

StreetNet International meeting
on
Street vendors and informal traders living with disability
(20/21 April 2011)

Introduction

- Umesh Upadhyaya, GS of GEFONT

StreetNet International Council & workshop held in Nepal is good opportunity for street vendors of Nepal.

Problems of working class are the same, whether formal or informal, no matter which country. Fight against capitalism – despite language and culture differences. But sentiments are same and can be globalised.

These events are part of working class solidarity throughout the world.

Common goal of international trade union networks is to develop an alternative world with dignity and creativity of workers, and better life.

Previously TU movement was led by European continent, but now workers from Africa, Asia & Latin America have to take a lead – as there is no possibility of better world without organising workers in informal economy.

Industrial revolution in Europe formalised labour force, but globalisation is reversing process and informalising workforce. Since formal sector is getting informalised, TUs have also to focus attention on informal workers. Need movement of informal economy. Conflict between labour & capital is not coming to end, so unified efforts are needed to change national politics & policy frameworks.

Nepal political transition – difficult, society is unstable, on threshold of social transformation & start of federalism. Constitution-drafting in process, focussing on 3 major issues:

1. Fundamental rights for workers – right to organise, social security, right to work and right to strike.
2. Representation from grassroots level to central level in every institution.
3. Welfare programme – socialist transformation.

Fight for democracy has taken more than 71 years. Finally have democratic republic in which solidarity from international community incl. international labour movement was very important. In return GEFONT extends solidarity to working classes around the world. Outcomes of StreetNet International Council meetings can assist street vendors & informal traders to organise more strongly.

Let us globalise our struggles. Long live GEFONT/NEST – StreetNet solidarity.

President amazed to hear GS of a national TU centre expressing this kind of solidarity with workers in informal economy. Proceeded to repeat what Umesh said (without the socialism part).

Vice-President proposed that we now go on with the programme.

Gave apology from Secretary who is ill today, and hopes to join later.

1. She presented workshop objectives:
Develop a tangible idea of exactly how disability links with the everyday reality of street vendors, informal market vendors and hawkers;
2. Find out what StreetNet affiliates are already doing to promote and defend the rights of street vendors and informal traders living with disabilities;
3. Encourage those affiliates of StreetNet who have not started to seriously organize street vendors and inform traders with disabilities, to start developing their organizational strategies for doing so;
4. Lay the foundations for the development of a StreetNet policy resolution on street vendors and disability.

Activity 1 – EXPECTATIONS

THIS WORKSHOP

Develop ideas and better understanding about the difficulties that disabled vendors are living with, regarding protection and their rights.

More understanding of relationship between disability and informal economy.

Understand disability beyond narrow understanding of physical disability.

How to mobilise disabled street vendors.

How to work/cooperate with disabled street vendors as informal workers.

Best practices for integrating disabled street vendors in street vendors' organisations.

Learn new ideas to share with my members when I get back to my country.

Learn to develop programmes to help disabled workers carry out their economic activities in informal economy.

Learn about collective negotiating proposals that can be submitted regarding street vendors with disability.

Acquire new strategies how to assist disabled vendors to obtain social security. Learn about creation of income-generating activities.

Learn a better knowledge about the conditions of disabled street and market vendors in other countries, share experiences of working with people with disabilities with other participants.

Learn about how to hold special seminars.

Collective approach to deal with issues of people with disability, as equals without discrimination linked to their disability.
Develop concrete understanding of how to sensitise members about working on this issue (where members are sometimes divided on this issue).
Learn how to implement what is learnt in the workshop.
Understand achievements of organisations to benefit their members.
Learn if these solutions are applicable in my country.
Coming from country with no policies on disabled people including street vendors, want to borrow policies which cover disabled street vendors in other countries – in our own organisation we do not discriminate and have disabled people on some committees.
Learn different challenges faced by others in organising and engaging with authorities, especially at the moment they raise their issues with their governments. Good application of ideas coming from the base.
How to make international StreetNet policy on street vendors with disability.
Practice what we have learnt when we get back to our countries.

