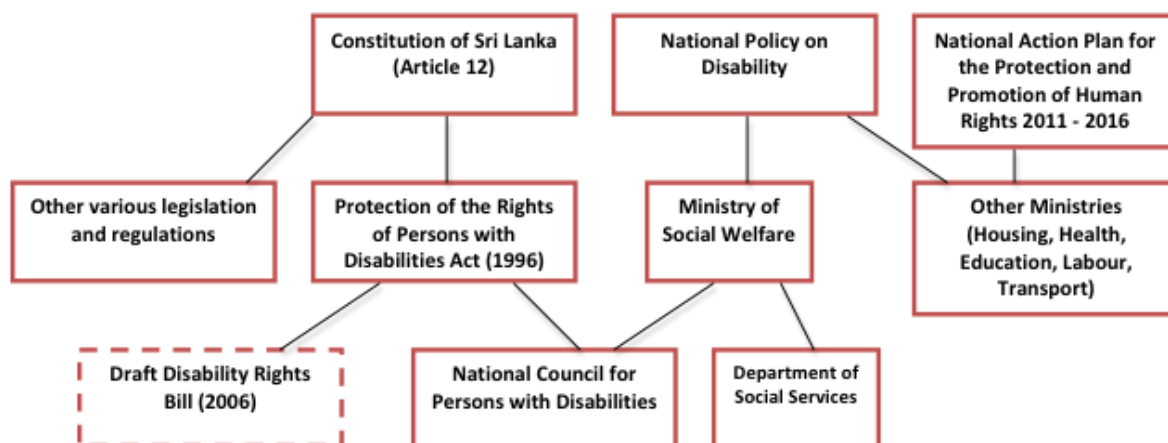
- The **Widows and Orphans Pension Scheme under Ordinance No. 13 of 1906** grants financial assistance to persons with disability irrespective of age.^{xlv}
- The **Visually Handicapped Trust Fund Act** establishes a raft of social, educational and vocational assistance mechanisms for people with vision impairment.^{xlvi}
- The **Public Administration Circular No.27/88** set a three per cent quota of all public service jobs to people with disability who have requisite training and ‘whose disability would not be a hindrance to the performance of his duties’. Effectiveness of this scheme has been poor.^{xlvii}
- There are also various schemes and regulations regarding pensions, insurance and compensation if people acquire disability in certain circumstances, including the **Social Security Board (Amendment) Act, the Wages Board Ordinance, Ranaviru Seva Act, the Workman’s Compensation Act, and the Employees Trust Fund.**^{xlviii}
- The **Mental Disease Ordinance of 1873 and Mental Disease Act 27/1956** relate to treatment of people with mental illness. These are very outdated, and processes are currently underway for this to be updated by a **draft Mental Health Act.**^{xlix}
- The **National Policy on Disability in Sri Lanka** takes a rights-based approach to disability and provides an overview of the situation for people with disability in Sri Lanka.¹ The Policy articulates that its implementation is the responsibility of many groups, both within government and civil society, and that people with disability and their organisations are key partners in implementation.
- A **Disability Rights Bill (2006)** to update the **Protection of the Rights of Persons with Disabilities Act** has been drafted but not implemented to date. It is unclear what “adjustments” will be made to the proposed Disability Rights Bill in the light of Sri Lanka signing the CRPD, or when it will be approved.^{li}
- There are reports that the Government intends to formulate a national action plan on disability; however it is unclear when this may occur.^{lii}

Partner Government bodies

Disability issues are primarily the responsibility of the Ministry of Social Welfare. Specific functions are undertaken by various government sections, including:

- The Department of Social Services, which has the primary responsibility for providing disability services including disability benefits, provision of assistive devices, vocational training and employment and grants to NGOs. Some of these services are decentralized to the Provincial Council level.^{liii}
- The National Council and National Secretariat for Persons with Disabilities, established for the ‘promotion, advancement and protection of rights of persons with disabilities’.^{liv} The National Council’s responsibilities include efforts in relation to awareness raising, data collection, monitoring activities providing by institutions to people with disability and initiatives for disability prevention.^{lv}
- Other Ministries such as the Ministries of Health, Education, Labour, Transport and Housing have either specific units focused on disability, or actively work to ensure sensitivity to key disability issues such as accessibility.

Partner Government architecture



Partner country programs and services

Government services include the following:

Education

- The National Policy on Disability notes that while the Compulsory Education Ordinance should apply to all children aged 5 – 14, in practice there are a number of children with disability who do not start or attend school. This is largely the case for children with multiple and severe impairments and intellectual impairments, and results from a lack of expertise and capacity to teach these children in both private and public education systems.^{lvi}
- The Primary Education Reforms of 1997 brought significant changes in teaching practices, many of which are considered to have strengthened inclusive education practices.^{lvii}
- It does not appear that there have been any coordinated government programs in relation to disability-inclusive education since these reforms were completed. Indeed, a study into the experiences of children with disability within state run ‘inclusive schools’ found that these did not meet international standards.^{lviii}

Health

- The National Policy on Disability estimated that 90 per cent of people with disability used health services to seek advice about their disability, although this rate was only 79 per cent for people with hearing impairments. However, it remained unclear whether people with disability were able to access services relating to their broader health needs. It also noted that disability is not included in medicine curricula, raising concerns regarding how well equipped medical officers are to work with people with disability.^{lix}
- Lack of access to assistive devices is a significant issue in Sri Lanka. A 2006 World Bank report noted that only 24 per cent of those who require a hearing aid have been able to obtain one; and only 35 per cent of those who require a wheelchair or similar device have one.^{lx}
- The National Policy on Disability notes a range of activities that must be undertaken in relation to health and disability issues. These include undertaking community

awareness and health promotion to prevent disability, providing early and effective medical interventions where possible, building human resources in relation to rehabilitation, developing partnerships to meet the need for assistive devices, and developing information sharing and networking opportunities for people with disability.^{lxi} There is little indication of how these broad goals are being acted upon.

