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MASTER OF PUBLIC POLICY CAPSTONE PROJECT

Policy Path towards Empowerment and Inclusion of persons with disabilities in Uganda.

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Capstone Executive summary

Disability issues have reached a level where they must be discussed in Uganda's policy space. Uganda's national policy on disability provides for a human rights-based approach, guided by commitments to the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD). Uganda is a signatory to the UN CRPD. The persons with disabilities Act passed in 2006 is the primary national law governing disability in the country. It combines much of the UN CRPD provisions. It also reiterates the protections for persons with disabilities in the Uganda Constitution of 1995 and other human rights instruments relating to persons with disabilities. In addition, the UN CRPD, along with other foreign and national instruments, the Republic of Uganda 1995 Constitution and the 2006 persons with disabilities Act, provide safeguards for persons with disabilities to ensure that they have access and equal opportunities just as other citizens in society do. Realizing those provisions, though, is still a big challenge. In Uganda, persons with disabilities consist of a large group of people living below the poverty line whose lives need to be improved. Because of legal, policy, social and cultural values, and system-related difficulties, they rarely participate in government programs.

The purpose of this capstone was to examine the use of research-based evidence to improve the design and implementation of policies that respond to the inclusion and needs of people living with disabilities in Uganda. A literature review was conducted to examine existing inclusive and empowerment policies for persons with disabilities in Uganda. Several sources were utilized, including peer-reviewed literature in journals and electronic form and grey literature (policy documents) from the Uganda Government's relevant websites. The analysis was guided by the "Disability and Inclusion-based Policy Analysis Framework" (DIBPA) developed by the Institute for Research and Development on Inclusion and Society (IRIS) and the UN CRPD.

The findings from the literature review revealed several issues with the Uganda disability policy. These range from varying conceptualization of disability, limited disability data, discrimination and exclusion in policymaking, employment, access to justice, and lack of access to knowledge and favorable physical environment to little domestication of the UN CRPD. Results from DIBPA indicate that the eligibility criteria for most government programs were unclear, which confused beneficiaries, and led to inadequate targeting. Based on these preliminary findings from the literature review and analysis, this capstone concludes with two policy options to improve the inclusion, participation, and accessibility by persons with disabilities, as stipulated in the UN CRPD. The two policy options include:

- An overall policy change on disability funding with the creation of a universal disability grant that is achievable, affordable, and sustainable in the long-term.
- Adopting administrative measures to improve coordination and collaboration among disability programs in Uganda.

This capstone recommends that the Government of Uganda changes its disability funding policy by creating a universal disability grant. It is a better alternative compared to having several fragmented programs that are difficult to coordinate. Universal grants for persons living with disabilities go beyond compensation for daily living expenses. They act as an income substitute for those who are unable to participate in paid jobs and compensate those who have a partial loss of earnings due to their disability.

Introduction

The disability prevalence rate in Uganda is estimated at 12.5 percent of the population aged two years and above (UBOS 2014,22). Disaggregation by age reveals that children with disabilities (17 years and below) are 2.9 percent, youth with disabilities (18-30 years) are at two percent, adults living with disabilities (31-64) are 5.5 percent. In contrast, older persons with disabilities (65 years and above) constitute 2.1 percent of the population. Analysis by gender reveals that disability is higher among women (6.9 percent) compared to men (5.6 percent). Also, the disability prevalence rate is higher among those living in rural areas (10.3 percent) compared to those in the urban areas (2.2 percent) (UBOS 2019,16).

The most frequently observed types of disability In Uganda include visual disabilities, hearing disabilities, mobility and upper body functioning disabilities, mental disabilities, and other conditions such as dwarfism and albinism(UBOS 2018b,17). The National Population and Housing Census of 2014 (UBOS 2014) estimates that the highest forms of disability are: difficulty seeing (6.5 percent of the population), difficulty remembering (5.4 percent); difficulty walking (4.5 percent); and difficulty hearing (3.1 percent) (NPA 2017,4). In Uganda, about four percent of the population is aged 60 years and above. With increasing age, there is a tendency for disability to set in, through increased activity limitations. It is a natural phenomenon of a failing body system with old age. Globally, countries report increased disability rates among older persons compared to young ones. The United Nations Division for Social Policy puts the disability burden at 1 billion persons amounting to 15 percent of the world population, with more than 46 percent of them being 60 years and above (UBOS 2019,6). It is expected that with the rapid population growth, aging, the proportion of persons with disabilities is likely to increase in Uganda.

Despite the country's remarkable economic growth over the last 15-20 years, 8 million Ugandans live in poverty, an equivalent of 21.4 percent of the population (UBOS 2018a,42). Poverty and disability cannot be disentangled in Uganda; approximately 80 percent of persons with disabilities live in conditions of long-term poverty. This estimation, therefore, shows that among the poor, 24 percent are persons

with disabilities (Lwanga-Ntale 2003,1). It implies that for every four poor people in Uganda, one is a person with a disability.

The Government of Uganda's commitment to disability compared to other cross-cutting issues like gender remains low in terms of implementation (Abimanyi-Ochom and Mannan 2014, 3). For instance, the Government, through the National Council for Disability, only allocates three billion Uganda shillings annually to persons with disabilities, which is less than 1 percent of the National Budget. Since the inception of the fund in 2009, no increment has been made, yet the number of persons with disabilities has continued to grow. As a result, persons with disabilities face extreme conditions of poverty, have limited opportunities for accessing education, health, suitable housing, and employment opportunities.

The disability community represents a significant population of persons below the poverty line who require support to improve their livelihood. The group seldom participates in government livelihood programs due to legal, policy, societal and cultural beliefs, and system-related challenges. These challenges include lack of access to information and physical environment, unclear definition and classification of persons with negative social attitudes, poverty that drives financial exclusion and, communally reinforced stigma and discrimination among others (NCD 2018,11-13).

Today, disability issues in Uganda have reached a level in which they form part of the general subjects of the country, which need to be addressed in national policies and programs (Eide and Ingstad 2011,25). The Ugandan Government has adopted many national, global, and international legal instruments such as the UN Convention on the Rights of persons with disabilities to strengthen the social and economic well-being of persons with disabilities, including their right to meaningful and decent work and essential services. Each piece of legislation mainstreams disability and introduces rules that aim to increase access to care for persons with disabilities. The reality remains, however, that many disability organizations are not well prepared to participate in such consultation processes at all levels. Therefore there is a considerable variation in their participation. (Eide and Ingstad 2011,26).

Persons with disabilities tend to be oppressed, with significant obstacles to accessing social services, including health, education, jobs, and growing vulnerability to disease and poverty. For example, the education sector is still struggling with the challenge of inclusion of students with special needs. In most schools, the infrastructure is not adapted to meet these students' needs. Assistive devices are also very costly for these students, which makes it difficult for many of them to use and own. (GOU 2015,69).

Despite having relevant qualifications for the available jobs, persons with disabilities still do not have access to employment. It represents the national trend in which persons with disabilities are predominantly self-employed and resigned to activities such as construction, carpentry, and retail (FHRI 2009,43). Persons with severe disabilities are stigmatized and sometimes excluded even within their communities of economic capital. Women and girls with disabilities face double discrimination and are at higher risk of violence, neglect, mistreatment, and exploitation. Because of the current challenges facing persons with disabilities in Uganda, the Government has established the National Disability Council (NDC) as a public institution to monitor the extent to which persons with disabilities benefit from existing legislation, policies, and programs. It is worth noting, however, that the Council is very constrained to fully implement its mandate in terms of office space, human and financial resources. (EOC 2017,6-7). As a result, such constraints undermine the NCD's attempt to tackle the challenges and barriers to the empowerment and inclusion of persons with disabilities in Uganda.

The purpose of this capstone is to examine the use of research-based evidence to improve the design and implementation of policies that respond to the inclusion and needs of people living with disabilities in Uganda. The question under examination is:

What policy reforms can the Government of Uganda implement to ensure that disability programs and policies reflect principles of full inclusion, participation, and accessibility by persons with disabilities as stipulated in the United Nations Convention on the Rights of persons with disabilities (UN CRPD)?

The first section of the capstone reviews a brief background on the legal and conceptual framework surrounding disability in Uganda. This capstone describes the theoretical framework based on the human rights approach to disability, which is based on the social model of disability. The human rights-based approach to disability emerges rapidly in the horizons of debate on the topic of disability, in tandem with the growth of the social model of disability in developed countries and the demands to further improve it. That is, regarding disability issues in both Uganda and the developed world, human rights have become an important concept to address. They are a way to create an empowered and inclusive society.

Uganda's national disability policy provides for an approach to development based on human rights. It does not, however, specifically focus on how to finance and implement interventions relating to disability (NCD 2018,12). Despite Uganda's success in creating political space for persons with disabilities, their social reach and empowerment have not been given much attention. There are still gaps between political and social areas from the perspective of the human rights-based approach to disability. The use of the human rights approach to disability is intended to illustrate its implications for development. Both the human rights approach and the social model to disability will provide a conceptual framework for this capstone.

