



NATIONAL UNION OF DISABLED PERSONS OF UGANDA (NUDIPU)

Disability Demands: 2016-2021

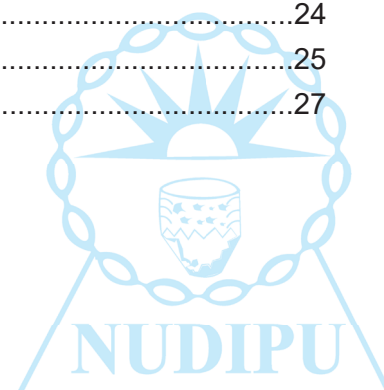


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ACRONYMS

ADD	Action on Disability and Development
ACPF	African Child Policy Forum
CBSD	Community Based Services Department
CBR	Community Based Rehabilitation
CDOs	Community Development Officers
CSOs	Civil Society Organizations
DCDO	District Community Development Officer
DPOs	Disabled People's Organizations
FDC	Forum for Democratic Change
FGDs	Focus Group Discussions
GDP	Gross Domestic Product
ICT	Information and Communications Technology
IGAs	Income Generating Activities
ILO	International Labor Organization
LC	Local Council
LG	Local Government
MPs	Members of Parliament
NAADS	National Agricultural Advisory Services
NCD	National Council for Disability
NDP	National Development Plan
NGOs	Non-governmental Organizations
NRM	National Resistance Movement
NUDIPU	National Union of Disabled Persons of Uganda
OVC	Orphans and Other Vulnerable Children
OWC	Operation Wealth Creation
PDCs	Parish Development Committees
SDGs	Sustainable Development Goals
UN	United Nations
UNCRPD	United Nations Convention on Rights of People with Disabilities
UDHS	Uganda Demographic and Health Survey
UNHS	Uganda National Household Survey
WHO	World Health Organization

EXECUTIVE SUMMARY

The National Union of Disabled Persons of Uganda (NUDIPU) is an indigenous umbrella NGO of persons with Disabilities formed in November 1987 to bring together all categories of disabilities in Uganda to create a common and unified voice. The NUDIPU Vision is “Dignity for every person with disability” and the mission is “To advocate for the rights of Persons with Disabilities in a unified voice for improved livelihoods.

In a bid to achieve her mission, NUDIPU undertook a survey in four selected districts of Masaka in Central Region, Mbarara in Western Region, Lira in Northern Region and Soroti in Eastern Region of Uganda targeting a total of 8 sub-counties. The purpose of the survey was to generate information necessary for developing a Disability Demands - 2016-2021, Document that would be used to influence policy implementation and decision making processes for effective and meaningful participation; for the benefit of Persons with Disabilities in Uganda’s development agenda.

The objectives of the survey were: i) to collect views and opinions from Persons with Disabilities and key informants on the needs of Persons with Disabilities, their rights and aspirations;

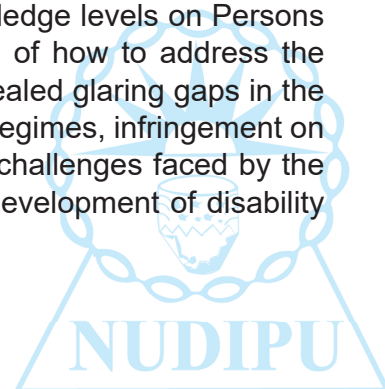
ii) To establish the disability demands for the period (2016-2021) on the basis of collected data and information; iii) to assess current government efforts in ensuring inclusiveness of Persons with Disabilities

iii) To identify gaps that need urgent attention

iv) to design strategies on how government, political parties, civil society organizations and other stakeholders will ensure that disability demands are met by 2021.

The methodology of the survey included Literature Review, Field Visits, Focus Group Discussions and key informant interviews, while the Scope centered on eight thematic areas viz. Health, Education, Agriculture, Employment, Accessibility/Mobility/Transportation, Disability Responsive Planning and Budgeting, Political participation and Community Development.

Therefore, as an Umbrella advocacy organization in the disability fraternity in Uganda, NUDIPU conducted the survey with a view of identifying the knowledge levels on Persons with Disabilities’ rights, needs, challenges and recommendations of how to address the challenges associated with the 8 thematic areas. The findings revealed glaring gaps in the government’s compliance with the national and international legal regimes, infringement on the rights of persons with disabilities and hence the deep-rooted challenges faced by the persons with disabilities. These findings formed a basis for the development of disability demands for the period 2016-2021.



1.0 BACKGROUND

The National Union of Disabled Persons of Uganda (NUDIPU) is an umbrella non-governmental organization of persons with disabilities in Uganda formed in 1987 to advocate for equalization of rights of persons with disabilities in Uganda by working in collaboration with government, NGOs and the public. The aim was to bring Persons with Disabilities together, create a common and unified voice, and break the traditional divisions along medical lines, raise awareness on problems and issues affecting persons with disabilities and mobilize their efforts in developing strategies and implementing courses of action to address identified needs.

The Vision of NUDIPU is ***“Dignity for every person with disability, while the mission is “To advocate for the rights of Persons with Disabilities in a unified voice for improved livelihoods.”***

1.1 Disability in Uganda

The Persons with Disabilities Act (2006) defines a Person with disability as “a person having physical, intellectual, sensory or mental impairment which substantially limits one or more of the major life activities of that person”. However, this definition of disability is not in accordance with the definition in the UNCRPD as it places the emphasis on the person with a disability rather than the social and environmental barriers which hinder his/her full and effective participation in everyday life.

The most commonly observed disabilities are movement difficulties, loss and limited use of limbs, spine injuries, and hearing difficulties, seeing difficulties, difficulty in speech and conveying messages, mental illness and other types of disability. (Source: National Policy on Disability in Uganda 2006).

The prevalence of disability has been on the increase and in 2009/2010, the Uganda National Household Survey (UNHS) Report established that 16% (5.5 million people) of Ugandans have a disability, using the 2014 Uganda National Population and Housing Census provisional results. This indicates a marked increase of 8.8% in comparison with the UNHS (2005/6). The Uganda National Household Survey Report (2009/2010) also indicated that around 10% of children aged between 5-19 years live with some form of disability. The UDHS Report (2011) indicated an increase in disability prevalence among children. It was noted that 12% of children aged between 5-9 years had disabilities.

1.2 Uganda's Social Economic Context

It is worth noting that Uganda's average per capita income increased from USD665 in 2009/10 to USD788 in 2013/14 at current prices. In real terms GDP per capita increased during the same period¹. However, the country's economic growth has not effectively translated into significant wealth creation taking into account the effects of inflation and exchange rate fluctuations.

