

Lebanon

Terms of Reference:

Assessment of the Disability Inclusiveness of Social Protection Schemes in Lebanon

National Research Consultancy

(20 July 2021 – 30 November 2021)

I. Background

Persons with disabilities (PwDs) living in Lebanon experience exclusion and discrimination. A disproportionately large number of PwDs face attitudinal and systemic barriers that prohibit the full realization of their social and economic rights. According to the LFHLCS (2019), persons with severe disabilities represent 4.4 per cent of the total residents in Lebanon. Due to a negative interrelation between disability, education and economic opportunities people with disabilities are more likely to be part of the extreme poor and hard to reach groups. Before the economic and Covid-19 crises hit Lebanon, households with a PwD member were twice as likely to be in the poorest deciles. Estimates suggest that PwDs can face extra costs amounting to 35-40% of household income, which can impede their ability to access education, employment and other opportunities that form the basis for their full inclusion into society (Lebanon DPOs, 2020). In fact, forthcoming estimates by ILO, based on LFHLCS 18/2019, show that a person with a disability must spend between 13% and 32% more in order to achieve the same level of wealth as individuals without a disability. The on-going economic crisis coupled with the impacts of COVID have magnified these issues and exacerbated the conditions of PwDs and their families leaving them at high risk of falling deeper into poverty.

The regulatory framework governing the socio-economic rights of PwDs has suffered from weak enforcement, outdated definitions of disability and has been criticized for being insufficiently tailored to the specific situations and needs of PwDs. This includes this area of Social Protection. Social protection is critical to reduce vulnerability of PwDs, to support their economic empowerment, inclusion and sustainable escape from poverty. However, the underdeveloped and extremely fragmented social protection system in Lebanon leaves most persons with disabilities and their families without adequate income support. With no disability-specific income support scheme in place, Lebanese PwDs rely on support provided under existing contributory and non-contributory schemes whose coverage is limited. The National Social Security Fund (NSSF), the Country's main social insurance mechanism, covers around 32% of the Lebanese population, most of them working in the formal sector (LFSLCS, 2018/19). Coverage of PwDs in the NSSF remains very low due to their limited participation in the labour market, and with 44.1% of employed PwDs being own-account workers. The absence and lack of enforcement of employment policies targeting PwDs further aggravates this situation. The National Poverty Targeting Programme (NPTP) is the largest scheme in place and currently covers only 1.5% of the Lebanese population, 14% of which are households with persons with disabilities. Coverage is expected to grow in the next three years to cover 27% (WB 2021) as per the Emergency Crisis and COVID-19 Response Social Safety Net Project.

As a country hosting approximately 1.5 million refugees, humanitarian support is another essential tool in reaching PwDs in Lebanon. According to a vulnerability assessment conducted by UN partners, across the Syrian refugee population, 6% of individuals has a disability (visual, hearing, physical,

intellectual and/or speech impairment) and 12% of the households have at least one member living with disability (UNHCR 2019). Since the onset of the Syrian crisis, the humanitarian community has increasingly relied on cash assistance to support vulnerable households coming from donor contributions and implemented by aid partners under the Lebanon Crisis Response Plan. Currently, a consortium of WFP, UNHCR and other non-governmental organisations (NGO) are delivering unconditional multi-purpose cash (MPC) through a poverty-targeting approach to Syrian Households to meet their basic needs. With the Syrian crisis passing the ten-year mark and the deepening of the economic and social crisis in Lebanon, there is an increased call for alignment and integration of humanitarian income support schemes within national systems in order to improve social protection support for Lebanese and registered refugees, including PwDs.

The ILO, as part of its mandate to work with the government and social partners on Social Protection reform, and in line with its Social protection floor Recommendation No.202, 2012, aims at building inclusive social protection systems that foster the inclusion and participation of PwDs. This work involves, in particular, ensuring guarantees related to accessibility, adaptability, adequacy of benefits, equality and non-discrimination, transparency and access to information, and respect for the dignity and autonomy of the individuals (See more in section II below on conceptual framework for disability inclusive social protection).

It is in this context that the ILO is looking for **an international expert** and **national research team with expertise in the area of disability** to perform a qualitative assessment on the disability inclusiveness of the social protection system in Lebanon. The study will have with a particular focus on the three largest social protection schemes active in the social insurance, social assistance and humanitarian sector.

II. Conceptual Framework

The conceptual framework of the assessment will draw on already existing guidance and standards produced by global and national disability organizations and working groups as well as leading Social Protection and Humanitarian institutions and initiatives. These include but are not limited to The United Nations Partnership on the Rights of Persons with Disabilities (UNPRPD), Interagency Social Protection Assessment tools (ISPA), The IASC Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action (2019) and the CBM Disability Inclusive Development Toolkit (2017).