FUTURE VISION

In the organisations we should have a Secretariat in charge of social support for disabled.
Make governments recognise them as subjects with basic rights to get basic human needs – through positive discrimination or prioritising special needs.
People with disabilities should be recognised among informal economy workers – disability, health conditions, representation, accommodation.
Gender disaggregation of people with disability. Disabled should have free movement & access to free market space.
Disabled vendors should be recognised by governments.
Disabled vendors should be represented at local level.
Building accessibility – lifts.
Public transport accessibility.

UNRELATED TO THE THEME

Intercession by StreetNet in countries with autocratic regimes.
To enhance lives of street vendors, introduce model which affiliates can use.
Development of common view for how to organise street vendors by sharing best practices.
Find out progress made in consolidation of global union of street vendors, global coverage through inclusive & creative social dialogue.
Find out extent of social & labour inclusion of street vendors in economy.
Introduce street vendors' representatives into tripartite negotiations.
Know the situation of street vendors in other countries where StreetNet has affiliates, and actions that the organisations are doing about this situation in the different countries – *this was covered by Affiliates' Report compiled by organisers for International Council.*

Activity 2 – challenges of organising workers with disability

GROUP 1 (*English-speaking*)

Organising is process of bringing people together to have common goal and objectives, build power to fight and protect rights and interests.

- to have united voice
- power in numbers
- orderly representation
- to achieve goals
- to fight for recognition
- to fight for rights
- to wage class struggle
- lobby & advocate for favourable legislative environment
- pool resources together
- protect ourselves
- to be a family

Disability doesn't mean anything different in organising, just added fight against social isolation and disability stigma. But in organising there may be different requirements.

Challenges	Opportunities
Stigma of isolation	Legal frameworks can be leveraged
Discrimination	Working without harassment in some areas where special provisions
Different category	Special policies, e.g. duty-free
Not catered for in public services, e.g. toilets	Most disabled people very intelligent
Culture barriers	
Rape & abuse	
No capacity to handle	
Exploitation by politicians	
Lack of self-defence	
Lack of representation	

GROUP 2 (*Nepali-speaking*)

Unity, power, to disseminate people's protection of profession & propagate unity of unorganised.

Demand security of life, equity & equality with rights & freedom, vote for fundamental rights and defeat opposition, for decent work, to urge policies re profession, dignity, social security.

Able-bodied street vendors have tried to organise disabled vendors as well. Encouraged everybody to think about them. Tried to bring equity between able-bodied & disabled street vendors, but there are differences in society who don't regard them as equal. Disabled street vendors sometimes get

more consideration than able-bodied. Special initiatives to provide disabled with wheelchairs, or depending on type of disability.

Challenges	Opportunities
Difficult to have participation of disabled in programmes – can't cater very well	Common problems with able-bodied workers
No fixed rules, regulations or policies	
Disabled and able-bodied not regarded by govt. as workers, but criminals	
No facilities – all street vendors	
Lack of awareness of rights of all street vendors, specially women	

GROUP 3 (*Spanish-speaking*)

Terminology: "differently capacitated"

We organise in order to end anarchy

Creation/maintenance of order

Unite people with common objectives or common problems

- for common necessities

- to defend social & collective rights

Don't organise in different form, but give particular attention and services.

Challenges	Opportunities
	Accelerate prevention and help women
	Priority
	Accelerate capacity-building
	Educate them (especially women) to be good mothers & wives

GROUP 4 (*French-speaking*)

French document translation very unclear and confusing.

"Organisation" is collective structure to group people to defend common interests – "organising" is process of grouping people for purpose of achieving common objectives. Street vendors organise themselves to defend their rights and interests.

For disabled street vendors, the context differs. Their rights are even less respected than other street vendors. So need is even greater to be organised. Their need for inclusion in society and among street vendors is even greater.

Challenges	Opportunities
Social exclusion	Potential new members
Poor methods of approach	Special programmes can be developed for integration in all activities
Understanding specific category of marginalisation	

PRESENTATION – see annexure.

QUESTIONS & DISCUSSION

KENASVIT doesn't organise all people with disabilities, only those who are street vendors & market vendors.

How do they integrate them in membership ? They don't have to pay taxes.

Do disabled people pay membership fees? How many female members ? They pay registration fees. Membership is 20 shillings per month, and 10 shillings for registered members – as incentive to register. KENASVIT uses StreetNet policy – if Chair is man, Vice has to be a woman – all the way down different levels (50% quota?)