1 Second National Development Plan (NDP II 2015/6-2019/20)

There was increase in household income as depicted in the increase in per capita income from USD 607 in 2008/09 to USD 788 in 2013/14². The increase in income per capita was in line with the target of the NDP I of USD 718 in the same period.

While the national percentage of people living below the poverty line decreased, there remained significant disparities in poverty levels across regions and in the rural-urban divide with the highest poverty levels reported in Northern Uganda (44 percent) followed by the Eastern region at 24.5 percent.

There is a growing body of empirical evidence from across the world which indicates that Persons with Disabilities and their families are more likely to experience economic and social difficulties than the able bodied. The UN estimates that 82% of all persons with disabilities live below the poverty line (NUDIPU 2016). This therefore indicates a strong relationship between disability and poverty, reduced social and economic well-being often impacting on education, employment, earnings, and high expenditures related to disability.

Persons with Disabilities face various forms of barriers ranging from negative societal attitudes; discrimination, inaccessible physical environment, information and communication technology to those resulting from insensitive disability friendly regulatory frameworks. These result into unequal access to services in the area of education, employment, healthcare, transportation, political participation and justice in communities by persons with disabilities.

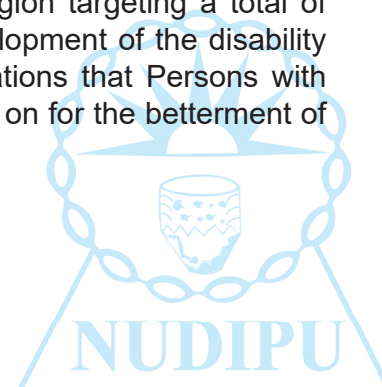
In Uganda, estimates show that more than 7 out of 10 Persons with Disabilities live in abject poverty and that literacy rates are extremely low. According to the Northern Uganda Survey (2014), 72% of Persons with Disabilities are poor with men more likely to live in poor households compared to women.

Accordingly, Persons with Disabilities are more likely to be unemployed and generally earn less even when employed. Both employment and income rates get worse with the severity of the disability. It is harder for people with disabilities to benefit from development processes and escape from poverty due to discrimination in employment, limited access to transport, and lack of access to resources to promote self-employment and livelihood activities.

Children with disabilities are less likely to attend school, thus experiencing limited opportunities for human capital formation and eventually facing reduced employment opportunities and decreased productivity in adulthood.

1.3 The Survey on Disability Demands

It is upon this background that NUDIPU decided to undertake a survey in four selected districts one from each region i.e. Masaka in Central Region, Mbarara in Western Region, Lira in Northern Region and Soroti in Eastern Region targeting a total of 8 sub-counties. The survey's intent was to inform the development of the disability demands (2016-2021). The disability demands are aspirations that Persons with Disabilities would like to see the current government deliver on for the betterment of the livelihoods of Persons with Disabilities in Uganda.



Purpose of the Survey

To conduct a survey to generate data and information for developing the Disability Demands Document (2016-2021) intended to influence policy implementation and decision making processes for effective and meaningful participation and benefit of Persons with Disabilities in the development agenda of Uganda.

Objectives of the survey

The objectives of the survey were

- i) To collect views and opinion from Persons with Disabilities and key informants on Persons with Disabilities' needs, rights and aspirations;
- ii) To establish the disability demands for the period (2016-2021) on the basis of collected data and information;
- iii) To assess current government efforts in ensuring inclusiveness of Persons with Disabilities
- iii) To identify gaps that need urgent attention
- iv) To design strategies on how government, political parties, civil society organizations and other stakeholders will ensure that disability demands are met by 2021.

2.0 METHODOLOGY

The methodology entailed the following:

2.1 Literature Review

Existing conventions, laws, frameworks and policies were reviewed to provide a theoretical understanding of the situation. In addition, the information provided a basis for presenting the disability demands to relevant audiences.

2.2 Field Visit

- Focus Group Discussions (FGDs) were held with Children with disabilities, Youth with disabilities and men and women with disabilities to obtain a picture of issues affecting all categories of Persons with Disabilities.
- Key informant interviews were conducted with duty bearers that provide services to Persons with Disabilities (such as line ministries, district technical staff, CSOs, district Unions for Persons with Disabilities, DPOs at National and district levels) were targeted as secondary target group. Selected political parties were targeted to assess inclusion and addressing of issues that concern the plight of Persons with Disabilities in their manifestos.

2.3 Scope of the Survey

The Survey focused on selected domains namely Health, Education, Agriculture, Employment, Transport, Accessibility and mobility, Disability responsive Planning and Budgeting Political participation, Community Development. NUDIPU was considered as a major advocacy organization in the disability fraternity.

The interest was on identifying the knowledge levels on Persons with Disabilities' rights, needs, challenges and recommendations of how to address the challenges. Current government efforts, existing gaps were also identified. The information generated formed a basis for the development of disability demands.

2.4 Data Collection and analysis

Both qualitative and quantitative data were collected. Appropriate data collection tools (Focus group discussion guides, interview guides and questionnaires) were developed to guide data collection in participatory ways. Qualitative components of the survey were analyzed using coding, and quantitative components were analyzed using EPI Info. All data was disaggregated according to the different categories of Disabilities, and children, youth, women and men. The data analysis process consolidated survey findings and fed into the compilation of the Disability Demands (2016-2021) document.

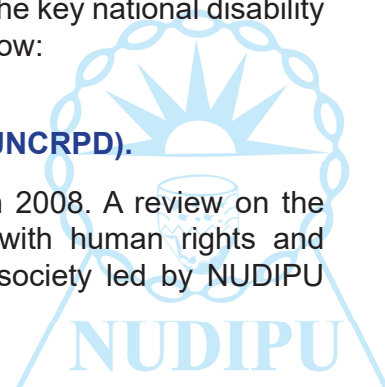
3.0 LEGAL AND POLICY FRAMEWORK

Internationally, Uganda is a signatory to several international pieces of legislation advocating for the rights of Persons With Disabilities including the 2008 United Nations Convention on the Rights of Persons with Disabilities and the 1983 International Labour Organisation Convention on Vocational Rehabilitation and Employment of disabled persons (ILO 2004:8; Lang & Murangira 2009:5) as well as the United Nations Convention on The Rights of People with Disabilities (UNCRPD).

