Assessing the Barriers to

Accessing ICT by People with Disability in Tanzania

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CIPESA

Contents

Acknowledgements

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1.

Introduction

Persons with disabilities are among the most vulnerable groups in Tanzania. Like in many other countries, they are often under-educated, untrained, unemployed or underemployed, and poor.[1] As such, they face numerous challenges including limited access to transport and information, lack of access to public services and premises, inadequate representation, and negative attitudes of others at home, school and at work.[2] Figures from the 2012 National Population and Housing Census show that there were 3.6 million persons with disability in Tanzania, representing 8% of the total population.[3]

The internet and related technologies have the potential to make significant improvements in the lives of people with disabilities, through empowerment,[4] access to information,[5] and enhancing their social and economic integration in communities by enlarging the scope of activities available to them.[6] However, for this to happen, the rights of persons with disabilities must be provided for in laws and policies, and countries must take deliberate steps to ensure that persons with disabilities enjoy these rights, have unfettered access to quality information and ICT, and are protected from all forms of discrimination.

This study presents an analysis of the legal and policy framework relating to disability, ICT and access to information in Tanzania. It highlights the challenges in access and use of ICT by persons with disabilities and makes recommendations on how access to information and ICT can be enhanced.

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1 *Inclusion of People with Disabilities in the United Republic of Tanzania, https://tinyurl.com/y6lyrsf7 –*

2 *Sida, Disability Rights in Tanzania, https://tinyurl.com/y2rks66g*

3 *2012 Tanzania National Population Census, https://tinyurl.com/y9sbf3kd*

4 *Empowering Persons with Disability Through ICT, https://tinyurl.com/y4nfb3rm*

5 *Consultative Meeting on Mainstreaming ICTs for Persons with Disability to Access Information and Knowledge, https://tinyurl.com/yyrq2yd3*

6 *Access for People with Disabilities, https://tinyurl.com/yy85es6b*

1.1 Disability in Tanzania

The Persons with Disability Act enacted in 2010 defines disability as loss or limitation of opportunities to take part in the normal life of the community on an equal level with others due to physical, mental, or social factors. It defines a person with disability as any person with physical, intellectual, sensory, or mental impairment and whose functional capacity is limited by encountering attitudinal, environmental and institutional barriers.

Over the years, various surveys have gathered data on disability in Tanzania. As noted by Dr. Simeon Mesaki, early efforts to establish the number of persons with disabilities utilised a narrow "category-based" definition of disability that required respondents to self-identify as "disabled" and this resulted in very low prevalence figures.[7] In 1981 the Ministry of Labour and Social Welfare conducted the Census of Disabled Persons in mainland Tanzania and found that 1% of the population were persons with disabilities; while the national population and housing census in 2002 estimated that 2% of the country's population had some form of disability.[8]

In 2008, the National Bureau of Statistics (NBS) conducted a more comprehensive national survey on disability to determine the prevalence of disability and the living conditions of persons with disabilities. The survey used a set of questions developed by the Washington Group on Disability Statistics based on activity limitation rather than physical condition. With this modified methodology, the prevalence of disability was found to be 7.8% among persons aged seven years and above.[9] The 2012 census, which used the same methodology, found that 8% of the total population (3.6 million people) had a disability.

In Tanzania, persons with disabilities are often among the poorest and most marginalised, and disability has a significant impact on health, employment, and education. According to a 2017 study by Comprehensive Community Based Rehabilitation in Tanzania (CCBRT), illiteracy among Tanzanians with a disability is 48%, compared to the national average of 25%, which is attributed to more than half of children with disabilities not attending school.[10] Additionally, according to CCBRT, persons with disabilities often live in severe poverty due to the challenge of securing a steady income amid widespread exclusion, with only 3.1% receiving income from paid employment.