The assessment will align with major human rights instruments and conventions related to the economic, social and cultural rights for all persons, including for persons with disabilities. These include: the International Covenant on Economic, Social and Cultural Rights (ICESCR), The ILO Social Security (Minimum Standards) Convention, 1952 (No. 102) and ILO's Recommendation 202 (2012) on Social Protection Floors (SPFs). SDG targets 1.3 and 10.4 will also guide the assessment, calling on governments and other stakeholders to “implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable”, and to “adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality”. More specifically, the assessment will be conducted in reference to the Convention on the Rights of Persons with Disabilities (CRPD), of which Article 28.2 reads: “States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability” and the Charter on Inclusion of Persons with Disabilities in Humanitarian Action. Similarly, it builds on the 2018 Joint statement “Towards inclusive social protection systems supporting full and effective participation and inclusion of persons with disabilities”, which represents a consensus among some UN agencies, bilateral

development agencies, DPOs and NGOs of the key issues to tackled and the direction of reforms to undertake to build inclusive social protection systems.”

Box 1: International normative framework for protection of the right to social protection of persons with disabilities

The international normative framework has progressively elaborated the right to social security of persons with disabilities and States' obligations to secure this right in ways that foster access to socio-economic participation on an equal basis with others.

The 2006 UN Convention on the Rights of Persons with Disabilities (CRPD) emphasizes the critical role of social protection in supporting the full and effective participation and inclusion of persons with disabilities across the life cycle. The *CRPD* sets out the obligations of States parties to

- ensure that persons with disabilities enjoy ***adequate standards of living on an equal basis with others*** and have equal access to all social protection schemes and programs, including pensions, public housing (art 28), health care (art 25), rehabilitation (art 26), and vocational training and return-to-work programs (art 27) without any discrimination;
- ensure that persons with disabilities have ***access to assistance to cover disability related expenses*** as well as to ***affordable and quality disability related services and devices (art 28)*** that are required to live independently and be included in the community (***art 19***);
- ***support children with disabilities and their parents*** and prevent institutionalization and ensure that in any case children are living in family like settings (art 7, 16, 18 and 23);
- ***address the particular disadvantages faced by women and girls with disabilities*** (art 6 and 28); and
- meaningfully consult and involve persons with disabilities through their representatives' organizations in the design, implementation and monitoring of social protection policies and programs (art 4.3).

International social security standards complement this framework. ILO Convention No. 102 (Part IX) sets minimum standards for the provision of income security in relation to loss of income related to acquiring a disability due to employment injury or other causes. This is complemented by the Employment Injury Benefits Convention, 1964 (No. 121) that stipulates the provision of additional benefits for persons requiring constant support by a third person. Furthermore, 1967 Invalidity, Old-Age and Survivors' Benefits Convention, (No. 128) (articles 13(1), 31(3)) sets higher standards for disability benefit schemes, including access to non-contributory social security schemes and requiring the provision of rehabilitation services to enable persons with disabilities to either resume their employment or perform another activity suited to their aptitudes. Its accompanying Recommendation, No. 131 (para. 5) broadens the definition of the contingencies that should be covered under national schemes by including partial disability which should give rise to a reduced benefit.

Although medical care, including medical rehabilitation, is dealt with in separate provisions in Convention No. 102 (Part II), Medical Care and Sickness Benefits Convention (No. 130) expands the provision of required medical care and rehabilitation, including access to assistive devices, that should be "afforded with a view to maintaining, restoring or improving [their] health ... and [their] ability to work and to attend to [their] personal needs".

ILO Recommendation No. 202 puts forward an integrated and comprehensive approach to social protection, according to which persons with disabilities should enjoy the same guarantees of basic income security and access to essential health care as other members of society through national social protection floors. In addition, the Recommendation requires that social protection systems are designed in line with the principles of non-discrimination, gender equality and responsiveness to special needs, as well as respect for the rights and dignity of people covered by the social security guarantees.