- The National Programme on Community Based Rehabilitation (CBR) coordinates community-level activities in keeping with the World Health Organisation CBR guidelines, including outreach, training, referrals and social action. The program has been decentralised to Divisional Secretariat level, however coverage is still poor with many people with disability across the country still unable to access CBR.^{lxii}
- The National Counselling Centre, coming under the Ministry of Social Services, aims to improve mental wellbeing through prevention, treatment counselling services and coordination of counselling organisations.^{lxiii}

Other

- Sri Lanka's social security system is extensive compared to other South Asian countries. However while some income payments or other benefits are targeted at people with disability, programs do not reach all people with disability who experience poverty. Assistance is particularly focused on former soldiers impaired due to injury in conflict, with other people with disability receiving much more limited assistance, if any.^{lxiv}

Non-government services:

- Significant changes achieved in inclusive education appear largely attributable to the independent National Institute of Education, which has undertaken various activities including inclusive education training, preparation of appropriate curricula and teacher materials, and tertiary degrees in Special Education.^{lxv}
- Rehab Lanka (the Sri Lanka Foundation for the Rehabilitation of the Disabled) was established in 1988 by a group of people with disability. It has historically focused on manufacturing of assistive devices, although it now also undertakes broader activities such as awareness raising and livelihood projects.^{lxvi}
- Sahanaya National Council for Mental Health provides mental health services and facilitates the development of mental healthcare in Sri Lanka. This includes provision of an out-patient rehabilitation service, counselling, support programs and information and training.^{lxvii}
- Equality-Based Community Support and Training (ECSAT) is a non-government organisation which operates programs for people with disability, including livelihoods development and children's services.^{lxviii}
- The Central Council of Persons with Disabilities provides a range of services in areas including CBR, housing, skills training and microfinance.^{lxix}
- Handicap International supports a physical rehabilitation program in Sri Lanka, as well as supporting prosthetics workshops in several hospitals. It also conducts a range of programs in Sri Lanka including activities around Sports for All, accessible infrastructure, disability inclusive development and disaster risk reduction.^{lxx}
- CBM works with partners in Sri Lanka on programs including advocacy, livelihoods, inclusive education, psychosocial counselling services and a school for Deaf children.

Civil Society and Disabled People’s Organisations (DPOs)

- Sri Lanka Confederation of Organisations of the Handicapped People represents Sri Lanka in Disabled People’s International’s Asia-Pacific Region.^{lxxi}
- The Disability Organisation Joint Front (DOJF) was established in 2001 and is an umbrella body for disability organisations in Sri Lanka. It currently has 23 member organisations which represent a range of impairment groups.^{lxxii}
- The Association of Women with Disabilities (AKASA) is a network of self-help groups. Its governing committee is comprised solely of women with disability or female guardians of people with disability, while AKASA membership and programs include both men and women with disability and their families.^{lxxiii}
- Other DPOs include the Sri Lanka Federation for the Deaf^{lxxiv} and the Sri Lanka Federation of the Visually Handicapped.^{lxxv}
- A list of 117 Sri Lankan DPOs, disability-focused NGOs and similar groups with contact details (collated in 2012) is available on the European Commission Capacity4Dev.eu website.^{lxxvi}

Other Donors

- USAID funds various programs including rehabilitation services for people with disability and psychosocial support to address mental health needs.^{lxxvii}
- The Japan International Cooperation Agency funded a volunteer program that supported CBR activities in North Sri Lanka’s rural areas, leading to an increase in participation of children and adults with disability in education, social and employment opportunities.^{lxxviii}

ⁱ World Health Organization (WHO) and World Bank (2011) *World report on disability*, Geneva. Retrieved on 11 October 2013 from http://www.who.int/disabilities/world_report/2011/accessible_en.pdf, p 28.

ⁱⁱ UN Enable. *Factsheet on Persons with Disabilities*. Retrieved on 29 October, 2013 from <http://www.un.org/disabilities/default.asp?id=18>.

ⁱⁱⁱ WHO and World Bank (2011), p 27.

^{iv} Ibid, p 28.

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^{ix} WHO and World Bank (2011) p 206.

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^{xiv} WHO and World Bank (2011), p 275.

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^{xxii} ILO (2005). *ILO Social Security Inquiry in Sri Lanka*. Retrieved on 22 May 2014 from <http://www.ihp.lk/publications/publication.html?id=506>, p. 13.

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- ^{xxx} Ministry of Social Welfare (2003).
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- ^{xxxiii} *Ibid*, pp. 24 – 27.
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