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[7] *Social Protection of Persons with Disabilities in Tanzania, http://www.saspen.org/conferences/tanzania2016/Mesaki_SP-Persons with disabilities_SASPEN-Tanzania-16-17Aug-2016.pdf*

[8] *NBS, Tanzania Census 2002: analytical report, http://www.nbs.go.tz/nbs/takwimu/references/2002popcensus.pdf*

[9] *Key Indicators from the 2008 Tanzania Disability Survey, http://catalog.ihsn.org/index.php/catalog/3793/download/52489*

[10] *CCBRT, Access for all, http://www.ccbrt.or.tz/programmes/disability/disability-in-tanzania/*

1.2   Access to ICT in Tanzania

According to the Tanzania Communication Regulatory Authority (TCRA), as of December 2019 there were 25.7 million internet users in Tanzania, representing a penetration of 46%.[11] There were seven licensed telecoms operators - Airtel, Zantel, Halotel, Vodacom, Tigo, TTCL and Smart (rebranded from Benson). Of the 47.7 million voice telecom subscriptions, Vodacom had the largest number of mobile subscribers at 15.6 million, followed by Airtel (12.7 million), and Tigo (12.5 million).[12]

The cost of internet services is relatively high, with 50 megabytes costing Tshs 250 (USD 0.11) on average, which is unaffordable to many Tanzanians. Service providers on average charge TShs. 30,000 (USD 13) for a monthly 10 GB of internet bundles. Internet cafés charge approximately TShs 1,000 (USD 0.43) per hour. Further, many Tanzanians lack access to smartphones, laptops, tablets, and computers, while a large number lacks ICT literacy skills.

1.3 Research Methodology

The study employed a combination of data collection and analysis methodologies including legal and policy analysis. The instruments reviewed include the Constitution of Tanzania, the Tanzania National ICT Policies (2003 and 2016); the 2016 Access to Information Act; the 2004 National Policy on Disability; the Persons with Disability Act of 2010; and the 2007 ICT Policy for Basic Education.

The study also entailed interviews with purposively selected informants. A total of 25 key informants were interviewed. Most of the interviews were face-to-face, while some were conducted via telephone calls. Key informants were selected from organisations working on disability rights including the Comprehensive Community Based Rehabilitation in Tanzania (CCBRT), CHAWATA (an association for the deaf in Tanzania), and the Tanzania Federation of Disabled People's Organizations (SHIVYAWATA).

Other respondents included persons living with disabilities, as well as staff of organisations working on ICT access and usage issues. The key informants included online publishers, digital security trainers, lawyers, and others drawn from a telecom company, the telecom regulator, the Ministry in charge of ICT, the University of Dar es Salaam, the Tanzania Education Authority, and civil society organisations that are not Disabled People's Organisations (DPOs). These interviews supported validation of the desk review as they provided context on the adequacy and state of implementation of laws and policies and provided insights into the practical realities which persons with disabilities face in accessing and using ICT.

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[11] *TCRA Quarterly Statistics Report of December 2019, https://www.tcra.go.tz/statistic/2019%20Quarterly%20Statistics%20Reports/december*

[12] *Ibid.*

2.
Legal and Policy Framework
Relating to ICT, Access to Information
and Disability.

2.1 International and Regional Legal Framework

At the global level, Tanzania ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD), and its Optional Protocol. This Convention is the first international, legally binding treaty aimed at protecting the human rights of persons with disabilities.[13]

Article 4 of the Convention obliges member states to ensure and promote the full realisation of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability; and to take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities.

Similarly, Article 9 of the Convention provides that, "… State Parties shall take appropriate measures to ensure persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas. Member states are therefore required to ensure that private sector service providers, including through the internet, provide information and services in accessible and usable formats for persons with disabilities

Tanzania has also ratified, among others, the UN Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women.[14] These instruments make reference to the protection of the rights of persons with disabilities, including fair treatment, appropriate care, inclusion and full participation in society.[15]

At continental level, Tanzania is yet to ratify the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities in Africa, which recognises the right of persons with disabilities to barrier-free access to the physical environment, transportation, information, including communications technologies and systems, and other facilities and services open or provided to the public. The Protocol, which

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[13] *https://www.ohchr.org/Documents/Publications/AdvocacyTool_en.pdf*

[14] *UN Human Rights Instruments Ratified by Tanzania http://hrlibrary.umn.edu/research/ratification-tanzania.html*