III. Description of the Assignment

The ILO is commissioning a qualitative assessment on the disability inclusiveness of the social protection system in Lebanon. The study will have with a particular focus on the three largest social protection schemes active in the social insurance, social assistance and humanitarian sector: 1) The social insurance schemes of the NSSF, 2) The social assistance programme NPTP and 3) the multi-purpose cash assistance (MPCA) programmes managed by UNHCR and WFP.¹

The study will assess the extent to which the existing social protection systems and selected schemes in Lebanon are inclusive for Persons with Disabilities, identify main gaps and challenges and propose recommendations to improve disability inclusive design and implementation of existing and future social protection interventions both at a systems and scheme-specific level. Beside the main social insurance and social assistance schemes, the study aims to cover the largest operational cash transfer programme as part of the Refugee Response in Lebanon, to increase learnings on disability-inclusive income support as an effective social protection tool for nationals and non-nationals and foster increased alignment along the humanitarian-social protection nexus in Lebanon. The assessment will focus on identifying barriers and enablers that either prohibit or facilitate a disability inclusive social protection system for Lebanon in which PwDs can equally benefit from interventions. This will feed into the development of recommendations in the form of guidelines and concrete actions for improvement. Accessibility, diversity of disability and consultation with Persons with disability will be used as guiding principles.

The assessment will be structured as follows:

1. Systems review: Overall assessment of social protection and humanitarian policy and programming landscape from a disability inclusion lens

International standards governing social protection and humanitarian income support stipulate that these should be based on principles of the universality of protection and the non-discrimination, gender equality and responsiveness to special needs (e.g. ILO Recommendation 202 and the Charter on Inclusion of Persons with Disability in Humanitarian action). The development of inclusive social protection systems thus prescribes that disability inclusion is reflected across all different components of the system. This is why the exercise will start with an overall assessment of legislation, policy and the operational environment governing the access to social protection and humanitarian income support for PwDs. The following questions are guiding:

- **Brief overview of legislative and policy context:** Assess if the existing legislation in the area of social protection, emergency response (including the Lebanon Crisis Response Plan) and employment are adequate and appropriate from the perspective of disability inclusion and in line with CRPD and other international standards. Overview of key legal, policy and programmatic instruments that exist to ensure the equality of opportunities and outcomes for PwDs through social protection. What are the policies, programs and instruments adopted by government in this area? What are main constraints? *NB: This section will greatly draw on ongoing work and studies performed in the area of disability-inclusion, including among others the development of a disability inclusion strategy.*
- **Capacity and awareness:** Assess the operational environment of the existing social protection system: is it favourable to PwDs? What are the levels of awareness and understanding? Is the

¹ \$175 top-up monthly transfers delivered by UNHCR to 33,000 Syrian HH. Those receiving MCAP from UNHCR also receive \$27 per person per month from WFP, to cover basic food needs.

policy formulation process discriminatory or exclusive? How does the prevailing notion of disability and the disability assessment, determination and identification impact inclusion in social protection policies/programs and instruments?

- **Information systems** – Is there sufficient information on national and non-national PwDs including accessible detailed and good quality data? Are potential data gaps affecting the inclusion of PwDs in social protection programs and the level of investment dedicated by the government or humanitarian partners? What initiatives have been taken in the past 10 years in Lebanon to improve data collection among nationals and non-nationals on disability?
- **Social accountability mechanisms** – What mechanisms are in place to monitor social protection schemes and hold them to account? Do such mechanisms cover disability accessibility and sensitivity? What role do DPOs play, and are they advocating effectively for disability inclusive and disability specific social protection benefits? Are they able to meaningfully participate in the design and implementation of programs? What gaps exist?

2. In-depth disability mainstreaming assessment of selected Social Protection schemes

The NSSF, the NPTP and the MPC-programme are the three largest schemes in Lebanon currently providing income support and access to health care to nationals and non-nationals through contributory (NSSF) and non-contributory means (NPTP and MPC). The assessment will aim to investigate the extent to which they are disability sensitive and inclusive, and make concrete recommendations as to how the design and implementation can be strengthened to better cater for specific needs of people with disabilities. The in-depth assessment will look at the below aspects of three core programs.

2.1. Design

The assignment will look at the design of the selected schemes and identify the gaps that result in exclusion of PwDs, including in the areas of eligibility criteria and conditions applied, targeting, selection mechanism, comprehensiveness and adequacy of benefit and (in case of NSSF) contribution levels. The assignment will assess implications of the design features on coverage, adequacy and impact of social protection schemes on needs of PwD.

Key areas and research questions for each of the 3 programs:

Objectives: Are universal access and inclusion of people with disabilities specifically mentioned in the schemes objectives and strategy? To what extent is disability mainstreamed in the design of the scheme and are there specific disability provisions or services included?

Eligibility: Are PwDs eligible for support under the scheme? Are PwDs a direct or indirect target group of the scheme? How is disability defined, assessed, determined and identified within the scheme? What role, if any, does the national 'disability card' play in this process?