The second section explores the status of disability in Uganda with a significant focus on the definition of disability in Uganda, institutional and legal framework, and political changes. Finally, this section also assesses the main disability programs that have been implemented in Uganda. The definition of disability is useful in understanding how disability is conceptualized. The institutional and legal framework and political evolution help understand the status and history of disability in Uganda. Different programs are analyzed to know how they have been implemented and how they conceptualize disability.

The third section provides the analysis, which was guided by the DIBPA framework. Despite its value in assessing the adequacy and inclusiveness of disability legislation, DIBPA was selected to provide the foundation for this capstone because it recognizes human rights obligations for an inclusive and accessible society. (Bach and Gallant 2012,6). The DIBPA framework further provides guiding principles for inclusive

policy development and points to key factors affecting the lives of persons with disabilities like poverty, inadequate access to education and training, lack of disability-related supports, violence, and abuse.

The following questions were taken from the DIBPA framework, as they thoroughly evaluate current and planned policies and initiatives to ensure that they maximize the capacity for full inclusion and empowerment of persons with disabilities in Uganda (Bach and Gallant 2012,15-17).

- i) Does the Government of Uganda policy framework recognize the needs of, and barriers faced by persons with disabilities, and are they consistent with the values and assumptions of inclusion?
- ii) Are the Government of Uganda disability-specific programs and services (objectives, eligibility criteria, or benefits) designed to enable equality of opportunities and outcomes consistent with the UN Convention on the Rights of persons with disabilities (UN CRPD)?
- iii) Do the Government of Uganda policies or programs for mainstream services and benefits enable access and outcomes for persons with disabilities consistent with the UN CRPD?

The final section of the capstone provides policy options and recommendations to the Government of Uganda that would be essential for improving the policy space on the design and implementation of socially inclusive programs for persons with disabilities.

Background

Uganda's national policy on disability provides for a human rights-based approach (NCD 2018,12). Since the 1990s, many multi-lateral and bi-lateral agencies have adopted a human rights approach to development (Lindqvist 2004,4). This approach seeks to ensure that each person is seen as having an equal right to freedom, dignity, non-discrimination, and protection from the state against abuse of these rights, together with access to economic, cultural, and social rights. The human rights-based approach to disability in Uganda highlights the importance of attaining the full potential of persons with disabilities in

both physical and mental terms (Abimanyi-Ochom and Mannan 2014,3). This approach is based on the social model of disability, and the emphasis is on the rights of persons with disabilities and the need to improve culture and make it inclusive (Albert 2004,2).

The Human Rights Approach to Disability

The human rights approach to disability is based on the UN CRPD (United Nations 2006). The UN CRPD has had a significant influence on international disability law and human rights law. Most State Parties have reviewed and updated domestic disability legislation and developed frameworks for national monitoring as recommended by the Convention. The UN CRPD aims to bring about a paradigm change in disability policy focused on a new perception of persons with disabilities as right holders and as objects of human rights (Degener 2016,1).

The disability human rights approach represents a paradigm change in views and attitudes to persons with disabilities in the context of the social model of disability (Njelesani and Cleaver 2012,23). It is a shift from the individual model of disability, which views disability as a problem resulting from a person's impairments. This approach considers persons with disabilities as individuals who can assert certain rights to make choices about their life (Njelesani and Cleaver 2012,23-24). A rights-based approach recognizes human rights as a primary goal, and it is used to make human rights a reality, especially for vulnerable and marginalized groups, which usually have their rights violated (Neves-Silva 2016,99). Therefore, all disability programs should aim at contributing directly to the realization of one or several human rights that are established in the UN CRPD.

The Social Model of Disability

A social disability model provides a theoretical interpretation of the concept of disability from a socio-political perspective (Oliver 2009,57). It offers a radical alternative to the individualized medical conception of disability by asserting that persons with disabilities are disadvantaged not because of their impairments, but because of the constraints imposed on them by social, cultural, economic, and

environmental barriers. The basic concepts underpinning the social model of disability are that impairment and disability are fundamentally different, i.e., disability is not an impairment but rather social oppression. (UPIAS 2014). The model calls for radically different policy priorities and choices for equal participation for persons with disabilities, mainly around removing disabling barriers, as well as a strong emphasis on human and civil rights (Albert 2004,3). The understanding of the social model of disability in this capstone brings about the operationalization of the human rights approach to disability under UN CRPD in Uganda. The UN CRPD aims to bring about a paradigm change in disability policies focused on a new perception of persons with disabilities as right holders and human rights subjects (Degener 2016,1). The DIBPA framework emphasizes that the disability viewpoint for public policy has moved from one of the individual deficits to a social and human rights viewpoint that identifies and addresses the physical, technological, cultural, political, and economic obstacles that contribute to disability(Bach and Gallant 2012,7).

In Uganda, it assumed that the social model approach emerged when the National Union of Disabled Persons of Uganda (NUDIPU) was formed in 1987 as a national organization for persons with disabilities (Emong 2014,28). The mission of NUDIPU is to bring about long-lasting changes in Uganda's disability social policy. NUDIPU 's work remains primarily based on the concept of advocating for removing environmental barriers, changing negative attitudes, and empowering persons with disabilities within the social model of disability(NUDIPU 2017,6). Besides, the law regulating Uganda's disability is primarily based on the social concept of disability.

The National Resistance Movement-NRM Government under President Museveni has guaranteed five seats in Parliament for persons with disabilities, one ministerial post, and 6,000 local council positions from village to district level (Flood 2005,190). Politicians with disabilities at all levels have played an essential role in shaping several public policies. However, this high degree of persons with disabilities status has not meant an end to poverty and exclusion as many persons with disabilities are living in abject

poverty. Many politicians in Uganda and a large portion of society still find it challenging to consider disability from a human rights viewpoint. For the Government of Uganda to realize full elimination of barriers that hinder the inclusive empowerment of Persons with disabilities, disability policies and programs need to be firmly rooted and aligned with the human rights and the social model to disability. This capstone utilizes the social model of disability based on the above deliberations.

Overview of Disability Inclusion in Uganda

The Definition of Disability in Uganda

The Uganda persons with disabilities Act (2006) defines a person with a disability as “a person having a physical, intellectual, sensory or mental impairment which substantially limits one or more of the major life activities of that person”(GOU 2006a, part1.2). This definition of disability is not in line with the UN CRPD definition, since it puts the focus on the individual with a disability rather than the social and environmental obstacles that prevent his / her full and successful participation in daily life. The UN CRPD 's definition of disability is strictly consistent with the social disability model. It indicates that eliminating discrimination and environmental barriers faced by persons with disabilities and integrating persons with disabilities into the policymaking process would contribute to more successful policy outcomes (United Nations 2006,4).

Also, Section 2 of the Employment Act on the conceptualization of disability uses a narrow medical definition which does not take social aspects into account. The Act fails to mention the provision of reasonable accommodation to the workplace for persons with disabilities, which is not in compliance with Article 27 of the UN CRPD. Note that denial of reasonable accommodation under the UN CRPD leads to discrimination based on disability (OHCHR 2018,34). The UN CRPD recognizes the rights of Persons with disabilities to participate in society in similar conditions with the others and considers the social model of disability. All levels of Government have a primary responsibility to support, protect, and promote the

interests of persons with disabilities and to address long-standing barriers to full inclusion and participation.

For the Government of Uganda to realize full empowerment and inclusion of persons with disabilities, it should work to harmonize definitions of disability in various laws and policies. It should review all legislation and bring it into line with the UN CRPD. It is important to note that these laws and policies go a long way in protecting the rights, creating opportunities, and accessibility for persons with disabilities in Uganda. The Government must continue to enact legislation and policies to eliminate discrimination, preserve and uphold the interests of persons with disabilities in all policies and programs.

The institutional framework

The disability movement in Uganda is led by the National Union of Disabled Persons Uganda (NUDIPU), which was founded in 1987. NUDIPU serves all disability groups in Uganda to promote equal opportunity and engage persons with disabilities in developing policies and implementing disability programs (Abimanyi-Ochom and Mannan 2014,2). Article 35(2) of the Constitution of Uganda (1995) stipulates that “Parliament shall enact laws appropriate for the protection of Persons with Disabilities”(GOU 1995). The Parliament considers legislation that promotes the rights of persons with disabilities. Disability is the overarching responsibility of the Department of Disability and Older Persons under the Ministry of Gender, Labor, and Social Development (MGLSD), headed by a Commissioner, under the administrative oversight of a Minister of state. Under the same Ministry, disability is classified under social protection, which is a fully-fledged directorate addressing the welfare problems of all other disadvantaged and oppressed communities(NPA 2017,9). The Ministry provides policy direction and planning to promote effective and practical programming and use of resources for the successful delivery of service.

The Ministry also has semi-autonomous bodies directly responsible for issues relating to disabilities. These include; the National Council for disability, the Equal Opportunities Commission; the

National Planning Authority, the Uganda Human rights Commission, and the Community Development Departments of Local Government. Besides, the Ministry is implementing its mandate through other line departments, which are expected to integrate disability into their plans. Both Ministries, Departments, and Agencies (MDA's) are responsible for the mainstreaming of disability in their operations. Some MDAs have created offices to address disability issues directly. The MGLSD has proposed that each MDA hire or designate an individual focussed on disability (NPA 2017,10)

Illustration of disability rights groups in Uganda

Figure 1. Illustration of disability rights groups in Uganda.