[15] *Disability Rights in Tanzania 2014, https://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/disability/rights-of-persons-with-disabilities-tanzania.pdf*

was adopted in January 2018, was the culmination of the African Union's focus on the rights of persons with disabilities, which started in 1999 with the declaration of the African decade for persons with disabilities[16] and the creation of a Working Group tasked with drafting this new instrument.[17]

Under Article 2, states are required to take "effective and appropriate measures to facilitate full enjoyment by persons with disabilities of the right to access "Information, communications, sign language and tactile interpretation services, braille, audio and other services, including electronic services and emergency services." Under article 2(d), states are enjoined to ensure that persons with disabilities have access to quality and affordable mobility aids and assistive devices or technologies. Article 19(1) of the Protocol provides that "Every person with a disability has the right to freedom of expression and opinion and the right to access information."

Tanzania has also committed to the East African Policy on Persons with Disabilities (2012), which enjoins partner states to empower people with disabilities to facilitate their effective participation and their benefit from development initiatives.[18] This policy promotes and contributes to ensuring the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity.[19]

2.2 National Legal and Policy Framework

The Constitution of the United Republic of Tanzania, 1977

The Constitution of the United Republic of Tanzania recognises the rights of persons with disabilities and prohibits any form of discrimination.[20] Specifically, Article 11 states that the government shall make appropriate provisions for the realisation of people's right to work, to self-education and social welfare at times of old age, sickness or disability, and in other cases of incapacity. Likewise, Article 13 of the Constitution as amended prohibits all forms of discrimination before the law.

In respect to the right to information, article 18(b) of the constitution provides for the right to information for all Tanzanians. The right to information includes the right to seek, receive and/or disseminate information regardless of national boundaries. This right is for all citizens, although the constitution does not specifically refer to persons with disabilities.

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16 *Plan of Action for the African Decade of Persons with Disabilities 2010– 2019 https://au.int/sites/default/files/pages/32900-file-cpoa_handbook._audp.english_-_copy.*

17 *https://ijrcenter.org/2016/04/20/african-commission-adopts-draft-protocol-on-persons-with-disabilities-rights/*

18 *EAC, Persons with Disabilities, https://www.eac.int/gender/persons-with-disabilities*

19 *EAC Policy on Persons with Disabilities, http://meac.go.ke/wp-content/uploads/2017/03/adopted_eac_disability_policy_march_2012.pdf*

20 *Tanzania Constitution with amendments up to 1995, https://tinyurl.com/y5ebdwzc*

The Access to Information Act 2016[21]

In September 2016, Tanzania enacted the Access to Information (ATI) Act to operationalise article 18 of the constitution. The Act has clear provisions on access to information for persons with disabilities. For instance, section 10(4) stipulates that a person who, because of illiteracy or disability, is unable to make a written application for access to information, may make a request orally, and the information officer to whom the request is made "shall reduce the request into writing in the prescribed form and provide a copy of the written request to the person requesting".

Additionally, section 17(1) provides that the information requested should be provided in a format that is friendly to a requester with disability. Unfortunately, this provision is rarely adhered to. For instance, Ally Thabit, a visually impaired 26-year-old male working as an independent journalist and blogger, states that whereas the government makes laws and policies that portray it as caring about persons with disabilities, in practice little is done to improve their conditions.[22] According to him, the government has not sufficiently consulted persons with disabilities and DPOs in the law and policy making processes. Moreover, even where the government is required to make these laws accessible and easily readable by the visually impaired, and understood by those with hearing impairments, this has not been done.

National Policy on Disability, 2004

The National Policy on Disability provides guidelines and sets parameters for services delivery by focusing on the development, rights, and dignity of people with special needs. The policy aimed to, among others, encourage the development of persons with disabilities and to empower their families; review/ amend legislations that are not disability-friendly; improve service delivery; and empower persons with disabilities to participate in decision making and implementation of important activities in society.