Benefits: What benefits are provided to PwDs? Are these benefits specific to PwDs needs and adequate? Do they compensate for extra costs PwDs face?

Budget: Is there a specific budget for disability inclusion? If so, what proportion and for what purpose? Is it being used accordingly?

2.2. Implementation and Operations

The section will focus on assessing to what extent PwDs are able to access and benefit from the three selected schemes on the basis of equality and equity. It will identify main barriers that arise during the implementation due to several factors such as limited communication on availability, schemes

operations, or services not adequate or adapted to the needs and requirement of PwDs. These could include complexity in the application process, inaccessible services, lack of capacity and discriminatory attitudes amongst staff receiving applications and delivering the services.

Key areas and research questions for each of the 3 programs:

Coverage and representation: What is the current coverage of PwDs under the scheme (if administered) and is this representative of the estimated prevalence of disability in Lebanon or the schemes target group? Does it reach any target or quota set?

Information dissemination and awareness raising: Is the information of the existing schemes easily accessible by PwDs and adapted to their requirements?

Enrolment and registration: Are enrolment and registration processes accessible for PwDs and do they limit the need for travel? Are processes (including updating of information) minimized, short and simple without extra cost for PwDs?

Contributions, payment delivery and co-payments: Are payment delivery and collection methods used accessible and adapted to different PwD's requirements?

Grievances: Are complaints channels accessible and adapted to needs of PwDs?

For all the operational steps of the schemes mentioned above: Are there barriers or enablers in place in the following areas:

- Financial (direct or indirect costs involved to access benefits),
- Geographical (distance to reach delivery points, transportation limitations),
- Administrative (institutional capacity and resources, removing barriers to access such as costly, time-consuming, or complicated procedures for registration or collection of benefits)
- Physical and intellectual (mobility challenges, literacy, and education)
- Legal (legislation on legal capacity limiting the possibility for people with disabilities to enrol or perform necessary acts (such as opening a bank account)?
- Attitudinal (Negative behaviour and discriminatory practices limiting access to benefits or information)

2.3. Systems, management, and governance arrangements

The assessment will look at the three schemes underlying systems and management arrangements, including HR, financial and institutional arrangements.

Key areas and Research Questions for each of the 3 programs:

Human resources: Do staff and other programme stakeholders (e.g. enumerators, payment providers) have the knowledge and capacity to address the differing needs of PwDs? Are there dedicated resources to provide oversight, advice and training to them?

Operations Manuals: Do institutional and operational manuals give integrated guidance on how to ensure accessibility and respect for people with disabilities throughout the operations cycle?

Management Information Systems (MIS): Does the MIS allow for identification of persons with disabilities amongst applicants and beneficiaries and their accessibility requirements? Does it incorporate linkages with other social services (health, education) and access to employment?

Payment systems: Do payment systems take into account accessibility and any adaptations that may be required?

Participatory and Social accountability mechanisms: Are people with disabilities actively engaged in programme design, evaluation and implementation? Do social accountability mechanisms incorporate key indicators on accessibility and disability inclusion?

M&E: Does the M&E system include indicators on representation, access and experience of persons with disabilities relating to each mechanism of the scheme? Are data disaggregated by gender, age and disability and type of disability?

2.4 Scheme Specific Questions

In addition to the key questions above, the assessment will aim to answer the following (non-exhaustive) list of scheme specific questions:

NSSF

- Are disability related benefits provided by the NSSF in line with requirement of ILO conventions and standards on social security from perspective of comprehensiveness, adequacy of coverage and eligibility? What are the eligibility criteria and benefits provided in case of invalidity/disability under the NSSF?
- Are legal provisions in the NSSF legal framework in line with standards on rights of PwDs and disability inclusion?
- Are there any provisions in place on disability with regard to family allowances and end of service indemnity as managed under the scheme?
- Does the health care benefit package include provision for the special needs of people with disabilities (e.g. payment for assistive devices and rehabilitation services)?
- Referral Systems: Have links been made with other service providers (e.g. health, education, government disability services) to refer people with disabilities identified who have not previously had access to specialised services? Is financial support available to help cover the costs of these services?
- Are there linkages in place between the NSSF and access to employment services for PwDs?