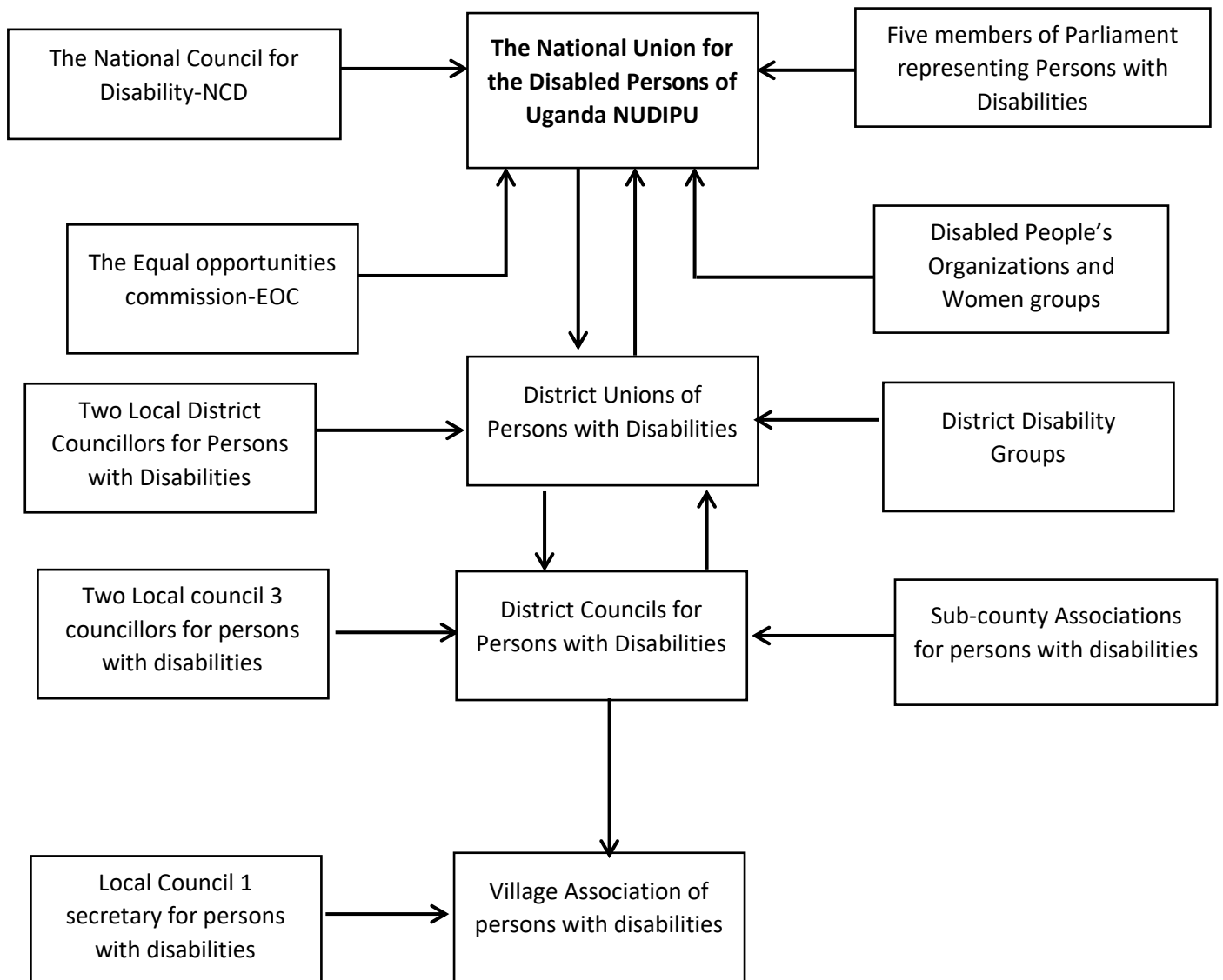


Fig 1. Illustration of disability rights groups in Uganda. Paul Emong, *The Realisation of Human Rights for Disabled People in Higher Education in Uganda: A Critical Analysis Drawing on the UN Convention on the Rights of Persons with Disabilities* (2014),139, Fig1 from White rose eTheses online repository <http://etheses.whiterose.ac.uk/>¹

¹Paul Emong, *The Realisation of Human Rights for Disabled People in Higher Education in Uganda: A Critical Analysis Drawing on the UN Convention on the Rights of Persons with Disabilities*, White rose eTheses online repository, Accessed August 19th 2020, <http://etheses.whiterose.ac.uk/6863/1/Paul%20Emong%20PhD%20thesis.pdf>

The Legal and Policy Framework for disability inclusion

In Uganda, provisions on disabilities are contained in the 1995 Constitution and general legislation, including laws on employment, education, and communication. Each of these legislative provisions has mainstreamed disability issues in matters they control (ILO 2004,5). The focus is on enhancing the accessibility of persons with disabilities to all environments and providing persons with disabilities equal opportunities to increase their capacity to engage and contribute to the growth of Ugandan society. The Constitution of the Republic of Uganda (1995) is the principal national instrument providing for the rights of persons with disabilities in Uganda (GOU 1995). The persons with disabilities Act 2006 is the first disability-specific law of Uganda (GOU 2006a). It stresses that the Government should take affirmative action to address the imbalances that exist against persons with disabilities.

The National Policy on Disability, introduced in 2006, contributes to improving the quality of life of persons with disabilities by expanding the scope of the Constitution's initiatives and the persons with disabilities Act (MGLSD 2006). The policy allows persons with disabilities to engage in the design, implementation, monitoring, and assessment of programs intended to enhance their health (NPA 2017,8-9). Other relevant legislation includes the business, technical, vocational education training Act 2008; the National Council for Disability Act, 2003; The Equal Opportunities Commission Act, 2007; and The Public Finance Management Act, 2015 (NCD 2018,12).

In terms of the International policy, Uganda ratified the UN CRPD and its Optional Protocol on 25 September 2008 without reservations (OHCHR 2008). In doing so, Uganda dedicated itself to giving persons with disabilities the same rights as all other residents. The Convention seeks to uphold the freedoms and dignity of persons with disabilities. Parties to the Convention are expected to encourage, protect, and ensure that persons with disabilities have complete enjoyment of human rights. Furthermore, the policy structure of Uganda is increasingly integrating the context of the Sustainable Development Goals (SDGs), which is already shaping policies under review (Kagya 2019,3).

Disability is implicit in the "leave no one behind" SDG concept and is discussed in different sections of the SDGs-explicitly related to education, development, and employment(UN DESA 2018,24).

The political evolvement of Disability in Uganda

The Republic of Uganda gained formal independence on 9 October 1962, and its system of Government was inherited from the former colonial power Britain (Ballington 2004,38). Since then, persons with disabilities remained excluded from Uganda's national decision-making bodies for a long time, which in turn exacerbated their exclusion through a lack of policies that benefited them (Mwesigwa 2015). The NRM Government has been leading the rights of persons with disabilities since 1987 when the National Union of Disabled Persons in Uganda (NUDIPU) was founded as a representative organization for persons with disabilities (Lindqvist 2004,12). The organization supports the social model and considers disability as a matter of human rights.

Uganda has applied the human rights-based approach to some extent in practice, especially in terms of the civil and political rights of persons with disabilities (Katsui and Kumpuvuori 2008,231). The Rights of persons with disabilities are stipulated explicitly in the Constitution of 1995 as follows: "Persons with disabilities have a right to respect and human dignity and the State and society shall take appropriate measures to ensure that they realize their full mental and physical potential"(GOU 1995). NUDIPU is credited for having lobbied for the consideration of the late Hon. Eliphaz Mazima, as a delegate with a disability in the drafting committee of the Uganda Constitution in 1995. Hon. Mazima accomplished the introduction of disability into the 1995 Constitution (Katsui 2020,75). Since then, other laws have made the constitutional protections effective, including the 1996 Parliamentary Elections Legislation and the 1997 Local Governments Act, both ensuring the inclusion of persons with disabilities in all national elected bodies (Mwesigwa 2015). Through this participation process and the National Council for Disability, disability people organizations are actively getting involved in policy formation and monitoring.

Uganda has had a program of disability quotas in the political representation since the 1990s based on the Government's affirmative action policy (Ballington 2004,38). It currently has a quota of five MPs representing persons with disabilities, four MPs from four regions (Central, South, West, North), and one woman representing women with disabilities (Katsui and Kumpuvuori 2008,231). Since 2008, parliamentarians with disabilities are now elected through the mainstream elections; for instance, the 2011 General election had 11 persons with disabilities elected into Parliament (Mwesigwa 2015). In 1998, the State Minister for the Elderly and Disability Affairs was created. However, the position has been vacant since 2016 until July 2020, when Minister Sarah Kanyike was appointed (Yiiga 2020). The Government of Uganda needs to support policy formulation through strengthening disability leadership across government ministries.