The policy identifies information sharing as a key policy issue, noting that information on available services is an important part of service provision to people with disabilities. It adds: "The development of people with disabilities and their effective participation in the daily life of the community depends in large part on the information available to them. Unfortunately, the present service provision paradigm does not include availing information to people with disabilities and their families."[23] The government commits to rectify this anomaly by providing persons with disabilities, their families, agencies with information on available services as well as ensuring that information to the general public is accessible to persons with disabilities in their various categories.

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21 *Access to Information Act 2016, https://tinyurl.com/yy73fltt*

22 *Interview with Ally Thabit, June 2019*

23 *National Policy on Disability 2004, https://tinyurl.com/yxbfj7g5*

The policy also identifies the provision of user-friendly technical aids, including assistive technologies, to persons with disabilities to enhance their lives and effective participation in their communities. At the time this policy was adopted, it was noted that assistive technologies were not readily available and people with disabilities and their relatives lacked information on where to get them. Whereas the assistive technologies were available on the market, they were too expensive for most individuals that needed them and as such persons were largely excluded from meaningful public participation.[24]

As a result, the government committed to work with DPOs to ensure that persons with disabilities are provided with information on availability of technical aids; and to provide the aids to those who lacked means to buy them. The government also committed to waive fees levied on technical aids imported into Tanzania and those manufactured locally, and to put in place a mechanism to ensure the local production of low-cost technical aids.

The Persons with Disabilities Act, 2010

The Person with Disabilities Act (PWDA) was enacted to provide for the protection of persons with disabilities. It included provisions for access to health care, social support, accessibility, rehabilitation, education and vocational training, communication, employment, and non-discrimination. The definition of disability in the Act mirrors the definitions in the National Policy on Disability of 2004 and the CRPD.

Under section 54, the PWDA imposes an obligation on the government through the Minister to take appropriate steps to ensure that persons with disabilities enjoy access to social security and protection, including (a) access to appropriate and affordable services, devices and other assistance for disability related needs; (b) access, in particular for the aged and women, to social protection programmes and poverty reduction strategies; and (c) access to available grants and credit services for income-generating activities and to public housing programmes, if resources allow.[25]

This law, under section 38, is emphatic on the persons with disabilities' right to information. It requires heads of public institutions to ensure that information from their institutions is available in formats which are user-friendly to people with disabilities.

Additionally, section 55 of the Act requires all television stations to provide sign language insets or subtitles in all newscasts, educational programmes and other programmes covering national events. According to media owners interviewed for this research, no television station has been sanctioned for failure to fulfil this requirement. The government has held meetings with media owners to remind them of their obligations but they cited the high costs of implementing sign language subtitles in all the programmes that the law requires them to, and requested for government subsidies to media houses to enable them to comply.

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24 *Policy issue 3.7 Technical Aids; National Policy on Disability, http://www.childrightsforum.org/files/National%20Policy%20on%20Disability%202004.pdf*

25 *http://www.saspen.org/conferences/tanzania2016/Mesaki_SP-Persons with disabilities_SASPEN-Tanzania-16-17Aug-2016.pdf*

Further, section 56 requires all public telephone services providers to install and maintain telephone devices or units for persons with hearing disabilities and tactile marks on telephone sets to enable persons with visual disabilities to communicate through telephone systems. Section 50(a)-(d) prohibits any form of denying persons with disabilities access to public services and premises. Under section 6, any form of discrimination in access to services and premises may attract a fine of not less than two million but not exceeding twenty million shillings in case of a body corporate, and a fine of not less than five hundred thousand shillings but not exceeding seven million shillings or imprisonment for a term of one year or to both in case of a natural person.

The Act, through section 50(d), criminalises denial of access to information and other ICT to persons with disabilities, stating that it shall be an offence for a person with a disability by reason of their disability to be denied "access to public facilities, services, information and communication including new information and communication technologies, and systems open or provided to the public both in urban and rural areas."

The Electronic and Postal Communications Act 2010[26]

This Act provides for a comprehensive regulatory regime for electronic communications service providers and postal communications service providers as well as providing for their duties and for content regulation. Section 111(1) requires the minister to make regulations relating to the provision of content to cater for the needs and interests of persons with sight or hearing impairments. However, 10 years after the enactment of this law, the regulations have not been made. Over that period of time, several other regulations[27] catering to other areas of ICT use have been made by the communications regulator, which is indicative of where priority attention has been placed by the government.

