



Corruption, Discrimination and Access to Land for Persons with Disabilities in Zambia

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1. Introduction

In 2019, the Environmental Investigation Agency (EIA) published a series of reports concerning the illegal logging of Mukula (1 & 2). The research found that corruption was “a key enabler” of timber trafficking and serious allegations were levelled against high-ranking public officials, who were suspected of complicity in the trade (3).

In 2021, fresh allegations emerged: a land allocation scheme, designed ostensibly for the benefit of persons with disabilities, had been used to facilitate the acquisition of production licences, leading to the clearance of thousands of trees in affected areas (4). The Ministry of Community Development and Social Services later announced that the matter had been taken up by law enforcement agencies (5).

Encouraged by the findings, TI Zambia decided to investigate further. **In 2023, we travelled to eight districts in five provinces to consult with communities directly affected by land corruption**, alongside representatives of local councils and traditional authorities. In total, thirty-three individuals participated in the research.

The testimony paints a distressing picture, demonstrating the variety of ways in which corruption and discrimination may combine to impede an individual’s enjoyment of land rights. In a country already marked by high levels of rural and urban poverty, persons with disabilities encounter unique barriers to rights protection that hinder their effective participation in society and increase their exposure to corrupt and discriminatory practices (6).

“Some traditional leaders request that persons with disabilities pay a fee when they apply for land, without considering how difficult it is for them to find money... Traditional leaders do not understand the situation for persons with disabilities.”

2. Stigma, Stereotypes, and Accessibility Barriers.

Within society, persons with disabilities experience a range of challenges linked to their personal status. Because of their weak socio-economic position, many were said to be **unable to afford the costs associated with obtaining state land**. Further, Physical accessibility barriers, linked to the design of government offices and a lack of available transport, were also said to have **prevented some interviewees from accessing services**. Similar issues were reported in customary settings, where a lack of accommodating measures work to prevent individuals from participating in meetings and decisions that affect their lives.

Traditional authorities wield great authority in the allocation of customary land. **It is common for plots that are viewed as dormant to be reallocated to new users who are able to use the land more productively** (7). In some cases, respondents suggested that the land of persons with disabilities had been sold on by family members without their consent.

3. Corruption and Discrimination: Impeding Equality

On account of their status and position within society, it was suggested that the **land of persons with disabilities may be targeted by corrupt actors**. Respondents suggested that bribes were commonly required to obtain State land. Further, several affected community members indicating that they had received **requests for facilitation payments from administrative officials**. While some had managed to obtain land, others saw their efforts frustrated. A lack of access to financial resources means that persons with disabilities **are less likely to be able to meet the demands of corrupt actors**.

Corruption within customary settings was less frequently discussed, although some of those we spoke with did note the risk of persons with disabilities' land being encroached or reallocated to new users. For example, **conflicts of interest emerge, particularly during the surveying process**.

4. The Need for Action

Many of those we interviewed for this case study – including community leaders, councillors and persons with disabilities themselves – spoke of the challenges that persons with disabilities face in accessing land and exercising their rights. **Stigma and stereotypes, combined with corruption in the land allocation process, result in unfair land outcomes**.

At the policy level, **some progress has been made in recognising these challenges**. The National Lands Policy notes the need for a “gender sensitive and youth friendly land sector which is inclusive of persons... with disabilities and other socially marginalised groups (8). However, while specific quotas have been introduced for women and youth, **the same is not applicable to persons with disabilities**. More modestly, the policy speaks of the need to “encourage [the] progressive ... empowerment of persons with disabilities in land allocation” (9).

In practice, some of the local authority representatives we spoke to indicated that land allocation quotas had in fact been introduced, but others provided different accounts, and much appears to be contingent on local practice. Even where such schemes are adopted, the testimony received demonstrates the pernicious impacts of corruption and the ways in which it can conspire to undermine equal outcomes.

However, there is room for hope. What came through clearly from the interviews was the eagerness of implementing actors to improve their own knowledge and understanding of the issues experienced by persons with disabilities.

A wide range of action, including increased rights awareness and sensitisation, will be essential if real change is to be achieved. But training will not be enough. Without tackling corruption and its drivers, progress towards equality will be impeded and persons with disabilities in Zambia will continue to be left behind.

End Notes

1. See Environmental Investigation Agency, Scheduled Extinction: Our Last Chance to Protect the Threatened African Mukula Trees, 2019, and Environmental Investigation Agency, Mukula Cartel: How Timber Trafficking Networks Plunder Zambian Forests, 2019.
2. See Ibid., pp. 4 and 3-4, respectively.
3. Ibid., p. 1.
4. Environmental Investigation Agency, “Forest Campaign: Mukulagate”, 16 September 2021, available at: <https://us.eia.org/blog/20210908-mukulagate/>
5. MCDSS, Recruitment of Director General of the Zambia Agency for Persons With Disabilities: Press Release, 2022, available at: <https://www.mcdss.gov.zm/wp-content/uploads/2022/09/Media-Statement-ZAPD.pdf>.
6. Committee on the Rights of Persons with Disabilities, State Party Report: Zambia, UN Doc. CRPD/C/ZMB/1, 2020, paras 20-22.
7. USAID, Zambia Customary Land Documentation Tenure Assessment, 2017, p. 14.
8. National Lands Policy, 2021, p. 27.
9. Ibid., p. 27, Objective 8 (iv).