Today, 69,396 disability councillors are reflected in decision-making systems from the village level to the parliament level. Representatives with disabilities are elected at various levels by persons with disabilities themselves.(Katsui 2020,75-76). Despite the progress in achieving disability representation, challenges still exist. Persons with disabilities are prohibited from contesting in the mainstream and are limited to their electoral colleges. They do not come out to claim their rights and to show themselves (NUDIPU 2017,24-25). The Electoral Commission is partly to be blamed for this as there is insufficient sensitization and civic education of persons with disabilities during the election process. Also, actual Government and private sector programs do not target persons with disabilities at the grassroots level, which reinforces the limited social space available to them (Katsui and Kumpuvuori 2008,232). The nature of the programmes currently makes persons with disabilities aligned to a charity-based approach while the disability movement in Uganda has promoted a human rights-based approach to disability. For the Government of Uganda to achieve an inclusive society, it must continue to strengthen efforts to align its disability programs with UN CRPD. It must ensure that all disability policy developments are presented through the social model lens, which is aimed at promoting a socially aware, active and inclusive society.

Recent Programs aimed at Disability Empowerment and Inclusion

Uganda's commitment to disability has been demonstrated by the implementation of several programs aimed at enhancing vulnerable peoples' socio-economic prospects like persons with disabilities (Abimanyi-Ochom and Mannan 2014,2). Since 2006, the Ministry of Gender, Labour, and Social Development has championed efforts to promote social protection in the country. These efforts resulted in the design of the Expanding Social Protection (ESP) pilot program, which was approved by Cabinet in June 2010. (Bigirimana 2018,6). The plan was designed around four main outputs:

- i) Policy support; focusing on improving the Government of Uganda's leadership on country-wide social protection, establishing a national social protection strategy, collecting information on social protection impacts, and building government commitment and expenditure in social welfare;
- ii) Introduction of a cash transfer pilot called Social Assistance Grants for Empowerment (SAGE) to provide evidence on the effect and viability of providing limited, daily, and direct income support to poor and vulnerable households(Oxford Policy Management 2013,2). The pilot program was introduced in 15 districts, with more than 123,000 beneficiaries enrolled. SAGE had two forms of grants at its inception:
- iii) Senior Citizen Grant (SCG) for older people 65 years of age and older (60 years of age in the Karamoja region) and;
- iv) Vulnerable Family Grant (VFG) targeting very vulnerable families, even though the recipients were under 65.

Beneficiaries of both grants started earning Uganda Shillings 22,000 (CAD 7.8) every month. In 2013, the government increased the annual sum received by beneficiaries by Uganda Shillings 1000 (CAD 0.35) per annum to account for inflation. It was upgraded to Uganda shillings 25,000(CAD 8.89) over the years. The mean monthly value of recipient household transfers per individual equivalent was Uganda

Shillings 11,000 (CAD 3.91), which was close to about 18 percent of the average poverty line and about 12 percent of total household consumption on average for both recipient classes (Oxford Policy Management 2013,6-12). Advocates have suggested that this may be too low to have a transformative effect. In the end, this was delivered every two months at a rate of Uganda Shillings 50,000 (CAD 17.79). By January 2016, at least US\$ 30.3 million had been disbursed (Bigirimana 2018,6).

The VFG used a range of proxy indicators focused on weighted demographic characteristics to target the eligibility of the grant to households (Namuddu and Mayengo 2016,1-2). The eligibility criteria turned out to be confusing and challenging to convey to district and sub-county administrative officials, as well as community leaders and beneficiaries (Bigirimana 2018,13). It resulted in the wrong targeting of households. After assessments were made, the VGF was phased out in 2015 due to its low impact on vulnerable families. It is, therefore, necessary to ensure that the eligibility requirements are always simple, well known, and easy to understand by technical officers to ensure the most vulnerable are targeted.

The second program which the Government of Uganda has implemented concerning the empowerment of persons with disabilities is the Special Grants to persons with disabilities (GOU 2017,1). The government, through the Ministry of Gender, Labor, and Social Development (MGLSD), began awarding a special grant to persons with disabilities who are well organized in groups in 2010. The concession aimed at promoting income-generating activities for persons with disabilities, providing jobs, enhancing income status, and encouraging them to become partners in the country's development process. Since the program began in 2010 targeting 48 districts, only 3 billion Uganda Shillings has been approved by Government each financial year, yet the communities have increased (NCD 2018,9). Disability advocates have argued that the money allocated is too small to support the enormous numbers of persons with disabilities. In 2019, Parliament made the same call to the Government (Mufumba 2017).

In 2015, the then Minister of Labour Gender and Social Development, Mr. Wilson Muruli Mukasa, announced that the Government was set to increase the funds allocated to special grants for Persons with Disabilities. In his words, he said, “With effect from next financial year (2016/2017), the government will be considerably increasing funding to Persons With Disabilities” (Mufumba 2017) The Ministers announced came as an assurance and commitment to the disability community. Despite the Government’s involvement, the budgetary allocation has not changed. The commitment by Government and legislatures demonstrates that the debate on disability was starting to turn towards the social model of disability. Therefore, the Government needs to commit to implementing policy solutions that enhance funding to persons with disabilities programs.

Other programs that have a link to disability in Uganda include:

- Operation Wealth Creation (OWC), whose overall goal is to enhance household participation in commercial agricultural production.

- the Youth Livelihood Programme (YLP), aimed at empowering youth in Uganda to harness their socio-economic potential and increase self-employment opportunities and income levels.

- the Women Entrepreneurship Programme (UWEP), a government initiative aimed at improving access to financial services for women and equipping them with skills for enterprise growth, value addition, and marketing of their products and services.

Like other low-income countries, Uganda's social protection programs are often the only safety net. Still, spending is limited, and plans are fragmented and very small in scope, serving just a fraction of the vulnerable population (WHO 2011,144). Persons with disabilities with low rates of physical and financial assets need well-targeted safety net programs for them to have a meaningful effect on their livelihoods in the short to medium term.

Methods

Policy analysis framework

Policy analysis for this capstone is guided by the DIBPA framework. Despite its value in assessing the adequacy and inclusiveness of disability legislation, DIBPA was selected to provide the foundation for this capstone because it recognizes human rights obligations for an inclusive and accessible society that have been adopted by the Government of Uganda (Bach and Gallant 2012,6). The DIBPA framework further provides guiding principles for inclusive policy development and points to key factors affecting the lives of persons with disabilities like poverty, inadequate access to education and training, lack of disability-related supports, violence, and abuse, denial of autonomy, and self-determination.

The following questions were taken from the DIBPA framework, as they thoroughly evaluate current and planned policies and initiatives to ensure that they maximize the capacity for full inclusion and empowerment of persons with disabilities (Bach and Gallant 2012,15-17). The circumstances for empowerment and inclusion established by DIBPA are inline with the UN CRPD, which Uganda has ratified to.

- iv) Does the Government of Uganda policy framework recognize the needs of, and barriers faced by persons with disabilities, and are they consistent with the values and assumptions of inclusion?
- v) Are the Government of Uganda disability-specific programs and services (objectives, eligibility criteria, or benefits) designed to enable equality of opportunities and outcomes consistent with the UN Convention on the Rights of Persons with Disabilities (UN CRPD)?
- vi) Do the Government of Uganda policies or programs for mainstream services and benefits enable access and outcomes for persons with disabilities consistent with the UN CRPD?

Data collection methods

This capstone utilizes a qualitative case study approach. The primary data used were the Government of Uganda reports from the Ministry of Gender, Labour and Social Development, official policy documents, and legislation related to disability such as Acts and Guidelines. The secondary data used were online news articles and records relating to disability from disability advocacy organizations in Uganda. The search process began by consulting the University of Calgary librarian, who assisted in identifying the relevant search terms and databases.

The detailed search plan utilized the Boolean search strategy. Under this strategy, the following search terms were used: Disability AND Inclusion, Disability AND Empowerment, Disability, AND Inclusion AND Empowerment. The search process used the University of Calgary Library resources to access central research databases such as EBSCO Host and African Studies Abstract Online (ASA). Google scholar was also utilized at this point to gather relevant literature on disability in the context of Uganda. An Excel spreadsheet was used to rank all suitable materials and prioritize their review. An analysis of the abstract evaluated the relevance of a source.

The ranking was based on three main areas, which include the relevance of policies and programs to empowerment and inclusion of persons with disabilities, the UN CRPD, and the link to academia. The DIBPA framework was used to develop the evaluation criteria that guided the evaluation of the data gathered. A total of 120 sources, including books, journals, laws, policy papers, news articles, and Government published reports were found. All these documents and sources were ranked based on the ranking criteria above. Of the identified records, 28 were classified as very important and were all reviewed in detail. The inclusion and exclusion criteria put the focus on inclusion, empowerment, and participation of persons with disabilities, relevance with the UN CRPD, and publication year being after 1995. Any records that never fulfilled the criteria were excluded.

The data that guided the status of disability inclusion in Uganda came from the Uganda Bureau of Statistics reports and the Ministry of Gender, Labor, and Social Development exclusive website dedicated to Expanding Social Protection in Uganda. Uganda policies and legislative documents were all found on the Government of Uganda ministry, departments, and agency websites.