Do disabled get chance of participating in disbursement of funds (e.g. loans etc.)? Yes, they are involved at different levels of fund management, to ensure that disabled benefit from such opportunities. In Migori alliance they have an organisation specifically of disabled, and they get special govt. funds to their group (KENASVIT can't handle the funds on their behalf).

What is percentage of disabled persons in KENASVIT? 20% altogether, majority in Nairobi and 3 other Urban Alliances.

Asked about the special market in Nairobi for disabled. Not specifically for persons with disability, but this particular market accommodates more than 1000 persons with disability in one town and has special access facilities (sheds and parking for wheelchairs).

What is relationship between disabled and able-bodied street vendors? Basically they are competitors (which has to do with business dynamics, not question of disability) – so able-bodied vendor has advantage over disabled when it comes to business competition.

In Nepal they are trying to encourage workers with disability to join unions like everybody else. KENASVIT also has the same approach.

Organising mechanism? KENASVIT used them to display their wares, and they came in big numbers (employment opportunity?)

How does KENASVIT sensitise their able-bodied members? Make comparison between street vendors' marginalisation and disabled peoples' marginalisation. So they get disabled peoples' reps to talk to their members.

Jalile urged the house to encourage KENASVIT in their work.

People with disabilities are more united than able-bodied street vendors in Guinea. Started talking about beggars who have too many children, so she

doesn't think able-bodied people can work with disabled. Maina said you have to have patience when you are organising difficult sectors like this.

In Niger have too many disabled people – they have special organisation for disabled people doing different trades in each district of Niamey.

KENASVIT said all enforcers must be people with disability.

COMMENT:

Challenge – some comments are sounding like comments people make about foreigners in context of discussions about xenophobia, or formal sector workers about informal economy. Need to check ourselves when we talk about workers in this sector and our preparedness to organise them.

RECAPTURE of PREVIOUS DAY

Sandra – StreetNet wants to give attention to street vendors with disability, and make policies about it. Some of StreetNet affiliates are not paying attention to this. We learnt about how those organisations who are doing this are working, and we have learnt some new issues.

Peter – language issue, how this developed in Kenya. "Disabled people", "PWD" and "physically challenged". No longer use "disabled people". Legal mechanisms put in place by Kenya government.

Presentation of expectations.

Majority are fortunately in line with the workshop aims & objectives.

President added that laws covering street vendors in all countries should be improved and added his expectation of consolidating a global union of street vendors.

Activity 3 – organising disabled street vendors in different countries

Issues emerging (*identified by Monica at end of role-plays*):

Physically challenged are not always interested in belonging to orgs – could be for lack of understanding, or bad experience.

External causes – prejudices about what it is to be organised.

Lack of clear plans how to help them.

No willingness to communicate because situation is complex.

Different sections can't communicate with each other (deaf, blind, physically challenged, etc.)

Relation to society's problem as a whole with this sector.

Most street vendors organisations are stretched capacity-wise, so it is hard for them to cater for people with disabilities.

More vulnerable to crime, drug addiction, alcoholism.

Lack of information about what they need.

Avoid being patronising – instead of talking about what "they" need

Importance of unity.

By starting to talk about it, already starting to resolve problem.

Activity 4 – developing a StreetNet policy

Dos	DONTs
Identify & analyse percentages of workers with disabilities in our organisations	Discriminate by words – e.g. use word "disabled"
Implement special programmes for our members with different capacities	Discriminate by gestures
Raise awareness and build capacity among our members to eliminate discrimination in the organisation against members with different capacities	Discriminate by actions – e.g. activities which exclude them
Create a data-base of experiences, laws and standards in different countries regarding workers with different capacities	Marginalise vendors with disabilities
Recognise different kinds of disability and some disabilities aren't necessarily easily seen	Stigmatise or use offensive language
Initiate and organise meetings to hear their needs	Stereotype the disabled
Be patient and understanding	Act aggressively
Create conditions to accommodate vendors with disabilities	Stay alone
Train vendors with disabilities to become organisers and represent themselves	Leave vendors vulnerable on streets
Advocate and lobby for policies to improve their conditions	Organise for personal benefits
Appropriate method of approach	Create minority organisations
Identify partners	Trust enemies
Intermediaries and support personnel to facilitate participation	Treat those with disability differently
Integrate vendors with disability into our organisations	Discriminate according to kind of work
Organise & be united	Discriminate by physical incapacity
Look at collective benefits	Gender discrimination
Respect majority of members	Abuse power
Trust unions	Suppress others
Equal treatment	
Respect for everybody's labour	
Respect for disabled people	
Gender equality	
Leadership to take responsibility	
Develop national policy	