National ICT Policy, 2016

In 2016, Tanzania replaced its 2003 National ICT Policy with the National ICT Policy 2016, which is in the context of the Tanzania Development Vision 2025, that recognises that ICT is central to social and economic transformation.[28] However, the policy does not make reference to persons with disabilities. In contrast, the previous ICT Policy of 2003 made specific reference to persons with disabilities, stating that the policy would "give special attention to providing new learning and ICT access opportunities for women and youth, the disabled and disadvantaged, particularly disenfranchised and illiterate people, in order to address social inequities"[29] as one of its main objectives under human capital development.

On the other hand, the 2016 policy places persons with disabilities under a broad category of those with special needs[30] or special groups.[31] The challenge with these vague definitions is that it may become difficult to advance the rights of persons with disabilities.

26   https://tanzlii.org/tz/legislation/act/2010/3-0

27   https://www.tcra.go.tz/regulations

28   Tanzania National ICT Policy, https://tanzict.files.wordpress.com/2016/05/national-ict-policy-proofed-final-nic-review-2.pdf page iv

29   Tanzania National ICT Policy 2003, http://unpan1.un.org/intradoc/groups/public/documents/unpan/unpan033693.pdf

30   Section 3.10.1 on Gender and Social Diversity of the 2016 National ICT Policy, https://tanzict.files.wordpress.com/2016/05/national-ict-policy-proofed-final-nic-review-2.pdf

31   Section 3.10.1.2 on the Policy Statement of the 2016 National ICT Policy, https://tanzict.files.wordpress.com/2016/05/national-ict-policy-proofed-final-nic-review-2.pdf

Information and Communication Technology (ICT) Policy for Basic Education, 2007[32]

This policy was formulated by the Education and Vocational Training Ministry to guide integration of ICT into basic education. It emphasises the importance of ICT for improved access, equity, quality and relevance of education, and states that appropriate education should be given to persons with disabilities to access and use ICT.

The policy mentions support to ICT facilities for teachers and learners with disabilities, which was provided to the Open University of Tanzania (OUT) and University of Dar es Salaam (UDSM). The UDSM has initiatives for the use of ICT in teaching, learning and teacher education, and the OUT has an e-learning programme. Additionally, because of the policy, the Agency for the Development of Educational Management (ADEM) has developed online training programmes and training videos, which also help learners with disabilities.

Nevertheless, the policy has not attained that much since it was introduced. Some 12 years since its establishment, little has been done to reach the target general outcome of "strategic integration of ICT is expected to improve access and equity to, and quality and relevance of basic education". In most cases government officials still discuss the matter of ICT access to persons with disabilities as future plans and not as existing actions.[33] For instance, a 2017 study shows that the Tanzanian government had not committed resources to educate children with disabilities.[34]

The Universal Communications Services Access Act 2006[35]

In 2006, Tanzania enacted the Universal Communications Services Access Act that provides for the establishment of the Universal Communication Services Access Fund, whose objectives include ensuring the availability of universal services by enhancing communication services access through private sector participation.[36] The Act mentions persons with disabilities and stipulates a universal service obligation under section 13(1)(b)(v) to provide customers with disabilities with the same equivalent services as all other customers so as to have access to the same level of universal service. It further provides: "Access to communication networks or services for the provision of universal communications shall be open, non-discriminatory and upon conditions based on objective criteria that are transparent and readily accessible to the general public."[37]

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[32] *Information & Communication Technology (ICT) Policy for Basic Education, 2007,*
   https://planipolis.iiep.unesco.org/sites/planipolis/files/ressources/tanzania_ict_policy_for_basiceducation_2007.pdf

[33] *For instance, (a) Tanzanian government promises to support ICT education for people with vision disabilities,*
   https://globalaccessibilitynews.com/2013/07/15/tanzanian-government-promises-to-support-ict-education-for-people-with-vision-disabilities/