Results and findings

Utilizing the DIBPA Framework as a guide, the analysis investigated the empowerment and inclusivity of disability programs implemented by the Government of Uganda as per the UN CRPD. Results and findings are discussed in three sections. The initial section examines whether the Government of Uganda programs and policy framework on disability recognize the needs of and barriers faced by persons with disabilities and whether they are consistent with the values and assumptions of inclusion. The second section discusses whether the associated Government of Uganda disability programs and services are designed to enable equality of opportunities and outcomes consistent with the UN Convention on the Rights of Persons with Disabilities (UN CRPD). The third section discusses whether the Government of Uganda policies or programs on disability enable access and outcomes for persons with disabilities in line with the UN CRPD.

Does the Government of Uganda policy framework recognize the needs of, and barriers faced by persons with disabilities and are they consistent with the values and assumptions of inclusion?

Under this section, we will analyze the Government of Uganda disability-specific policy framework and programs on whether they encourage inclusion and how it eliminates barriers faced by persons with disabilities. We will examine the different ways the policy framework directly or indirectly affects persons with disabilities and their families and whether policy goals are framed in inclusive ways and reflect acceptable practices that address the needs of, and barriers faced by persons with disabilities. We will

further assess whether persons with disabilities and their organizations effectively participate in identifying their needs, obstacles experienced, and the design of desired policy changes.

For the Government of Uganda disability policy framework to comply with DIBPA, the underlying values and assumptions should be made explicit and should be consistent with the vision for full inclusion, participation, and accessibility (Bach and Gallant 2012,7). Some of the values highlighted under DIBPA are understanding disability from a social and human rights perspective, supporting persons with disabilities to develop and pursue their vision of a good life, and recognizing that Government has a responsibility to provide relevant policies and programs to address historically disadvantaged groups.

Uganda has a rich policy framework and authoritative system for the consideration of persons with disabilities (Wickenden et al. 2020,23). Throughout the years, this has been adjusted to react to improvement patterns. Today, Uganda's disability policy and legislative framework emphasize a rights-based approach to deal with disability and considers confirmed conventions, regional treaties, laws, strategies, guidelines, rules, and official mandates (presidential proclamations) inside the structure of the Constitution of the Republic of Uganda and the National Policy on Disability (GOU 1995). On 28 September 2008, Uganda ratified the UN CRPD and its optional protocol, and it is explicitly required to monitor its implementation through data generation (OHCHR 2008). The treaty stresses the importance of mainstreaming disability issues as an integral part of relevant strategies for sustainable development.

The introduction of different legislation demonstrates a recognition by the Government of the needs and barriers faced by persons with disabilities. A variety of legislative requirements, such as the Uganda Communication Act 1997, the Parliamentary Elections Statute 1996, the Local Government Act 1997, the Land Act 1998, the Traffic and Road Safety Act 1998, the Uganda National Institute for Special Education (UNISE) Act 1998, the Children Statute 1996 and the Movement Act 1998, aim to meet the needs of persons with disabilities (Emong 2014,118). It includes the 1995 constitution of Uganda, which acknowledges the rights of persons with disabilities to achieve maximum mental and physical capacity

and the implementation of the National Disability Policy of 2006 (GOU 1995). Section 59 of the 1995 Constitution specifies that "Parliament shall legislate to promote registration and election of persons with disabilities," while Section 78 provides for the inclusion of persons with disabilities in Parliament. Persons with disabilities are elected from village to Parliament via an electoral college system at all rates, providing power that has resulted in disability-friendly legislation. Each of these pieces of legislation mainstreams disability and offers regulations that aim to increase access for persons with disabilities to the services.

Despite having a rich disability policy framework, like many other countries, persons with disabilities continue to face barriers to their participation as equal members of society. Studies have shown that the main challenge that persons with disabilities experience in Uganda is low quality of life, as they are unable to afford support aids such as wheelchairs and walking sticks (Kyazze, Wesson, and Naudé 2019,5). Many disability organizations are not well prepared to engage in disability consultation processes at all levels, and hence the degree to which persons with disabilities are included and participate in Government programs varies. (Eide and Ingstad 2011,25). The UN CRPD has expressed concern about the varying definitions of disability throughout the Government of Uganda legislation. The committee had this to say: "Legislation and policies are not in line with the UN CRPD, and there has been a delay in the enactment of the persons with disabilities Bill, 2014, as well as of several bills that would advance the rights of persons with disabilities enshrined in the Convention". "The language used in state policies and legislation is offensive to persons with disabilities, such as the terms unsound mind and lunacy. There is an absence of specific mechanisms to ensure a high-level consultation with organizations of persons with disabilities that goes beyond the National Council for Disability. Civil society does not fully participate in processes to enact legislation and in the discussion and adoption of public policies both at the national and district level"(UN CRPD 2016,1-2).

Uganda has the most significant number of elected officials with disabilities in the World (WHO 2011,171). However, persons with disabilities are discouraged from contesting in the mainstream and are limited to their electoral colleges (NUDIPU 2017,25). They do not come out to claim their rights and to show themselves. Helpers/guides accompanying persons with disabilities (especially those with visual impairment) often make choices on their behalf while at polling stations and are not trusted. Election materials (mainly ballot papers) are not disability-friendly, particularly for people with visual disabilities, and as a result, they turn to guides who vote on their behalf. For the Government of Uganda's disability framework to be consistent with the UN CRPD, it should enable persons with disabilities to live independently and participate fully in all aspects of life. The policy framework must ensure there are measures to identify and eliminate obstacles and barriers faced by persons with disabilities (United Nations 2006). The Government must ensure that persons with disabilities have access, and full participation on an equal basis with others, to the physical environment, to transportation, to information and communications, and other facilities and services open or provided to the public, both in urban and in rural areas.

In 1997, Uganda introduced the Poverty Eradication Action Plan (PEAP) as the overarching framework for development, aimed at reducing poverty and inequality in employment, enhancing human development and growing growth in Gross Domestic Product (GDP) (Eide and Ingstad 2011,23-24). Despite the efforts mentioned above, the condition is of great concern that disability movements did not take part in the early formulation of the PEAP until the second amendment in 2002. The Government invited disability organizations during the process of revising the PEAP. The disability movement then made a concerted attempt to ensure the inclusion of persons with disabilities into traditional poverty eradication initiatives(Eide and Ingstad 2011,25). Concerns about disability in Uganda have now reached a point where they are part and parcel of the general issues of the country that must be discussed in the

national policies and programs, which demonstrates the Government of Uganda commitment to recognizing the needs of, and barriers faced by persons with disabilities.

In June 2008, the National Development Plan (NDP) replaced PEAP. In 2010, the Government of Uganda adopted social security policies for its vulnerable residents as part of implementing poverty reduction measures under NDP (Bigirimana 2018,6). The National Social Protection Policy for Uganda was approved by Cabinet in November 2014 and launched in March 2016 (UBOS 2018b,53). One of the adopted programs was Expanding Social Protection-ESP. The Government of Uganda piloted the ESP system from 2010-2015.

In 2010, the Uganda National Action on Physical Disability (UNAPD) developed accessibility standards in association with the Government (WHO 2011,176). As a result, Parliament enacted the Building Control Act 2013, which includes the design of all buildings in compliance with the Accessibility Standards, the establishment, and representation of persons with disabilities in all national, regional, and local building commissions. Besides, the strategic plan of the Ministry of Works and Transport (2011/12-2015/16) is dedicated to facilitating the inclusion of cross-cutting barriers faced by persons with disabilities within the sector (UBOS 2018,23). These efforts demonstrate the Government of Uganda's efforts to mainstream disability in development, which in turn would result in inclusion and empowerment.

Despite the progress made in enacting legislative requirements, there is still inadequate accommodation for persons with disabilities in Uganda (UBOS 2018,10). There is a lack of efficient and accessible transport to convey persons with disabilities from one place to another, which is required to support productivity and active participation. Persons with disabilities still face unfair treatment from passengers or vehicle operators when using public transport. Such barriers prevent persons with disabilities from getting involved in society. The fact that the Ministry of Works and Transport strategic plan is now dedicated to the inclusion of persons with disabilities validates a recognition of the Uganda

Government of the needs of and barriers faced by persons with disabilities, as this policy change ensures that Government projects consider the needs of persons with disabilities.

In terms of education, outcomes show that only public universities are providing support services to students with disabilities (Emong and Eron 2016, 7). Support is only offered for those students funded by the Government. This could be due to a lack of institutional disability policy in support of students with disabilities. The provision is also silent in the Persons with Disability Act (2006). The lack of guidelines by the National Council for Higher Education on the necessary support to students with disabilities and special needs in higher education limits the supervision and involvement of educational institutions in empowering persons with disabilities.

Both the National Disability Policy 2006 and the Disability Act 2006 emphasize the need for research, documentation, and facilitation of best practices and experiences for all actors at all levels to stimulate and scale up interventions(GOU 2006a,part2.5i). The National Disability Policy also identifies research as one of the interventions aimed at enhancing limited knowledge on aspects of persons with disabilities by collecting comprehensive information on persons with disabilities. Comparable to other developing countries, Uganda lacks disability data for monitoring and evaluating disability interventions' policy(MGLSD 2006,20). In 2011, the Uganda Demographic and Health Surveys (UDHS) was used as an alternative way to improve data on disability, particularly with the adoption of the Washington Group's Short Set of Six Disability Questions (NPA 2017,4). The UDHS is a national sample survey performed every four years for national, health, HIV, and AIDS and nutrition services tracking and impact assessment. The inclusion of disability problems in the 2011 UDHS provides opportunities for proper data collection and more consistent reporting, which enables progress to be made in benchmarking disability (Abimanyi-Ochom and Mannan 2014,1-3).