NPTP and ESSN

- Is the targeting mechanism under NPTP effective at including and providing adequate protection for persons with disabilities? How is the existing PMT formula adapted for disability? How does programme design address possible concerns with exclusion errors amongst PwD?
- Are transfer levels adequate to address needs of PwD and are additional costs faced by many people with disabilities taken into account in calculating poverty thresholds? Are additional costs taken into account in 'graduation' mechanisms for people exiting the programme or as part of the recertification processes?
- Does NPTP currently have any (additional) support in place with regard to access health care for persons with disabilities to reduce out-of-pocket spending e.g. support for the 20% co-payment required?
- Are there any notable differences in the design of NPTP and the Lebanon Emergency Crisis and COVID-19 Response Social Safety Net Project (ESSN) concerning the inclusion of PwDs?
- Does NPTP have referral systems or linkages in place for PwDs to other public institutions and services in areas of health, education and employment?

MPC-Specific questions:

- Are disability and associated costs incorporated in the targeting approach under MPC?
- How does the UNHCR cash beneficiaries database link with other Humanitarian partners? Is the identification of PwDs streamlined among all humanitarian agencies providing cash or other support?
- Is this database used to refer PwDs to other services besides income support (e.g. access to health care, education, employment etc)?

IV. Approach and Methodology

The research methods and tools for the assessment will be developed in the inception stage and will build upon the research questions set out in this ToR. The assessment seeks to obtain data from a range of sources, including document analysis, as well as key informant and stakeholder consultations through semi-structured interviews and focus group discussions. Engagement with a wide range of representatives is foreseen, including from social protection schemes, DPOs, workers unions as well as national disability and social protection experts. Using a range of data sources (desk review, secondary data, primary qualitative information) will enable triangulation and improve quality of findings. Overall, the assessment will take a participatory process engaging the expertise of the disability community in Lebanon to ensure their perspectives and experiences with social protection providers are well captured in the study. Development of the scheme-specific recommendations resulting from the assessment will in particular rely on a highly participatory and consultative approach, in which DPOs and program implementers will play a key role to ensure they are effective and scheme-specific.

V. Team composition and activities

The ILO is looking for a team of experts to conduct the assignment, consisting of:

1. International Disability Expert
2. National research team with expertise in the area of disability

The international expert and national research team will be contracted separately but are expected to work closely together on the assignment. Under the supervision of the Senior Social Protection Specialist in the ILO Regional Office for Arab States, and the technical and coordination support of the Social Protection Technical Officer, **the national research team** will have the following responsibilities and perform the following activities:

Responsibilities: A local team of researchers will work under supervision of the international expert and will be tasked with data collection, analysis and report writing. The team will advise and facilitate the inclusive process of the assessment and organize and conduct key informant interviews, focus group discussions for research and validation purposes.

Activities:

- Conduct a desk review on national and international studies, assessments, and guidance on disability mainstreaming within social protection schemes, and identify knowledge gaps in Lebanon, within the framework detailed in these terms of reference.
- Organize key informant interviews, focus group discussion and consultation sessions with representatives of the social protection schemes, DPOs and experts in the areas of disability, social protection and humanitarian income support.
- Develop a first draft of the assessment and tentative recommendations taking into account the different parts cited above.
- Organize consultation workshop to validate findings and fine-tune/formulate recommendations for inclusive design and operations with programme implementers, DPO representatives and other stakeholders.
- Conduct several meetings with the ILO social protection team and partners in order to discuss progress and results.
- Incorporate feedback and comments and submit final report

VI. Deliverables

Deliverables:

- 1) An inception report including desk review report of existing studies and assessments with key results and gaps and a data collection plan and timeline.
- 2) Briefs/transcripts of Key Performance Interviews and Focus Group Discussions
- 3) A draft report of the assessment and recommendations
- 4) PPT presentation for validation purposes
- 5) Final Assessment report, incorporating feedback from stakeholders and ILO.

VII. Qualifications and Experience

The team of consultants will have the following (combined) qualifications and experience:

- Master's Degree or PhD in social sciences, social research or related areas
- At least 5 years of demonstrated experience working on disability inclusion issues and extensive knowledge of these issues in the Lebanon context including national and international legal and policy frameworks and programmes.
- At least 5 years of experience in qualitative research, including the use of participatory research methodology
- Experience in conducting studies involving people with disabilities (e.g. adaptation of communication tools or supports)
- Access to a network of DPOs and disability advocacy groups in Lebanon.
- Fluency in English and Arabic in speaking and writing

VIII. Timeline and Application procedure

Selected parties are expected to start work on the assignment as soon as possible and finalize deliverables no later than November 30, 2021.

Qualified national consultancies are invited to share their technical and financial proposals before July 11, 2021 with the ILO social protection team in Beirut:
eghnatios@ilo.org and raap@ilo.org.

Proposals should clearly lay out the foreseen approach (including how to ensure inclusivity and participation of PwDs) and division of tasks and methods of collaboration between international expert and local research team.

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