Furthermore, in Sub-Saharan Africa, Uganda has been praised as one of the champions for advocating for the rights of Persons with Disabilities (Katsui and Kumpuvuroi 2008; Lang & Murangira 2009) by ensuring that the rights of persons with disabilities are incorporated into the national legal framework. The Government of Uganda has developed disability specific legislation and also has a number of general laws and policies that contain clauses on disability. The key national disability related laws, policies and frameworks are analysed here below:

1. Convention on The Rights of People with Disabilities (UNCRPD).

Uganda ratified the UNCRPD and its Optional Protocols in 2008. A review on the extent to which the Uganda Government has complied with human rights and obligations enshrined in the UNCRPD conducted by civil society led by NUDIPU



in 2013 revealed key gaps including that 1) Government has neither committed resources and nor put in place measures to increase public awareness on UNCRPD and rights of Persons with Disabilities 2) definition of disability in the Ugandan laws is not in accordance with UNCRPD's definition of disability. The definition is not constructed on a social and rights based perspective 3) The Government has not comprehensively analyzed existing legislation to establish whether it is compliant with the UNCRPD 4) consultation of Persons with Disabilities and their DPOs at national, district and local levels is uncoordinated, inadequate and is not fully inclusive 5) there is derogatory language in the existing laws that could result into discrimination 6) most ordinances and bye-laws formulated by Local Government authorities do not include disability 7) affirmative action to Persons with Disabilities has not been applied to other sectors such as employment in Government, health and transport 8) operational guidelines on disability are lacking for national livelihood programmes such as Operation Wealth Creation (OWC) 9) accessibility remains a major challenge for Persons with Disabilities in terms of physical infrastructure, road network, public transport system and information and communication 10) there is a challenge in Government to handle the plight of Persons with Disabilities in during situations of risk, humanitarian emergencies and recovery programs 11) structures for national implementation and monitoring of the UNCRPD have insufficient funds to adequately implement UNCRPD provisions.

We demand that:

- i) Parliament revises the Persons with Disability Act to redefine 'disability' in accordance with Article 1 of the UNCRPD to incorporate an inclusive definition of disability and Persons with Disabilities, ensure that such definition is firmly rooted in the human rights based approach to disability and encompasses all Persons with Disabilities Government should harmonize existing laws in line with the UNCRPD
- ii) Government harmonizes existing laws including the constitution with the principles of the UNCRPD
- iii) Government supports the effective consultation and participation of DPOs, groups of Persons with Disabilities, children with disabilities and parents of Children with disabilities at local, district and national levels in the planning, design, implementation and monitoring of all laws, policies and programs
- iv) Government implements the policy of affirmative action for Persons with Disabilities across all sectors of government
- v) The Ministry of Gender, Labour and Social Development, in consultation with DPOs develops and implements a national action plan on creating public awareness on the UNCRPD and rights of Persons with Disabilities
- vi) Government through the Ministry of Works and Transport and other relevant ministries allocates resources to implement provisions in the Persons with Disabilities Act (2006) and the Building Control Act (2013) on accessibility
- vii) Local government authorities enact non-discriminatory ordinances and bye-laws that include disability
- viii) The Ministry of Gender, Labour and Social Development spearheads the development of operational guidelines on disability for national livelihood programs

such as Operation Wealth Creation and Youth Livelihood Program

- ix) The Government should avail adequate resources to structures for national implementation and monitoring of UNCRPD so that they adequately implement the provisions of the UNCRPD.

2. The Constitution of Uganda (1995)

The Uganda Constitution (1995) recognises the rights of PWDs and provides the basis for the enactment of laws and development of policies that address concerns and aspirations of PWDs. The Uganda Constitution provides for fair representation of marginalised groups on all constitutional and other bodies, recognition of the rights of PWDs to respect and human dignity, and the development of a sign language for the deaf.

The Uganda Constitution (1995) provides for affirmative action and non discrimination of PWDs. In Article 32, it states that:

- (1) Notwithstanding anything in this constitution, the state shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason created by history, tradition or custom, for the purpose of redressing imbalances which exist against them.
- (2) Laws, cultures, customs and traditions which are against the dignity, welfare or interest of women or any marginalised group to which clause (1) relates or which undermine their status, are prohibited by this constitution.

However despite these provisions, the Uganda Constitution (in Article 80) lists “unsound mind” as one of the reasons why one is not qualified for election as a Member of Parliament.

The Hindu Marriage and Divorce Act (1961) states that “both parties be of sound mind at the time of marriage” while the Succession Act (2011) has a restriction on the selection of legal domicile of persons with psychosocial and intellectual disabilities.

These legal provisions discriminate against persons with psychosocial and intellectual disabilities.

We demand that:

Government should review the Constitution and other existing laws and policies to eliminate discriminatory provisions (as noted earlier).

3. The Persons with Disabilities Act (2006)

The Persons with Disabilities Act (2006) among others prohibits discrimination of PWDs from education, health, employment, and provides for their access to services and projects.

There are significant challenges in implementing provisions in the Persons With Disabilities Act (2006) that relate to accessibility (to physical infrastructure, public transport, road network, information and social services), equal opportunities and non-discrimination (in employment, education, political participation) and awareness of the rights of PWDs. Buildings (especially the old ones) do not have ramps while public transport vehicles have not been modified to enable PWDs to access them. The majority of the roads do not have side walks and traffic controls at pedestrian crossing points. PWDs still face discrimination in employment and accessing education and

sensitized on the rights of Persons with Disabilities.

We demand that:

- (1) The Persons with Disabilities Bill and Mental Health Bill be enacted into law in order to protect, promote and enforce the fulfilment of the rights of persons with disabilities
- (2) Government in consultation with DPOs creates awareness on the rights of Persons with Disabilities
- (3) Government allocates adequate resources to implement provisions of the Persons with Disabilities Act (2006) on accessibility.

4. The Local Government Act (1997) as amended

The Local Government Act (1997) as amended mandates Local Government authorities to formulate bye-laws within their jurisdiction that reflect and implement the national legal and policy framework on disability. The Survey established that most of the ordinances and bye-laws formulated by Local Governments at district and sub-county levels do not include disability apart from a few districts like Iganga, Wakiso and Gulu districts.

Additionally, the Local Government Act (Section 55) directs every District to have a District Service Commission which is responsible for the recruitment of employees of the District and that a person with disability should be one of the members.

The Central Government withdrew some of the powers from the Districts for instance Section 63 of the Local Governments (Amendment) Act, 2005 states that “there shall be a Chief Administrative Officer for every district who shall be appointed by the Public Service Commission”. This led to local governments’ failure to fully control and influence the decisions in their Districts. As a result the disability representation cannot fully ensure that Persons with Disabilities access employment.

We demand that:

- (1) The local Government sensitizes the District Councils on disability rights and issues
- (2) The local Government builds the capacity of councillors for disability at sub-county and district levels.
- (3) The district local governments, in collaboration with DPOs build the capacity of the representatives of Persons with Disabilities on the District Service Commission to advocate for the rights to employment of persons with disabilities.

5. The Evidence Act (1909)

The Evidence Act (1909) allows persons with speech impairment to be witnesses in courts of law through an interpreter. The Act however does not allow persons with visual impairment to give evidence in court.

We demand that:

The Evidence Act should be amended to accept evidence of visually impaired persons.