However, one of the concluding observations in the UN CRPD Committee's 2016 report on Uganda relating to Article 31 on statistics and data collection states that: "The Committee is concerned about the

lack of systems to collect information on the situation of persons with disabilities, including refugees.” The lack of systems to collect information misinforms policy formulation and does not reflect acceptable practices that address the needs of and barriers faced by persons with disabilities (UBOS 2018, 3). The Government needs to carry out extensive research to obtain a clearer understanding of the current disability situation to inform policy and programs that would result in inclusion.

Are the Government of Uganda disability-specific programs and services (objectives, eligibility criteria, or benefits) designed to enable equality of opportunities and outcomes consistent with the UN Convention on the Rights of Persons with Disabilities (UN CRPD)?

Under this section, we will analyze whether the Uganda disability framework and programs enable equality of opportunities and outcomes as per the UN CRPD. We will examine the consistency of disability programs with the UN CRPD with a significant focus on Articles 5(1), 5(3), and 27(1). We will also analyze whether programs are designed to address the full range of barriers persons with disabilities face in Uganda. To comply with the DIBPA Framework and UN CRPD, the disability policy framework and programs should be designed to enable equality of opportunities without discrimination. We will also look at whether persons with disabilities have access to independent appeal or grievance processes in case they face any exclusion.

Article 5(1) of the UN Convention on the Rights of Persons with Disabilities 2006 (UN CRPD) provides that state parties must recognize that all persons are equal before and under the law and are entitled without any discrimination to the equal protection and equal benefit of the law. Similarly, Article 5(3) provides that in order to promote equality and eliminate discrimination, state parties must take all appropriate steps to ensure that reasonable accommodation is provided. Article 27(1) further provides that State Parties must recognize the right of persons with disabilities to work, on an equal basis with others(United Nations 2006).

The journey to the empowerment of PWD's in Uganda dates back in the 1960s and 1970s when nine vocational training centers and sheltered workshops in Uganda were established by the Government of Uganda (NCD 2014,6). These offered opportunities for persons with disabilities to train in vocational skills, access opportunities for jobs, and were initially set up to accommodate persons with disabilities for survival after their parents and community neglected them. However, of the nine centers, only four, namely, Mpumudde, Lweza, Ruti, and Kireka Rehabilitation Centre, are functional. The fading away of these centers is primarily attributed to the political instability that ensued before the economic stability brought about by the incumbent Government, the National Resistance Movement (NRM) (Okidi and Mugambe 2011,21).

Studies have indicated that apart from the North African countries of Morocco, Tunisia, and Algeria that began rehabilitation practice in the twentieth century, rehabilitation programs for persons with disabilities have faded in most Sub-Saharan African countries like Uganda. The lack of enough rehabilitation services has resulted in significant challenges for persons with disabilities. These challenges include inadequate accessibility, high service access rates, lack of knowledge of the need for rehabilitation services, ignorance, and lengthy waiting times. Additionally, other factors include lack of a well-established national physical rehabilitation policy, insufficient provision of facilities, weak development of infrastructure, and lack of adequately trained physiotherapists (Zziwa et al. 2019,2).

The NRM Government has championed the rights of persons with disabilities since 1987 when the National Union of Disabled Persons in Uganda (NUDIPU) was founded as a representative organization for Persons with Disabilities. Disability was represented in the 1994-1995 Constituent Assembly Delegates (CAD), an entity that passed the Republic of Uganda constitution. The Rights of persons with disabilities are enshrined in the Constitution under section 21(2). It states that "a person shall not be discriminated against on the grounds of sex, color, ethnic origin, caste, birth, creed or religion, social or economic status, political opinion or disability." Article 32 provides for affirmative action for marginalized groups, and

Article 36 protects the rights of minorities. Section 14 of the National Objective and Principles of State Policy further reflects the rights of Persons with Disabilities. It requires states to “endeavor to fulfill the fundamental rights of all Ugandans to social justice and economic development. And shall, in particular, 14 (b)) ensure that all Ugandans enjoy rights and opportunities and access to education, health services, clean and safe water, work, decent shelter, adequate clothing, food security and pension and retirement benefits” (GOU 1995). Specific disability laws such as the 2003 National Council for Disabilities Act and anti-discrimination provisions in the 2006 Employment Act were enacted in line with state policies. There are, however, other UN CRPD provisions that are not offered under the Employment Act.

For example, Section 2 of the Employment Act on the definition of disability uses a 'narrow medical definition which does not take social aspects into account. The Act also fails to mention the provision of reasonable accommodation to persons with disabilities. Note that denial of reasonable accommodation under the UN CRPD leads to discrimination (OHCHR 2018,34). Although the Ugandan Government is mindful that certain pieces of legislation, mainly those passed before the 2006 PWD Act, such as the 2000 Worker's Compensation Act, the 2006 Employment Act, and the 1985 National Social Security Fund Act, include varying definitions of disability and are not in accordance with the UN CRPD, the Government has not acted quickly adopt the changes (UN CRPD 2013,8).

The most critical enactment, however, was the persons with disabilities Act (Uganda), which was signed into law on 24 May 2006 (GOU 2006a). The Disabilities Act is in line with Articles 32 and 35 of the Uganda Constitution, which aims to deter all forms of discrimination against persons with disabilities and promote equal rights and opportunities. The comprehensive statutory protection provided by the Disability Act provides a sound basis for disability rights promoters (Nyombi and Kibandama 2017,249). However, these rights have not been transformed into specific PWD programs.

According to the disability Act, the Minister of Gender, Labor, and Social Development is entrusted with the authority to ensure it's enforced (GOU 2006a). Section 13(2-3) of the Act requires the Minister in

consultation with employers to determine the percentage of employment quotas. The employment quotas aim to improve employment opportunities by pushing employers to employ Persons with Disabilities. Section 17 of the Disability Act further entitles an employer to tax cut should they have more than 5 percent of their overall workforce to be living with any disability. This tax cut applies to full-time private employers who employ persons with disabilities as regular employees (GOU 2006a). The Disability Act requires employers to submit annual reports demonstrating to the Minister their compliance with the quota law. Enforcement of this measure, however, has been mostly weak since only a handful of employers fulfill this requirement (Nyombi and Kibandama 2017,250). The Government needs to consider enacting policies that are relevant to employers. It is also crucial for the Government to enhance monitoring mechanisms to ensure employers are inclusive in the hiring process.

In Uganda, there is also a strong network of civil service organizations related to disability, most of which come under the Ugandan National Union of Disabled Persons (NUDIPU). Recognizing that at least one form of disability was noted by 12,5 percent of people in the 2014 Ugandan census, these organizations have a pivotal role to play (Zziwa et al. 2019,5). These organizations offer a range of essential social and livelihood services to persons with disabilities (including health care, provision of medicines and mosquito nets, and income generation support, and savings and credit schemes)(Moses et al. 2017, 416-417). The Ugandan Government is actively working with these organizations to include persons with disabilities in their policies and programs.

The Government of Uganda's commitment to disability is also demonstrated by the implementation of initiatives aimed at strengthening disadvantaged peoples' socio-economic prospects like persons with disabilities. It includes the special grant for disability to promote socio-economic growth and job opportunities for persons with disabilities in different districts. Another parallel initiative under the Ugandan Government is the Expanding Social Protection Programme (ESPP). Under this program, a pilot social cash transfer scheme called the Social Assistance Grants for Empowerment (SAGE) was

implemented (Abimanyi-Ochom and Mannan 2014,2). The program aimed at addressing chronic poverty and improving access to health care, education, and other vital services. The pilot program, with over 123,000 enrolled beneficiaries, was implemented in 15 districts. SAGE had two types of grants at its inception: a Senior Citizen Grant (SCG) and a Vulnerable Family Grant (VFG). In the Vulnerable Family Grant (VFG), targeting was achieved using a series of proxy indicators to select households based on weighted demographic features. The indicators included older people, children, orphans, and people with moderate or severe disabilities. A composite score would then be calculated by household composition, and 15 percent of households with the highest score would be enrolled in the program (Bigirimana 2018,6-13).

The eligibility criteria were confusing and challenging to convey to district and sub-county administrative staff, as well as community leaders and beneficiaries (Oddsdottir 2014,12). It resulted in mistrust among community members, especially non-beneficiaries, with many alleging favoritism, prejudice, and corruption in the selection process of the recipients. The program was not sufficiently inclusive since it wasn't easy for the most vulnerable to enroll. The eligibility decision was based on poor targeting, the composition of the household, and age determination, which left a section of people excluded. It is, therefore, essential that the eligibility criteria are always transparent, well understood, and easy to explain by technical officers so that they can easily articulate the selection criteria for beneficiaries.