[34] *Education for children with disabilities, https://assets.publishing.service.gov.uk/media/5bacce7ded915d25b12500a7/113-Education_for_Children_with_disabilities.pdf*

[35] *https://www.tcra.go.tz/images/documents/policies/ucsa.pdf*

[36] *Section 5 of the UCSAF Act*

[37] *Section 14(1) of the UCSAF Act*

3.
Challenges Faced by
Persons with Disabilities in Accessing
Information and ICTs

Unimplemented Laws and Policies

Tanzania has ratified the United Nations Convention on the Rights of Persons with Disabilities (CRPD). The CRPD, among others, provides for accessibility under article 9. It stipulates that states have the responsibility to take appropriate measures to ensure that persons with disabilities have access, on an equal basis with others, to information and communications technologies and systems, and to other facilities and services open or provided to the public.

Whereas Tanzania has taken some policy and legislative measures consistent with the CRPD requirements, implementation is starkly lacking. Moreover, some of the policies lack specific provisions and measures as to how persons with disabilities may enjoy these rights. The policy measures include the National Policy on Disability, 2004 and the National Construction Industry Policy. The legislative measures include the enactment of the Persons with Disabilities Act No. 9 of 2010, Access to Information Act of 2016, and the Electronic and Postal Communications Act. Amongst the key aims of these policies and legislation is to promote access to information in print and electronic forms as well as other accessible and user-friendly formats for persons with disabilities.

However, the laws and policies are silent on implementation strategies. Even with the failure and inadequacies in delivery, focus is most times placed on public institutions as opposed to privately owned institutions. It should be noted that across the domain of institutions, persons with disabilities including those with physical impairments, visual and cognitive impairments, tend to face similar challenges.

For instance, while the Ministry of Education and Vocational Training (MoEVT) formulated the ICT Policy for basic education in 2007, the policy remains largely unimplemented. There is thus need to develop special programs to promote ICT education for persons with disabilities, with specific attention being paid to defining different types of disabilities and identifying appropriate assistive technologies required in order to ensure full access and usage of ICT and related rights.

Low Spread and High Cost of Assistive Technology

The purpose of assistive devices and technologies is to maintain or improve an individual's functioning and independence to facilitate participation and to enhance overall well-being. They include wheelchairs, prostheses, hearing aids, visual aids, and specialised computer software and hardware that increase mobility, hearing, vision, or communication capacities.[38] However, a lack of disaggregation of data on ICT access and usage by people with different types of disabilities means there is no reliable information on the usage of ICT and assistive technologies, or the extent of the unmet need. This hinders development of disability-inclusive-approaches by various key programmes and initiatives in the country.

This trend is not unique to Tanzania. According to the World Health Organisation (WHO), in low-income and middle-income countries, only 5-15% of people who require assistive devices and technologies access them.[39] Since Tanzania has not taken specific deliberate steps to make assistive technologies affordable and widely accessible, it can be concluded that it lies in the lower category of the above bracket cited by the WHO.

Many computer applications and most websites (private and public) are not accessible to many persons with disabilities. Further, the images shared by the government on these platforms have no captions hence inaccessible to some persons with disabilities. Moreover, the second National Strategy for Growth and Reduction of Poverty (NPRSP) - MKUKUTA II that covers 2010-2015,[40] acknowledges that previous national strategies had not considered persons with disabilities. It should be noted that despite the observation by the foregoing Strategy, it did not put in place measures for a positive difference. As it is, little is known of the extent to which ICT is accessed and utilised to support learning among visual-impaired students.[41]

The shortage of assistive technologies leads to discrimination against persons with disabilities and thereby denying them the rights to express, education, participation, and employment. It also entrenches the exclusion of persons with disabilities and denies them the opportunity to enjoy a broad range of fundamental rights.[42] Maduhu Cosmas William with albinism condition and a legal officer at a DPO narrates one of his ordeals as employment related. He recounts having applied for several jobs, getting shortlisted and being invited for interviews. However, all computer-related job interviews are usually insensitive, as there are never measures