GROUP 1 (*English-speaking*)

Sensitisation – through training & workshops
Involve people with disabilities in lobbying & advocacy
Involvement without discrimination
Celebrate relevant international holidays
Encourage people with disabilities to be part of organisational leadership – requirement (i.e. quota)

ZCIEA have involved people with disabilities from grassroots to national leadership – now have housing coops for people with disabilities.
Ghana – people with disabilities have their own organisation, and Ghana StreetNet Alliance also working with disabled vendors.
KENASVIT formed Council addressing disability in the organisation, and promoted favourable laws.
MUFIS has succeeded in having people with disabilities having equal involvement in leadership and activities of the organisation. Now easier to organise people with disabilities, and their needs are better represented.
Street Vendors Project in USA has a policy of offering help so that people with disabilities don't have to ask for help. Stigma has decreased.

GROUP 2 (*Nepali-speaking*)

Treat disabled as differently capacitated – i.e. respect and utilise their capacities. Use respectful language.
Education members that those with disability are the same.
Progressive education.
Create awareness about importance of unions.
Encourage members with disability.
Have benefits for disabled members, e.g. facilities and discounts.
Give members opportunities.
Affirmative action policies to encourage disabled people in leadership.

Kenya – various opportunities for people with disability, with good impact.
Korea – none of their government's street vendors' policies are successful.
Some countries have legal provisions to improve access for people with disabilities (hospitals etc.)
Nepal – disability grants.

GROUP 3 (*Spanish-speaking*)

Explain to members that all people should have same rights, irrespective of religion, disability, etc.
Recruit people with disabilities as members and give them priority.
Standards and laws of protection for people with disabilities – country?
Special programmes for people with disability – Argentina.

GROUP 4 (*French-speaking*)

Organise talks/conferences, debates, training sessions for members.

Maintain spirit of solidarity among members.

Put in place follow-up committees.

Put in place a policy approach.

Initiate income-generating activities and social solidarity economy initiatives.

Impact: growth of membership, restoration of trust, social integration, attention to needs.

POLICY RESOLUTION elements:

1. Equality, not discrimination.
2. Inclusive, promotive and friendly.
3. Conducive, not oppressive.
4. Celebrate difference and treat difference as positive.
5. Promote education, including at national level.
6. Inclusive policy of all street vendors in the world.
7. Continuous awareness and technical education programmes.
8. Pressure groups in all countries to have policies and laws in favour of people with disability.
9. Regulations in favour of people with disabilities.
10. No gender discrimination.
11. Language must not be discriminatory – use term "people with different capacity".
12. Fight for inclusion in urban planning (buildings and transport).
13. Sensitise members through training, workshops, involving them in lobbying & advocacy.
14. Engaging members with disabilities in organisational activities without discrimination.
15. StreetNet to support affiliates who organise vendors with disabilities.
16. Training & education, lobbying & advocacy, campaigns on themes connected with disability.

Next week circulate draft policy for further comment.

Participatory policy with participation of majority of affiliates.

Thanks and closure – participants, interpreters, admin staff, hosts NEST & GEFONT, esp. for wonderful cultural evening.

Penultimate word by Anastasie – participants, NEST and interpreters, bon voyage.

Final word by Oscar – sentimental farewell, wished participants good journeys home & good work in new challenge of inclusion of street vendors with disability in our activities with purpose of ending discrimination and including ALL kinds of vendors in organisations.

He gave two Argentinian flags with StreetNet's name on it signed by all participants to NEST and StreetNet International office.

Narayan (NEST) – thanked StreetNet President and Coordinator for organising meetings in Kathmandu. Thanked participants for coming from long distance. Apologised for any shortcomings.