Policies that include disability in social assistance programs are encouraging, but it is important to note that not all persons with disabilities need a grant for social assistance. They may need help in other ways, including those who are beneficiaries of social assistance, such as accessible transport services, support with additional costs associated being disabled, carer allowances. Providing a social cash transfer is an intervention strategy necessary, but not enough to ensure that persons with disabilities realize their rights and potential as human beings.

The measurement of disability to assess social assistance eligibility is not standardized (Schneider et al. 2011,42). Methods vary from simple and easy recognition of a disability's presence (usually mild to severe) to nuanced evaluation of a person's functional status. For instance, the Social Assistance Grant for Empowerment (SAGE) assessment in Uganda uses the Short Collection of six questions from the Washington Group on Disability Statistics. These inquire about challenges people have in seeing; hearing; walking, and descending stairs; understanding and concentrating; caring for oneself and talking. These issues step away from the conventional disability assessment approach, which appears to focus on disability categories such as 'deaf, blind, crippled, or mentally disabled. These questions provide a more inclusive and transparent measure of disability, giving both a functioning profile as well as a clear picture of the degree of severity.

While Section 6 of the Uganda Employment Act prohibits any form of discrimination, persons with disabilities are likely to be discriminated against when it comes to paying for equal work(GOU 2006b). Persons with disabilities are often exploited at work and paid far less for the same job performed by workers without disabilities. Accordingly, Section 6 prohibition allows any person to bring a claim of any choice. Section 6 is only applicable to employees, and in most cases, persons with disabilities do not attain the rank of employees. The obstacles faced in taking a case to trial have ensured that many persons with disabilities who were discriminated against at the interview/selection stage have never heard their claims in court (Nyombi and Kibandama 2017,252-253. Section 6 will remain virtually obsolete unless the barriers to enforceability are eliminated.

Also, because of the architectural designs, persons with disabilities (and women with disabilities in particular) continue to be denied access to facilities such as banks, housing, education, and many other resources required. And districts/sub-county offices, police, and law courts remain primarily physically inaccessible to persons with disabilities (Morris-Wales, Krassioukova-Enns, and Rempel 2009).

Do Government policies or programs for mainstream services and benefits in this policy area enable access and outcomes for persons with disabilities consistent with the UN CRPD?

To be consistent with the UN CRPD, all policy files on disability should be thorough and available in plain language and alternate formats (United Nations 2006,14). This section will look at whether policy documents and communication material (including electronic media, web sites, etc.) are fully accessible and available in plain language and alternate formats. We will also assess whether persons with disabilities can easily access programs, services, and benefits on an equal basis.

Although the need for disability programs and services appears to be higher among persons with disabilities as opposed to the general population, enrollment is usually lower amongst persons with disabilities (UN DESA 2018a,41). In Uganda, persons with disabilities face barriers in gaining access to information in interactive formats such as sign language and braille (UN CRPD 2016,4). One in five persons with disabilities in Uganda face difficulties in accessing information, the main challenge being that information is available in formats that are not easy to understand, and a shortage of software/assistive tools for accessing information (UBOS 2018,22). There is also a broad gap in the usage of the internet and cell phone among persons with disabilities (UBOS 2018,21).

The Government of Uganda has implemented several livelihood programs targeting both persons with disabilities and the most vulnerable people. These include Operation Wealth Creation (OWC), the Social Assistance Grants for Empowerment (SAGE), the Youth Livelihood Programme (YLP), the Women Entrepreneurship Programme (UWEP), and the Special Grant for Persons with Disabilities. One in every ten persons with disabilities in Uganda (13 percent) have attempted to receive social transfers, and a half (50 percent) feel poorly represented. On the other hand, thirty-five percent believe that due to their disability, they can receive special care and social transfer (UBOS 2018,37). The extent of unequal

treatment and awareness need to be addressed for all those who would wish to benefit from Government programs.

Job discrimination is one of the key stumbling blocks for the advancement of persons with disabilities in Uganda (Nyombi and Kibandama 2017,248). A lack of unemployment benefits in Uganda has meant that to escape poverty, all individuals must have access to employment to survive. Many prospective employers will not offer persons with disabilities the chance to compete for jobs even when they have the skills and experience, they need. The majority of persons with disabilities are, therefore, unemployed as a result of systematic barriers to employment. (Ministry of Gender Labour and Social Development 2006,9).

Discussion

Under this section, issues identified above in the results and findings section concerning the empowerment and inclusion of PWD's in Uganda will be interpreted. Possible solutions to the problems identified will be discussed.

The first issue revealed through the DIBPA analysis that some Uganda laws do not harmonize the concept of disability and are not based on a social and justice viewpoint as prescribed in the UN CRPD. For instance, on the definition of disability the Uganda Employment Act uses a "narrow medical definition that does not take into account the social implications (GOU 2006b,part1.2b)." Besides, the Act does not address the provision of a reasonable accommodation to occupational persons with disabilities to allow them to understand the right to work on an equal footing with others. These concepts emphasize the individual problem and not the social and environmental challenges that impede the full and productive participation of persons with disabilities in daily life. It should be remembered that, under the UN CRPD, refusal of reasonable accommodation constitutes prejudice based on disabilities. The Employment Act and other disability policies go a long way towards safeguarding the interests of persons with disabilities

while attaining work. However, there are UN CRPD requirements that should be incorporated into these laws through legal reform to bring them into compliance with the Convention, including the provision of reasonable accommodation irrespective of disability. The definition in the Employment Act should also be aligned with the UN CRPD definition of disability.

The second issue identified while conducting a DIBPA framework on the inclusion and empowerment of people living with disabilities in Uganda is limited access to justice. The analysis revealed that a lack of legal representation has greatly affected the ability of persons with disabilities to have control over the issues that affect them. The obligation to provide adequate procedural accommodation is based on the UN CRPD inscribed human rights disability model that requires state parties to adjust their environments to meet the needs of persons with disabilities. The goal is not to ease the procedure for or support persons with disabilities during court proceedings. It is to allow them to participate entirely in this process to the same degree as anyone else without their disability having constraints or limitations imposed on their participation (MDAC 2015,11). To achieve procedural accommodation, the Government should adopt measures to ensure access to justice for all persons with disabilities, such as the establishment of free legal assistance for persons with disabilities. It is also important to consider providing information and communication in accessible formats, including Braille, tactile, augmentative, and alternative forms.

Another issue identified while conducting the DIBPA analysis of empowerment and inclusion of persons with disabilities is little domestication of the UN CRPD. After the adoption of the UN CRPD, no immediate legislative modification has been made to further the domestication of the CRPD. Only debates have transpired between the Government and persons with disabilities' organizations on whether to annul the persons with disabilities Act. On the one side, the government claims that the legislation was not well-drafted and needs to be repealed and replaced by new legislation; on the other side, groups of persons with disabilities argue that the law can only be revised to address the loopholes in it (UN CRPD

2013,9). There has also been criticism for the new draft persons with disabilities Bill, 2018, for failing to domesticate the UN CRPD, which Uganda ratified in 2008 (Wickenden et al. 2020,24). The CRPD is domesticated across three phases. The first stage is the agreement of the State to be bound by the obligations of the Convention by ratifying it and its Optional Protocol, which Uganda has committed. The second stage is the enforcement of domestic legislation with the Convention, and the third stage is the actual application of the obligations of the Convention through policies and programs (Emong 2014,92). In this case, the PWDs Act and PWDs Bill should be harmonized to allow for a robust UN CRPD domestication.

In a bid to domesticate the UN CRPD, many developed countries such as the United Kingdom have created avenues to explain to the public what the UN CRPD is and what it means for persons with disabilities (EHC 2017). The Government of Uganda should adopt such a strategy by ensuring that the UN CRPD is translated for persons with disabilities to understand their rights. It will enable persons with disabilities to hold the Government and their leaders accountable in advancing their empowerment and inclusion.

The DIBPA further revealed that persons with disabilities had been left out in making several Government policies. Due to insufficient understanding and knowledge among the general public and even the people who plan and administer development programs and policies, persons with disabilities are typically left out of development. Although the Government of Uganda is credited for having developed rich disability policies and legislation, more needs to be done in involving persons with disabilities in the framing, design, implementation, monitoring, or evaluation of the policies and programs that concern them. Persons with disabilities living in rural areas face unique challenges. One-way Government can ensure the inclusion of persons with disabilities in the policymaking process is by prioritizing capacity development by equally availing resources for skills development (Maclachlan et al. 2014,121). Once the capacity of persons with disabilities is strengthened, then self-representation at

different levels can yield better results as persons with disabilities will be able to contribute significantly to national policies and programs.

Another problem identified through DIBPA of the empowerment and inclusion of persons with disabilities in Uganda is the lack of coordination between and among persons with disabilities' organizations, Government institutions, and Non-Profits working in the disability sector. The lack of coordination has resulted in individual organizations and institutions to deal with disability issues only in their areas of mandate and focus, neglecting a national priority. To encourage the different disability institutions and organizations to work together, the Government should focus on taking steps to select the Disability Focal Point Person in the ministries, departments, and agencies. The selection of the Disability Focal persons should be made according to the UN CRPD article 33, paragraph 1, for them to be effective. Article 33 of the UN CRPD states that "States Parties, in accordance with their system of organization, shall designate one or more focal points within government for matters relating to the implementation of the present Convention, and shall give due consideration to the establishment or designation of a coordination mechanism within government to facilitate related action in different sectors and at different levels"(United Nations 2006,24).