38 WHO, Assistive devices and technologies, https://www.who.int/disabilities/technology/en/

39 WHO, International Perspectives on Spinal Cord Injury, https://apps.who.int/iris/bitstream/handle/10665/94192/WHO_NMH_VIP_13.03_eng.pdf?sequence=1

40 Ministry of Finance and Economic Affairs, National strategy for growth and reduction of poverty II, July 2010,
     http://www.mof.go.tz/mofdocs/DPE/MKUKUTA%20II%20English.pdf

41 Innosencia Eligi and Kelefa Mwantimwa, ICT accessibility and usability to support learning of visually-impaired
     students in Tanzania, https://files.eric.ed.gov/fulltext/EJ1153317.pdf

42 Interview with Fredrick Msigallah, Advocacy and Capacity Building Officer at Comprehensive Community Based Rehabilitation in Tanzania (CCBRT); and Amon Anastaz, Advocacy Officer
     and lawyer at CCBRT.

such as user-friendly facilities for persons with disabilities. He noted that this often happens when interviewers for jobs involving use of computers do not accomodate the needs of persons with disabilities, which ultimately leads to their discrimination and unequal access to opportunities.[43]

Anecdotal evidence suggests that there is a huge digital divide between persons with disabilities and the rest of society. Given the common patterns of manifestation of the digital divide in the region, it can be suggested that those suffering the greatest inequality in access to ICT are persons with disabilities who are not only usually undereducated but also poor, and living in rural areas. It should further be noted that there are no visible efforts by the Tanzania Communications Regulatory Authority (TCRA) to ensure an all-inclusive sector irrespective of education and disability. This has exacerbated the poor access to information and ICT for persons with disabilities.

Lack of research and disaggregated data

The true extent of the status of ICT access and usage among persons with disabilities is not known. This is partly because there is no specific and reliable published research on the patterns and gaps in access and usage of ICT for persons with disabilities. Tanzania, like many African countries, does not collect disaggregated data relating to access to information and ICT. This is because the communications regulator, TCRA, does not issue statistics that are disaggregated by disability, and there have been no specific published studies by either government or non-government actors, on usage patterns and statistics for persons with disabilities. The absence of disaggregated data makes appreciation of the magnitude of the problem difficult. The lack of reliable data in turn hinders the development of disability-inclusive approaches to service provision, including in the ICT domain.

Insufficient Government Support to Disability Rights Programmes

The protection, promotion, and realisation of rights by citizens is usually hinged on the government. The government of Tanzania has been promoting ICT development schemes in primary schools to enable access to information. This has, however, partly failed due to inadequate, poorly applied and poorly enforced laws. Moreover, the failure to specifically address the needs of persons with disabilities in education centres has greatly affected the sector. As a result, many persons with disabilities have been left out. For example, in Dar es Salaam, Uhuru Mchanganyiko Primary School is the only government school in Ilala District with facilities catering for persons with disabilities in learning processes. Even then, the available facilities are limited and cannot sufficiently satisfy the large numbers of persons with disabilities in the area.[44]

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[43] *Interview with Maduhu Cosmas William, Legal Officer at the Sun, a disability rights organisation,*

[44] *Natafuta shule maalum za walemavu Mkoa wa Pwani,*
https://www.jamiiforums.com/threads/natafuta-shule-maalum-za-walemavu-mkoa-wa-pwani.1037241/

Further, while universal adult suffrage is regarded as important across the world, many persons with disabilities have been alienated from electoral processes. The 2010 "Report on the Observations and Recommendations Made by Voters with Disabilities" indicates that the National Electoral Commission (NEC) had, prior to the general election, promised to address some of the challenges that limit the effective participation of people with disabilities in election processes.[45] However, the promises by NEC did not materialise with elections being conducted in the absence of sign language interpreters and tactile ballot papers in polling stations. This was contrary to NEC's promise of ensuring that arrangements would be made to ensure that all polling stations had tactile ballot papers to enable people with visual impairment cast their votes secretly.