6. The Copyright and Neighbouring Act (2006)

The Act allows any work to be transcribed into Braille or sign language for educational purposes without authority of the copyright owner. However the Anti-Counterfeit Act defines counterfeiting as using any copyright materials without the authority of the copyright owner and prohibits it.

We demand that:

- i. Government should ratify the Marorakesh Treaty
- ii. Parliament reviews and harmonizes the Copyright and Neighboring Act (2006) and the Anti-Counterfeit Act to address the contradiction regarding transcribing work for educational purposes.

7. The Employment Act (2006)

The Employment Act (2006) is aimed at revising and consolidating all the laws governing individual employment relationships, and to provide for other connected matters.

The Employment Act (2006) has no provision for making the work places more accessible to Persons with Disabilities so as to increase their efficiency and employability.

Additionally, the Act does not mention any type of reasonable accommodation in work places to enable Persons with Disabilities enjoy their right to employment despite the fact that one of the functions of the Labour Advisory Board (established under the Act) is to increase employment of Persons with Disabilities.

We demand that:

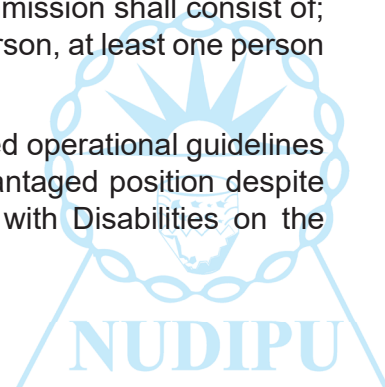
- (1).The Labour Advisory Board develops a policy aimed at ensuring reasonable accommodation and employment of Persons with Disabilities.
- (2). The Labour Advisory Board includes physical access to work places in the Labour policy.

8. The Equal Opportunities Commission Act, 2007

The Equal Opportunities Commission Act was intended to ensure equal opportunities to all citizens of Uganda including Persons with Disabilities.

Section 5 of the Act states that the Equal Opportunities Commission shall consist of; five members who shall include a Chairperson, Vice-Chairperson, at least one person with a disability, a youth and two women.

The Act is too general and the Commission has not developed operational guidelines for the Act which puts Persons with Disabilities in a disadvantaged position despite the fact that there is a member who represents Persons with Disabilities on the Commission.



We demand that:

The Commission strengthens its public relations and publicity department so that it is known by the public especially the Persons with Disabilities.

4.0 STATUS, OPPORTUNITIES AND DEMANDS IN THEMATIC AREAS

The survey focused on four areas in line with set objectives:

- i) Current government efforts in ensuring inclusiveness of Persons with Disabilities
- ii) Existing gaps/challenges that need urgent attention
- iii) Disability demands (2016-2021)
- iv) Strategies on how government, political parties, civil society organizations and other stakeholders will ensure that disability demands are met by the year 2021.

Current government efforts, existing gaps/challenges, disability demands and strategies to meet them were investigated and presented in 8 key domains of Health, Education, Agriculture, Employment, Transport, Mobility and Accessibility, Disability responsive planning and budgeting, Community Development and Political participation.

In each of the domains, the existing situation was analyzed in terms of gaps/challenges and existing opportunities for Persons with Disabilities and key recommendations/demands made.

4.1. Employment for Persons with Disabilities

Situation analysis:

Studies have indicated that majority of Persons with Disabilities lack employable skills, which impedes their access to employment opportunities. However, even where they possess employable skills, they still cannot find jobs. In a recent study by a UK-Based Organisation with a country programme in Uganda, ADD International, on Readiness of employers in Private Sector to employ Persons with Disabilities in Uganda, it was established that only 25% of the private sector companies and CSOs sampled had provisions on disability in their human resource policies. In addition, for the few Persons with Disabilities that were employed, they occupied lower positions and were mainly persons with physical disabilities. The Survey findings revealed that most times, employers deliberately denied Persons with Disabilities jobs on the basis of their disability. Respondents in the Survey noted that whenever job adverts were placed, employers did not specify whether Persons with Disabilities were eligible to apply or not. The discrimination often takes place at the point of interview since at application and short listing levels, nobody requires to know whether the applicant is a person with disability or not. This practice ostensibly leaves many qualified Persons with Disabilities jobless. The practice is more pronounced at local government levels and among employers in the private sector where service commissions do not notify

the Labour officers in reference to the existing positions to be filled contrary to the Employment Act (2006). Labour Officers are mandated to monitor employment processes in the district. According to the Labour Officer, Mbarara District Local Government, whenever there is a vacancy both in private sector agencies and in Local Government, the Labour Officer is not notified which makes it difficult for him to monitor the process to ensure that Persons with Disabilities are not discriminated. Quite often, private sector employers regard employing Persons with Disabilities a costly venture and do not offer them jobs.

Opportunities:

The existing legal and policy framework strongly provide for non-discrimination of Persons with Disabilities in whatever form. The Constitution of Uganda (1995) provides for the right to work by Persons with Disabilities. The UNCRPD, the SDGs as well as the Persons with Disabilities Act (2006) equally provide for employment of Persons with Disabilities.

Vision (2040) envisages improved employment opportunities through the National Employment Policy as well as other legal and policy guidelines on labour productivity and employment, strengthening of labour markets, information systems, establishment of minimum wage, and provisions of non-informal skills and enhanced opportunities for medium sized businesses through improved access to finance, entrepreneurship training and promotion of value chain. NDP-II proposes major investments in transport, energy, ICT and water infrastructure. There are also existing programs like Operation Wealth Creation, Youth Livelihood program and Youth Venture Capital Fund that all present job opportunities for Persons with Disabilities.

We demand that:

- a) Government through its respective agencies and departments, designs strategies for the implementation of the laws and policies on disability and employment to protect persons with disabilities from discrimination, including the denial of reasonable accommodation, and harassment at all stages of employment.
- b) Employers should provide accessible Support services for employment to persons with disabilities as indicated in the Employment Act (2006).
- c) Public Service Commission formalizes the affirmative action on employment of qualified Persons with Disabilities
- d) There should be measures in place to ensure that persons who acquire a disability should be retained by their employer during their period of rehabilitation, if they so wish.
- e) Government provides clear incentives for employers that employ Persons with Disabilities and ensures that 5% of the government and private sector jobs are given to Persons with Disabilities.
- f) Government reviews the Persons With Disabilities Act (2006) to
- g) National Council for Disability (NCD) works with other stakeholders to monitor employment of Persons with Disabilities
- h) Persons with Disabilities are fully represented on all District Service Commissions.



4.2. Education for Persons with Disabilities

Situation analysis:

Data available suggests extremely low school enrollment of Children with disabilities and completion rates of primary and secondary schools.