ANNEXURE

KENASVIT PRESENTATION ON PERSONS WITH DISABILITY STRATEGIES AND ORGANISATIONAL ACTIVITIES

Presentation by KENASVIT, Kenya

- The organizational strategies and programmes of KENASVIT with street vendors with disabilities;

KENASVIT effectively engage mobilize and organize PWD (persons with disability) using various methods namely Personal contact, General meetings, Media, Using MoUs as tool of mobilization, Working with CBOs and net working with PWD organization in the civil society.

KENASVIT also have a policy encouraging PWD representation in all kenasvit leadership structures ie from national level to urban alliances level. In most urban alliances they form their own grassroot community base organization comprising PWD Street vendors.

KENASVIT programmes for PWD.

- 1 One of major programme for PWD is lobbying for the enactment of PWD act 2003 which now is in its implementation stage.
- 2 This was achieved by kenasvit networking and engaging with PWD Organizations in the civil society. Eg UDEK
- 3 Second, which is ongoing activity is sensitizing members and local authority officials on PWD act 2003. This have been successfully done in four main urban alliances, namely Nairobi (NISCOF) Mombasa (MUSTA), Migori urban alliance and Kisumu urban alliance.
- 4 Monitoring the implementation of the act in liaison with the constituted national council for PWD. The most critical stage is registration of PWD in all district hospitals
- 5 Through the national development fund for the person with disability kenasvit through Revolving fund programmes, we initiated a tailor made capacity building programs for PWD on entrepreneurship skills and RLF management.
- 6 PWD street vendors are also involved in other programs KENASVIT is initiating to other members.

How KENASVIT came to decide about the need to organize street vendors and informal traders with disabilities

This was informed by the fact that a big no of PWD were part and parcel of street vendors and faced similar problems and in most cases because of their nature of disability they suffered more than the abled street vendors

KENASVIT started in 2005 when it was realized that street vendors did not have a voice to engage with the central and local government. and therefore

PWD disability street vendors were involved in the initial stages in few urban alliances

A model was then identified for organizing.

Previously the informal sector had been very fragmented, with individuals and CBOs all approaching the authorities differently.

Community Based Organizations (CBOs) for street vendors were then identified at a local level where they were sensitized the importance of forming a national alliance. In this way they deal with issues at a local level through the urban alliances by engaging with local authorities.

Through the regional alliances formed through grassroots organizations they come together to form national alliance.

KENASVIT now covers 14 towns, whilst it started with 7. The expansion was informed by looking at where there are the highest numbers of street vendors within local authorities.

Strategies of organizing included:

- Identifying issues affecting street vendors and PWD in the area. For example, in Nairobi the central business district is out of bounds to street vendors according to a bye-law. We came together and highlight how they will deal with these problems identified and request their support to do so. **(Advocating for friendly bylaws)**
- Mobilizing grassroots CBOs and requesting them to join KENASVIT, engaging them through sensitizing them the mission and vision of KENASVIT.
- Meetings are another way of engaging PWT street vendors and giving them new innovative way of self sustainability for their grassroots organizations.
- Initiating self regulated revolving loan fund for easy access to credit,
- In this ways they can see the benefits of joining KENASVIT, particularly areas where they value tangible benefits, and they became more motivated

Strategies of negotiating with different levels of government around street vendors and disability:

- o Dialogue meeting with central government and local authorities
 - o Engaging political leader those support the informal economy especially when they are in need of our votes during election.
 - o Net working with other civil societies.
 - o Mass action
 - o Kenasvit also negotiate through representation in different decision making organs within the local authority and the central government
Eg representation in the council meeting by PWD councilors
- 2 quarterly meeting with ministry of labour department of micro and small enterprise and twice per year with the permanent secretary ministry of labour.
 - 3 in Nairobi e have city council stakeholders forum (ccnf) and

- 4 prime ministers round table meeting with the private sector which held twice an year (currently organization pays to attend.)

Challenges KENASVIT faced in organizing street vendors with PWD.