44   *CCBRT, The participation of Persons with Disabilities in Tanzania's 2010 general election: A Report on the Observations and Recommendations Made by Voters with Disabilities,*
     https://www.ohchr.org/Documents/Issues/Disability/PoliticalParticipation/NGOs/ResponseCCBRTSurveElectionReport.pdf

4.
Conclusion and
Recommendations

Conclusion

Information and Communication Technologies (ICT) can be a powerful tool for improving the quality of life for persons with disabilities and enhancing their inclusion and social engagement. Indeed, as noted by a United Nations report, "For most people, technology makes things easier. For persons with disabilities, technology makes things possible."[46] That notwithstanding, persons with disabilities in Tanzania continue to face several challenges in access to information and use of the internet and physical access to public services and premises. Unimplemented laws and policies, the low spread and high cost of assistive technology, lack of research and disaggregated data, and the insufficient government support to disability rights programmes present the key challenges that must be addressed.

Nonetheless, some positive steps have been taken towards enhancing digital rights and access to ICT by persons with disabilities. For instance, Tanzania has enacted laws and adopted policies that seek to, among others, enhance access to information and ICT by persons with disabilities.

Further, a few efforts have been taken to promote rights and opportunities in education and employment sectors for persons with disabilities. These efforts are, however, crippled by lack of resources, actionable measures, and consistent government investment and engagement to improve accessibility to information and ICT.

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[46] *United Nations, Disability and Development Report 2018, https://www.un.org/disabilities/documents/2019/UN-flagship-report-disability-7June.pdf*

Recommendations

Government

- Fast track the implementation of existing policies and laws that promote persons with disabilities' access to information and use of ICT.
- Adopt appropriate measures that promote affordability, availability, capacity to use ICT by persons with disabilities. Among others, use universal service funds to attain this recommendation.
- Adopt policies and legislation that require all government departments, public education institutions, and licenced providers of communication services to comply with inclusion and non-discrimination against persons with disabilities such as through implementing universal design.
- Allocate resources for the implementation of special programmes to promote ICT education for persons with disabilities as stipulated in the 2007 ICT Policy for Basic Education.
- Revise regressive laws and policies that do not refer to persons with disabilities. For example the previous ICT Policy of 2003 that made specific reference to persons with disabilities was replaced with the National ICT Policy 2016 which does not make reference to persons with disabilities, although is in the context of the Tanzania Development Vision 2025, which recognises that ICT is central to social and economic transformation.[47]

Media

- The media can be a vital instrument in raising awareness, countering stigma and misinformation. It can be a powerful force to change societal misconceptions.
- Heighten the awareness drive on issues that affect persons with disabilities through reporting that promotes effective integration of persons with disabilities in all aspects of societal life.[48]
- Integrate assistive technologies in their medium of communication such as on websites and providing translators for persons with disabilities especially on visual media like television and YouTube.
- Objectively report on issues affecting persons with disabilities with specific focus on key strategies for improving their status. Reports can be made on inclusion and non-discrimination as well as the right to participation for all.

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[47] *Tanzania National ICT Policy https://tanzict.files.wordpress.com/2016/05/national-ict-policy-proofed-final-nic-review-2.pdf page iv*

[48] *https://www.un.org/development/desa/disabilities/resources/disability-and-the-media.html*

Private companies

Private companies can play a big role in enhancing access to ICT and information to persons with disabilities, by providing equal opportunities and innovative programmes to make their tools and services affordable and accessible.

- Private companies such as mobile communications and internet service providers should adopt and dedicate specific programmes to persons with disabilities' access and use of their services in a non-discriminating manner.
- Adopt policies that prohibit and criminalise discrimination against persons with disabilities.
- Adopt policy measures that promote access and affordability of their services by persons with disabilities. For instance, they can make mobile phones and services which are tailored to simplify communication and access to information and services.

Civil Society

- Advocate for the protection, respect, and promotion of the rights of persons with disabilities regarding access information and ICT. For instance, CSOs can advocate for the government's implementation of universal design.
- Further, CSOs should advocate for all-inclusive legislation to eliminate cases of discrimination against persons with disabilities.
- Make shadow reports to regional and international human rights protection mechanisms, including the CRPD and the African Commission on Human and Peoples Rights, highlighting all issues affecting persons with disabilities.

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