The National Population and Housing Census (2002) established that 19% of Children with Disabilities (Children with disabilities) aged 7-16 years had never been to school and 39% of those aged 17-22 had completed fewer than four years of education.

Overall school enrollment of Children with disabilities per school level and per year in number (Uganda 2009, 2010 and 2011)

Overall school enrollment of CWDs per school level and per year in number (Uganda 2009, 2010 and 2011)

Year	Pre-Primary	Primary	Secondary	Total	Total of children enrolled in pre-primary, primary and secondary	Percentage (%)
2009	4,620	204,352	13,418	222,390	9,649,236	2.3
2010	12,465	205,018	12,993	230,476	10,006,324	2.3
2011	4,347	197,200	9,075	210,622	3,387,003	2.2

Source: Ministry of Education and Sports (MOES), Uganda Education Statistical Abstract 2009, 2010 and 2011

One of the reasons for low enrollment of Children with disabilities at school is discrimination by parents of Children with disabilities. According to the Inspector of Schools, Masaka District Local Government, little attention is paid to Children with disabilities by parents who keep their Children with disabilities at home as they foresee no future for such children. This is attributed to lack of awareness on the rights of Persons with Disabilities.

The Survey established that special needs education schools/centers are few and very expensive thus unaffordable for the majority of children with disabilities. The situation is worse for Persons with Disabilities seeking secondary level education. The Acting District Education Officer, Lira reported that there are only two primary schools in Lira District with special needs facilities—one for the blind and the other for the deaf. There is currently no secondary school in Lira District with a special needs facility. Majority of secondary schools offer boarding facilities and yet parents of Children with disabilities cannot afford the high fees charged. Majority of ordinary schools have not made any adjustments to accommodate Children with disabilities (in terms of ramps, improved toilets and employing special needs education teachers).

Special needs education teachers are inadequate and the majority of teachers lack the knowledge and skills in managing children with disabilities. In some cases, teachers of special needs where available are transferred to schools where there are no Children with disabilities. An Education Department official from Lira District noted that some teachers go to study special needs education in order to upgrade. When they come back from the training, they look for promotion opportunities and no longer

provide services to Children with disabilities in school.

Children with Disabilities at school lack assistive devices e.g. brail equipment, wheel chairs, white canes, crutches which makes their mobility and accessibility difficult. Besides, old classroom buildings are inaccessible and do not have improved facilities for Children with Disabilities.

Instructional materials for Children with Disabilities for example the deaf and blind (like brail machines) are unavailable and where available are very expensive and unaffordable.

Opportunities:

The existing Ugandan legal and policy framework promotes and protects the right to education of Children with disabilities. The Uganda Constitution (1995) provides for the constitutional right to education for all (Article 30) and the equalization of opportunities for all disadvantaged groups including Children with disabilities (Article 32). The Persons with Disabilities Act (2006) outlines the legal provisions of access to education for Persons with Disabilities and calls for not less than 10% of the education budget to be allocated to the education needs of Children with disabilities. The right to education is directly and indirectly reiterated in several national laws and policies.

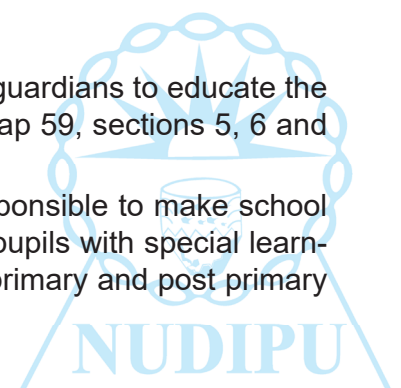
The Ministry of Education and Sports has a Department of Special Needs Education and Career Guidance with 14 staff positions headed by a Commissioner. UNISE, an institute of higher learning with specialized programs to address professional teacher development was established in 1991 by the government of Uganda (ILO 2004:10; Kyambogo University 2014). UNISE trains teachers and community workers to support and work with Persons with Disabilities including children with disabilities (ILO 2004:10; Kyambogo University 2014).

The position of District Inspector of Schools in Charge of Special Needs Education also exists in the District Local Government structure. Through the School Facility Grant and the School Completion Fund, structural modifications have been made in all schools that have benefited from the grant facility to cater for the needs of children with disabilities. Provisions include the provision of ramps, larger doors and accessible toilet facilities.

The Government has constructed schools for children with disabilities. These schools include Salaama Primary School in Mukono district, Mbale Secondary School for the deaf in Mbale district, Wakiso Secondary School for the deaf in Wakiso District and Lalo Primary School in Lira district for the deaf.

We demand that:

- (i). The Government puts a penalty that compels parents and guardians to educate the children with disabilities as spelt out in the Children's Act cap 59, sections 5, 6 and 9.
- (ii). The Government institutes punitive measures to those responsible to make school buildings and the whole school environment conducive to pupils with special learning needs as indicated in section 31 of the Education pre-primary and post primary



- Act 2008.
- (iii). The Government revamps four regional institutions for Persons with Disabilities namely Salama Primary School, Mbale Secondary School, Wakiso Secondary School and Lalo Primary School
 - (iv). The Government provides the required access and support to students and pupils with disabilities in primary, secondary, technical and university education (section 6 of the Disability Act 2006, principle [h] of the [BTVET] act 2008 and section 28 of the Universities and Tertiary institutions Act 2001).
 - (v). The Government equips the blind, deaf and deaf blind children with skills training, including Braille, sign language and other methods of communication at all levels of education.
 - (vi). The Government provides all teachers with adequate training in inclusive education, and support and to enable children with disabilities take part in education on an equal basis with other children as spelt out in article 24 of the UNCRPD ratified by the Government.

4.3. Health for Persons with Disabilities

Situation analysis:

Access to health and rehabilitation services is the first practical step to enable Persons with Disabilities to move around, go to school and participate in social life. In a study by ACPF (2011) a large section of Children with disabilities reported that they would like to use health services but cannot because the services are too expensive, too far from home and parents/caregivers do not see the value of bringing them to a health care or rehabilitation centre.

Persons with Disabilities continue to face challenges accessing health services. The main reason for poor access include scarcity of health centres, long distances that are not easy to cover by many Persons with Disabilities, non-accessible structures of health centres and lack of auxiliary services to assist Persons with Disabilities with physical, visual and hearing impairments. The low capacity of the local government structures in many districts and sub-counties also exacerbates the problem. Persons with epilepsy and mental illnesses cannot access medicine because it is not available in most health centres and when available it is very expensive. Persons with hearing and visual impairments have challenges in accessing services due to communication barriers as very few staff in health centres are conversant with sign language, and similarly most deaf in the communities are not literate in sign language, thus unable to communicate effectively to health workers.