- Different categories of PWD especially the visually impaired and the deaf where most KENASVIT leadership face a challenge of communication.
 - Lack of capacity to handle to handle PWD where they have different need.
 - PWD mobility during the meetings.
 - Stigmatization.
 - Uncomfortable enforcing the raid rules and regulation in our organization.
 - Conflict of interest from some PWD organizations.
 - Political influence.
 - Previous negative actions of misuse of PWD.
 - Illiteracy level.
 - Poor relationship with able-bodied persons
- Through networking with other civil societies organization kenasvit participated in lobbying for the enactment of person with disability act 2003.this was motivated by halving so many street vendors with disability experiencing the same challenges like other street vendors in the country.
- After enactment KENASVIT though the support from our partners embarked on sensitizing person with disability street vendor and market traders and also partly monitoring the implementation of the act especially areas affecting street vendors and informal traders.
- KENASVIT also intends to register with the national council of PWD as an association that provide services for the welfare of PWD street vendors in the country.

The scope of the act purposely is meant to provide for the rights and rehabilitation of persons with disabilities; to achieve equalization of opportunities for persons with Disabilities and for connected purposes.

Rights and the privileges of persons with disabilities

In realization of rights of persons with disabilities the government have the responsibility to use the available resources to realization of all the rights of PWD namely,

- 2 Employment: No discrimination as long as the person is qualified she will be entitled to benefits as an able-bodied person.
- 3 Reservation of employment.
- 4 Apprenticeships
- 5 Discrimination by employers prohibited.
- 6 Incentives to employers: Retirement age for person with disability is

65years for those in employment unlike the normal 55 years.

- 7 Records for job placement.
- 8 Education: Establishment where possible of Braille and recorded libraries for persons with visual disabilities.
- 9 Special and non-formal education.
- 10 Health.
- 11 Accessibility and mobility: Persons with disabilities are entitled to a barrier-free and disability-friendly environment to enable them to have access to buildings, roads and other social amenities, and assistive devices and other equipment to promote their mobility.
 - 1 **Public buildings.** e.g. Trading sites and all building should access friendly to person with disability.
 - 2 **Public service vehicles.** That operators of all public vehicles shall adapt their vehicles to suit PWD.
- 12 Adjustment orders.
- 13 Denial of admission into premises, etc.
- 14 Offences, Adjustment orders and discrimination.
- 15 Adjustment orders against Government institutions.
- 16 Sports and recreation.

PWD CIVIC RIGHTS ARE:

Right to Vote, and Registration of their organizations, etc.

RELIEF AND INCENTIVES

Exemptions.

All persons with disabilities who are in receipt of an income may apply to the Minister responsible for finance for exemption from income tax and any other levies on such incomes.

This is where KENASVIT is encouraging PWD street vendors to register and benefit from exemption from ;local authority levies and licenses.

Incentives.

A private employer who engages a person with a disability with the required skills or qualification either as a regular employee, apprentice or learner shall be entitled to apply for a deduction from his taxable income equivalent to twenty five percent of the total amount paid as salary and wages to such employee:

Credit.

It shall be the duty of the Minister responsible for matters relating to credit unions, co-operatives and other lending institutions to encourage the extension by such institutions of credit to persons with disabilities.

Legal systems.

The Attorney-General, on consultation with the Council and the Law Society of Kenya, shall make regulations providing for free legal services for persons disabilities with respect to the following:

- (a) matters affecting the violation of the rights of person with disabilities or the deprivation of their property;
- (b) cases involving capital punishment of persons with disabilities; and
- (c) such matters and cases as may be prescribed in the regulations made by the Attorney-General.

KENASVIT encourages members to use the opportunity for free legal assistance when they are harassed by the local authority.

Television programmes.

All television station are required to have interpreter for the deaf and the laws requires the same to the meeting related to the public.

Telephone services. The use of brail numbering is being enforced.

Postal charge exemption for goods and serves are exempted when you identify yourself in relation to this act

Exemptions and deductions, general requirements. All registered pwd are requested to apply for exemption where we are encouraging street vendors to take the opportunity and apply mostly for exemptions in local authority levies.

- Inspectorate units and Council inspectors.

OFFENCES AND PENALTIES

- Concealment of persons with disabilities.

-Negligence by doctor.

-Giving false information to get registered.

- General penalty.

- **Request for legal action by Attorney General.**

A penalty raging from one hundred thousand and below an imprisonment of not more than year if found guilty of an offence in relation to this act is enforced.

Thank you

Compiled by
Wilson Maina Mwangi
Secretary General
KENASVIT
April 2011