There are very few improved beds in labour wards for women with disabilities to deliver. Women with Disabilities in Masaka and Mbarara Districts who participated in the Survey as respondents reported that there was only one bed in each hospital for women with disabilities to deliver from. The ordinary beds are too high and inaccessible especially for women with disabilities who use wheel chairs. On the other hand, Women with Disabilities in Lira and Soroti districts noted that prices of Mama kits are very high (between 25,000-30,000/=) and unaffordable for pregnant Women with Disabilities who report to Health Centers.

HIV/AIDS remains one of the major health threats to Persons with Disabilities in various parts of Uganda especially in the Northern Region. Evidence shows, that the infection rates of HIV in Northern Uganda are much higher than the rest of the country. In these conditions, Persons with Disabilities face a high degree of vulnerability of catching the scourge due to sexual risky behaviour and risk of sexual abuse including rape. This observation is in agreement with WHO and United Nations Program on HIV/AIDs which noted that:

“Persons with disabilities have been shown to have greater HIV risk given vulnerability to sexual violence and low literacy levels that limit their knowledge on health related issues including HIV and/or AIDS” (Chireshe, Rutondoki & Ojwang 2010; United Nations Human Rights, World Health Organization and United Nations Programme on HIV/AIDS 2009:3).

Disability has generally been given little attention at various levels regarding access to health services. An official in the Disability Division of Ministry of Health observed that:

“Disability at all levels has been given low priority as it does not kill so attention is focused on deadly diseases like HIV, malaria, Diabetes and cancers which also attack Persons with Disabilities so when they are targeted the Government thinks everybody will benefit”.

The funds provided to Health Units at district level for purchase of drugs are inadequate. The District Health Officer, Masaka District Local Government reported that about 63 million Shillings is budgeted for drugs at Health Centre IVs while the Health Centre IIs budget is 8 million shillings per year. Mothers of Children with disabilities in Soroti District observed that drugs for mental illness, epilepsy and sunscreens for albinos are unavailable at Health Centres and if available, very expensive.

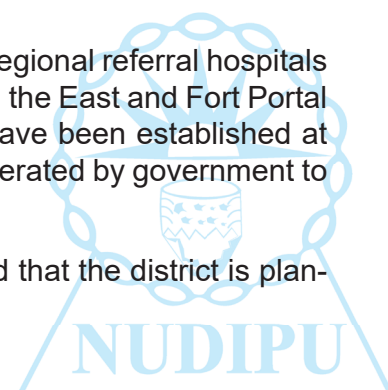
Opportunities:

Existing laws and policies in Uganda promote and protect the right to life, access to health services and rehabilitation of Persons with Disabilities. The legal and policy framework relating to the rights to life, health services and rehabilitation consist of the Constitution of Uganda (1995), Persons With Disabilities Act (2006), National Policy on Disability (2006), Children’s Act (1996) as amended, the National OVC Policy (2004) among others.

In addition, the Ministry of Health has established the Disability Prevention and Rehabilitation Desk which was upgraded to a Division in 2016. The mission of the division is to provide quality accessible, affordable, preventive and rehabilitative health care services for patients and Persons with Disabilities.

Orthopedic workshops have been established/renovated at regional referral hospitals including Gulu in the North, Kumi in the North East, Buluba in the East and Fort Portal in the western region. Positions of orthopedic technicians have been established at the regional referral and district hospitals and are fully remunerated by government to ensure that the appropriate services are provided.

The District Planner, Lira District Local Government reported that the district is plan-



ning to place sign language interpreters in Government Health Centers to alleviate communication barriers for the deaf especially expectant mothers. He noted that Lira Referral Hospital has a full time sign language interpreter.

We demand that:

- (i). The Government provides sign language interpretation services, information in alternative formats such as Braille and plain language and other accessibility facilities in health units to enable persons with disabilities access health services in a respectful and dignified manner.
- (ii). Women with disabilities especially expecting mothers be given reasonable accommodation at health centers and hospitals.
- (iii). Persons with Disabilities who have specific disability related medical needs such as mental health, spinal bifida, and spine injuries, among others, have access to the required health care services.
- (iv). Persons with disabilities access health-related rehabilitation services free of charge.

4.4. Accessibility, mobility and transportation by Persons with Disabilities

Situation analysis:

Accessibility remains a major challenge for Persons with Disabilities in terms of physical infrastructure, road network and public transport systems, inaccessible information and communication. Government has not paid adequate attention to addressing accessibility barriers faced by Persons with Disabilities for example, ensuring availability of talking-elevators and road-crossing signs for visually impaired persons, recruitment of sign language Interpreters in public places such as government offices and hospitals, refurbishing old public buildings that are inaccessible to Persons with Disabilities and supervision of private sector facilities (such as hotels, banks, shopping malls and public transport vehicles) to ensure adherence to accessibility standards.

The Acting District Engineer, Masaka District Local Government noted that little funding has limited the ability of the district to make roads accessible to Persons with Disabilities. He further noted that emphasis has been placed on building ramps for new buildings and not rehabilitating the old inaccessible buildings.

Persons with Disabilities that participated in the Survey in Lira District noted that climbing up to enter a bus was very problematic for Persons with Disabilities and recommended that a staircase be installed on buses to assist Persons with Disabilities to board the buses more easily. They further noted that for Persons with Disabilities who use wheel chairs, taxi operators always charge for the wheelchairs as well which is very expensive.

Poor accessibility also affects access to employment by Persons with Disabilities. A Youth University graduate in Lira District noted that:

“At times we fear to apply for some jobs because of the inaccessible offices where the employers’ are found”.

There are communication barriers for the deaf and blind—there are no sign language interpreters and the deaf cannot communicate effectively. Blind people cannot access information in brail for example in newspapers, labels on drugs etc.

As noted earlier, assistive devices such as wheelchairs, clutches and white canes are very expensive and unaffordable to the majority of Persons with Disabilities.

Opportunities:

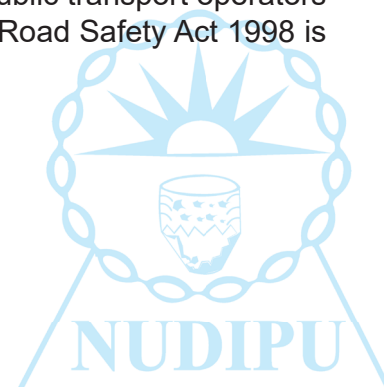
The Persons with Disabilities Act (2006) Part IV tasks all organs in public or private institutions to provide access by Persons with Disabilities to buildings, public transport facilities and information. While current buildings are fairly accessible (have ramps), old buildings do not and are not easily accessible by Persons with Disabilities as noted earlier.

The Government distributes mobility devices both at the community level and in schools through the National CBR program, which is delivered through a tripartite ministerial arrangement – Ministry of Gender, Labor and Social Development, Ministry of Health and Ministry of Education and Sports.

As part of the Victim Assistance program for people affected by land mines in the affected areas of Northern Uganda, The Ministry of Gender, Labor and Social Development has provided assistive devices especially walking aids to more than 1,000 persons with disabilities since 2008.

We demand that:

- (i). The government adopts the regulations of the Building Control Act in order to enforce implementation of the Accessibility Standards.
- (ii). The Government causes and commits resources to the relevant ministries to adopt the national accessibility plan to eliminate all existing barriers within a reasonable timeframe.
- (iii). Government should operationalize the Persons with Disabilities Act through regulations to popularize and train persons with disabilities in sign language, braille, Easy-read and tactile language at all levels of education.
- (iv). Government should enforce the provisions in the Uganda Traffic and Road Safety Act 1998, to ensure that persons with disabilities use roads on equal basis with others by ensuring that roads are physically accessible to persons with disabilities and that traffic bells are installed as stipulated in the Traffic and Road Safety Act of 1998
- (v). The Government makes accessible and affordable assistive technologies and devices to persons with disabilities.
- (vi). The Ministry of Works and Transport should sensitize the public transport operators on the issues of disability as far as the Uganda Traffic and Road Safety Act 1998 is concerned.



4.5. Agriculture

Situational Analysis:

According to the National Population and Housing Census (2014), the agricultural sector employs over 70% of the working population with agricultural exports accounting for nearly 50% of the total export earnings with coffee, tobacco and fish being the main export earning commodities.

One of the key agricultural interventions is the provision of agricultural extension services and inputs to farmers. According to the Principal Entomologist, Mbarara District Local Government, in the provision of agricultural extension services and inputs, farmers are targeted in groups. Persons with Disabilities are not specifically targeted and quite often miss out in joining the groups for accessing services such as inputs and training.

The Persons with Disabilities who participated in the Survey in Lira District reported that even when they join groups, many times they miss out on farm inputs and training because they arrive late at the sub-county headquarters due to difficulties in mobility.

The District Production Officer, Soroti District Local Government noted that: “with the restocking program, focus is put on the vulnerable groups, but one needs to express interest. LC I Chairpersons register all those that are interested and the kind of inputs they require. Those people who do not express interest by registering for the farm inputs and/ or animals, do not get them”.

Ironically, LCIs do not adequately engage Persons with Disabilities to participate in Government programs (as noted earlier) and yet like in the case of Soroti and other districts, they are at the forefront in mobilization which further marginalizes Persons with Disabilities.

People with Disabilities (Persons with Disabilities) often do not engage effectively in government programs aimed at improving livelihoods e.g. Operation Wealth Creation and Youth Livelihood Project due to guidelines that view Persons with Disabilities just like any other farmers---Persons with Disabilities are not at liberty to select projects that are suitable to them due to their condition. As a result Persons with Disabilities are often excluded.

There is lack of knowledge and skills among agricultural extension staff on how to handle Persons with Disabilities for example the deaf cannot communicate with agricultural extension staff.

As a result, Persons with Disabilities lack the requisite skills to practice modern farming leading to low production and poor harvests. Additionally due to poverty, Persons with Disabilities lack land and labor which are key factors for increased agricultural production.

Opportunities:

The Government of Uganda came out aggressively to ensure that persons with disabilities are not discriminated against in government programs. For instance,

the National Agricultural Advisory Services (NAADS) program treated Persons with disabilities equally as other members of the community. Under the NAADS program, it was a condition that households of Persons with Disabilities were among the selected beneficiaries of NAADS funding for a parish to be eligible for the grant. This helped to create inclusion of Persons with disabilities in government programs. Unfortunately, this consideration is yet to be integrated in the Operation Wealth Creation which replaced NAADS to ensure that Persons with Disabilities do not miss out on this opportunity.

We demand that:

- (i). The District Production offices periodically share information with the District Union offices so that Persons with Disabilities in the district access extension services, inputs and other agricultural services.
- (ii). The Government modifies the guidelines for Operation Wealth Creation and other livelihood programs so that Persons with Disabilities are specifically targeted.
- (iii). The Government through relevant ministries and institutions causes Agricultural training curriculum to be inclusive of persons with disabilities on equal basis with others. to have a component on handling Persons with Disabilities and technical staff
- (iv). The Government includes a Disability indicator in the criteria for district performance assessment.

4.6. Disability Responsive Planning and Budgeting

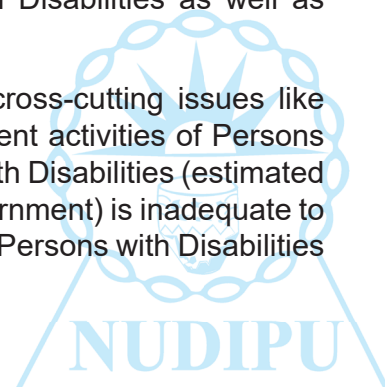
Situational analysis:

On many occasions, Persons with Disabilities are left out during planning meetings and programs both at national, district and local levels - they are not well consulted and as a result Persons with Disabilities' special needs and concerns are left out in national and local government plans and programs.

At district level, disability issues are catered for in plans and budgets under CBSD but other sectors do not mainstream disability effectively (this has been blamed on planning guidelines that do not provide guidance on mainstreaming disability as a cross-cutting issue. As a result, according to the CDO In-charge Elderly and Disability, Mbarara District Local Government, some departments allocate a token of 500,000/= to 1,000,000/= per year to Community Based Services Department (CBSD) activities including disability.

Additionally, government lacks accurate data on Persons with Disabilities (and their categories) so that it can plan effectively for Persons with Disabilities as well as monitor and evaluate disability interventions.

Government commitment to disability compared to other cross-cutting issues like gender is still low resulting into limited resources to implement activities of Persons with Disabilities for example the Special Grant for Persons with Disabilities (estimated at 15 million shillings per year for Masaka District Local Government) is inadequate to support implementation of activities for various categories of Persons with Disabilities with different demands and needs.



Experience from districts surveyed indicates that Persons with Disabilities form groups and apply for the Special Grant for Persons with Disabilities with each group receiving around 500,000/= which is inadequate to institute meaningful IGAs.

Opportunities:

Both the national Vision (2040) as well as the NDP (II) take cognizance of issues of Persons with Disabilities as well as other disadvantaged groups.

Local Government Development Planning guidelines have incorporated disability as a cross-cutting issue to facilitate the various sectors to mainstream issues of disability in their plans and programs.

At the District and Sub County levels, disability issues are also provided for in the Local Government Act (1997), and are handled under the Department of Community Based Services Department (CBSD).

The Government institutionalized a mechanism of disbursing conditional grants to Local Governments to support Persons with Disabilities' income generating activities. The grant is sent to districts for the persons with disabilities to access it through the office of the District Community Development Officer (DCDO). It is targeted to organized groups of persons with disabilities in the district. The grants are meant to support entrepreneurship and improve the livelihoods of persons with disabilities. Currently, the grant stands at Uganda Shs.3 billion.

We demand that:

- (i). Government collects data concerning Persons with Disabilities in all its household surveys for better planning and budgeting.
- (ii). The Local Government Act should be amended to include Persons with Disabilities' representation on PDCs, school management committees and Health management committees for increased participation and improved planning.
- (iii). All the Livelihood programs like Youth Livelihood Project, Operation Wealth Creation, NAADS and others should be inclusive of Persons with Disabilities directly.
- (iv). Ministry of Gender, Labour and Social Development should develop guidelines for mainstreaming Disability in Local Government plans like it does with other thematic and cross cutting issues.

4.7. Political Participation and Representation

Situational analysis:

Persons with Disabilities in Uganda are elected at all levels of political life from the village to parliament, making Uganda one of the countries with the highest number of elected representatives with a disability in the world (World Health Organization & World Bank 2011:171).

However, a few challenges still exist. Persons with Disabilities are discouraged from contesting in the mainstream and confined to their electoral colleges. They do not

come out to assert themselves and claim their rights. This has been partly blamed on inadequate sensitization and civic education of Persons with Disabilities by the Electoral Commission during the election period.

While at the polling stations, helpers/guides that accompany Persons with Disabilities (especially those with visual impairment) often make choices on their behalf and are not trusted. According to the Chairperson, Mbarara District Union, the election materials (mainly ballot papers) are not disability friendly especially for those with visual impairment and as a result Persons with Disabilities resort to guides voting on their behalf. Other challenges include Persons with Disabilities not being represented on community tribunals and lack of disability balance among the 5 members of electoral colleges and MPs for Persons with Disabilities.

Opportunities:

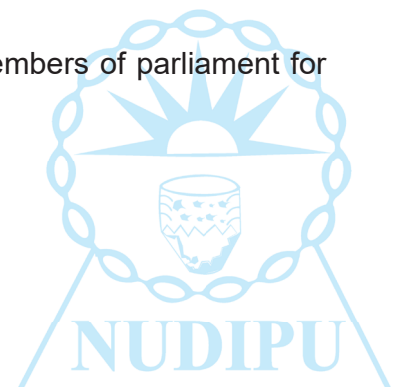
The Government has ensured that Persons with Disabilities are empowered through political representation from the grassroots to national levels. During the electoral period, the Electoral Commission constitutes mobile teams which go out and register Persons with Disabilities who have challenges in accessing registration centers.

Special Interest Groups (including Persons with Disabilities) form special committees, field candidates and vote in their special committees. Persons with Disabilities are allowed to contest under universal adult suffrage. Respondents in Lira District urged Persons with Disabilities to contest and be elected on leadership positions under universal adult suffrage and applauded the people of neighboring Dokolo District for voting in an LCV Chairperson who has a physical disability.

If a person with disability for example a blind person turns up to vote and has no guide he/she is encouraged to pick a person of his/her choice to help in the voting and Persons with Disabilities do not line up during voting.

We demand that:

- (i). The Electoral Commission makes voting procedures appropriate, and materials accessible and easy to understand and use by Persons with Disabilities
- (ii). The President of the Republic Uganda urgently fills the position of State Minister for Disability and Elderly with a Minister who is a person with disability
- (iii). During voting, the Electoral Commission places sign language interpreters at polling stations
- (iv). The Electoral Commission should ensure gender and disability balance during the formation of Electoral colleges for persons with disabilities
- v). Government should amend the electoral law to ensure that members of parliament for persons with disabilities are elected on regional basis.



4.8. Community Development

Situational analysis:

There are discriminatory attitudes and behaviors towards Persons with Disabilities in society. In many instances, parents and relatives of Persons with Disabilities deny them from inheriting property and being heirs. Parents neglect Children with Disabilities as they do not foresee a future for them. They hide the children and deny them a chance to access education.

Financial Institutions do not extend loan facilities to some categories of Persons with Disabilities for example those with visual impairment as they are not sure as to whether Persons with Disabilities would be able to pay back the money.

Persons with Disabilities are discriminated by local leaders--they are not mobilized by local leaders to attend community and other meetings. Members of the District Union, Lira District reported that most of the LCI Committees, some representatives of Persons with Disabilities and even CDOs have done very little in mobilizing Persons with Disabilities and addressing their needs and challenges.

According to Women with Disabilities in Masaka District who participated in the Survey, when women with disabilities get pregnant and deliver babies, able bodied men who are responsible deny/abandon the children and neglect them.

It was noted in the Survey that Persons with Disabilities at community and other levels are relatively clear of their rights but lack ability to advocate and demand for their rights. Persons with Disabilities are reluctant to join groups to benefit from the Youth Livelihood Fund and other government programs.

Opportunities:

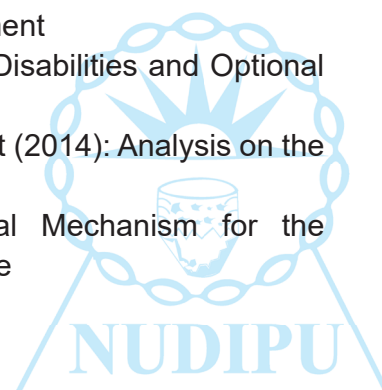
The CBR program which is coordinated by the Ministry of Gender, Labor and Social Development is designed with mechanisms to ensure early identification, assessment and referral of Persons with Disabilities to promote access to relevant interventions using and building on available local resources. The current CBR program focuses on creating awareness, building capacity of communities, improving livelihoods of Persons with disabilities and their families and influencing legislation in favor of Persons with disabilities. In order to effect this, the program thrives on a network of professionals, associations of Persons with disabilities, other NGOs, family members and volunteers at community level.

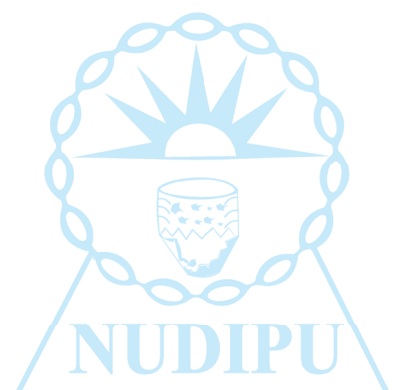
We demand that:

- (i). The Government reinstates Community Based Rehabilitation services
- (ii). Local government authorities sensitize the communities to ensure continuous advocacy about disability and related disability issues and demands.
- (iii). Parents, guardians, care-givers or any other person who abuses children with disabilities are punished according to the law.
- (iv). Parents, guardians, care-givers of children with disabilities and any other persons are sensitized on rights and needs of children with disabilities.

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