One example for consideration is seen in South Africa, where all national governments, regional and district administrations, and local municipalities are mandated to appoint or assign a disability focal individual or unit to manage disability mainstreaming within each of these institutions (DSPD and DESA 2016,6). These focal points converge in the National Disability Rights Structure that includes the Interdepartmental Coordinating Committee, the Regional Coordinating Panel, and the National Disability Rights Commission, which brings civil society onboard.

Through analyzing the empowerment and inclusion of persons with disabilities in Uganda, another issue identified is the inadequate commitment of resources to the empowerment of persons with disabilities. For instance, since the Special Grant for persons with disabilities was passed in 2009, it has

had the same budget of 3 billion Uganda shillings, yet there is a significant increase in the number of beneficiaries (NCD 2018,24). Further analysis of the Social Assistance Grants for Empowerment (SAGE) shows how it was only implemented as a pilot program entailing social cash transfers to vulnerable people in only 14 districts (Wandera, Ntozi, and Kwagala 2014,8). However, in 2015 the Government decided to phase out the Vulnerable Family Grant component under the SAGE program based on the lessons learned in the course of the pilot, and no other program has replaced this grant (Nekesa 2017). These programs have not provided enough financial assistance to persons with disabilities to cover daily living costs, including costs involved in facilitating caretakers.

An example of this is seen in South Africa, where the Government offers a care dependence grant to primary care providers (personal assistants) of children with disabilities who need permanent treatment but are not resident in state-run institutions. In 2011, almost 111,000 children received the grant, which was R1200 a month (CAD 94.5) (Kyazze, Wesson, and Naudé 2019,9). Unlike South Africa, which offers a monthly grant to persons with disabilities, Uganda does not have financial help to cover the daily living costs. To encourage inclusion and participation of persons with disabilities, support grants and programs should be enhanced and rolled out to the entire country. The focus should shift to supporting individuals other than households.

Additionally, persons with disabilities in Uganda face significant challenges in accessing buildings and as well as moving from one place to another. Although the Government adopted accessibility standards in 2010, they are not enforced, and many people are not aware of their existence. The Government should embark on a rigorous campaign to sensitize the standards and their applicability to architects, engineers, contractors, policymakers, and property developers.

Another issue identified through the DIBPA is the scarcity of disability data that would inform the formulation of relevant disability policies and programs. Like many other African countries, Uganda still faces the challenge of establishing and making use of research for effective decision making in inclusive

development processes (Maclachlan et al. 2014,117). The Government has not done enough to invest in research. Policymakers are unaware of the severe difficulties that persons with disabilities face. Frequently, they do not have access to the resources and information that will allow them to include persons with disabilities and their families in development programs. The ignorance resulting from this lack of understanding reinforces and multiplies the effect of the already existing negative attitudes within communities and societies. The Government needs to invest more resources in disability research programs and ensure statistics on the prevalence of disabilities are kept up to date.

Additionally, the DIBPA revealed that the eligibility criteria for most social protection programs such as SAGE are complicated and challenging to explain to community leaders, substantially contributing to the exclusion of most persons with disabilities. The eligibility criteria are different among the different programs that have been implemented. For example, under the VFSG, eligibility assessments were made according to vulnerability indicators such as age, children, orphans, and the severity of the disability. Using village chairpersons and Parish chiefs to conduct disability assessment for inclusion in the household scoring positively contributes to favoritism and eventual loss of trust in the programs by the communities. It is, therefore, necessary to ensure that the eligibility requirements are simple, well known, and easy to understand by technical officers so that they can adequately express the qualification criterion to fellow officers and members of the community.

Policy options

This section discusses policy considerations that can be considered by the Government of Uganda, particularly the Ministry of Gender, Labor, and Social Development, to help address the issues that have been identified above. According to the DIBPA framework, policies that result in inclusion, participation, contribution, and full citizenship of all people, including persons with disabilities, are excellent (Bach and Gallant 2012,4). The two policy options include:

Option one: An overall policy change on disability funding, creation of a universal disability grant is achievable, affordable, and sustainable in the long term.

Option two: Adopt administrative measures to improve coordination and collaboration among disability programs in Uganda.

The policy options outlined in this capstone are evaluated using the DIBPA framework. It will help assess how well the options would best address the issues and gaps identified above to enable equitable and inclusive results in the context of UN CRPD, Government of Uganda commitments, and the fiscal realities (Bach and Gallant 2012,18).

Option one: An overall policy change on disability funding, creation of a universal disability grant is achievable, affordable, and sustainable in the long term.

The Government of Uganda is credited for the efforts in developing a comprehensive disability policy framework and programs. Several programs have been implemented targeting persons with disabilities; however, the resulting outcomes have been minimal, yet the Government continues to spend heavily on each of the programs. As discussed in the findings section, most of the programs operate on limited budgets, which limits their potential to expand and have a lasting impact on PWD's.

Moreover, the Government has not prioritized funding to most persons with disabilities programs despite calls from different advocates to increase funding (Parliament of Uganda 2019). For instance, between 2011 and 2015, Uganda piloted the VGF at the same time; several programs targeting persons with disabilities were running, i.e., the Special Grants for persons with disabilities. The Special Grants for persons with disabilities lacked clear guidelines, and the grant was rocked by corruption and misuse at district levels (NCD 2018,7). Advocates have argued that the amount paid out to beneficiaries by most of

these programs is not enough to cater for basic needs, such as food and shelter (Kyazze, Wesson, and Naudé 2019,2).

To achieve equality and inclusion, the DIBPA framework recommends social protection programs to provide equal access to mainstream programs, services, or benefits that result in equitable and inclusive outcomes. This aspect lacks in the programs that the Government of Uganda has implemented due to unclear eligibility criteria, which results in wrong targeting. The SAGE program is the best example, as seen in the findings section, where the eligibility criteria were rigid for technical staff to explain to the beneficiaries (Bigirimana 2018,13).

There are many ways from which the Government can raise money to fund a universal disability grant. The following are ways the Government could raise funds to finance a Universal disability fund:

- Public spending reallocation: this includes reforming current budget allocations and replacing high-cost and low-impact programs with significant economic and social benefits, reducing inefficiencies in spending, and fighting corruption.

- Another choice is to engage donor Governments to fund social protection. To ensure the long-term sustainability of social protection funding, however, the Government may consider not relying too heavily on donor support because it is unpredictable and depends on the availability of funds.

- Through tax revenue: One way to do so can be by proactive steps to improve the efficiency of tax collection strategies and overall compliance.

This policy option provides an opportunity for the Government to change the social, economic, and environmental barriers that surround persons with disabilities by providing vulnerable people with supports needed to participate in society fully. While this policy change creates an inclusive environment and lasting impact on persons with disabilities, it would encourage more people to enroll in the program, which may suffocate the available resource.

Option two: Adopt administrative measures to improve coordination and collaboration mechanisms between Government and Disabled People's Organizations (DPOs)

As seen in the results and findings section, Uganda's national disability policy does not explicitly outline how disability services should be financed. Still, it acknowledges the fact that disability is multisectoral and, therefore, the need for each sector to tackle disability in its mandate (Abimanyi-Ochom and Mannan 2014,4). The Government, through Ministries, Departments, Agencies, and Disabled People's Organizations (DPOs), address disability issues in isolation. It results in limited harmonized engagements, and therefore, persons with disabilities end up not being fully involved in Policy and Program formulation. The Government and DPOs must do everything possible to ensure they work together.

This option would require the Ministry of Gender, Labor, and Social Development to create a forum for different actors from both Government and DPOs to get involved in the administration of disability programs and formulation of policies. Better coordination would empower most DPOs since they often have limited knowledge, skills, and opportunity to get involved in the formulation of policies. Besides, it would help eliminate systematic barriers such as wrong targeting and eligibility criteria, corruption, and misuse of funds resulting in an inclusive society.

This option aligns well with the Government of Uganda commitments to the UN CRPD, which requires state Parties to consider the creation of a 'coordination mechanism' to guide implementation of the UN CRPD requirements. Such improved coordination is essential to maximize implementation in the face of multiple policy demands and scarce resources, as is the case in Uganda. To be effective, a coordination mechanism is needed in the Central Government of Uganda, where policy coordination and cross-government resource allocation is managed. The benefits of having a strong coordination strategy are to primarily have the needs and actions to be influenced and delivered by DPOs themselves and additionally to promote the sustainability of these actions (Neves-Silva 2016,99)

Recommendations and conclusion

The Government of Uganda should work to harmonize definitions of disability in various laws and policies, review all legislation and bring it into line with the UN CRPD. It is important to note that these laws and policies go a long way in protecting the rights, creating opportunities, and accessibility for persons with disabilities in Uganda. The Government must enact legislation and other policies to eliminate discrimination, defend and uphold the interests of persons with disabilities in all programs.

Increased data on disability is required in Uganda. Extensive research should be conducted to obtain a clearer understanding of the current disability situation to inform policy and programs. The Uganda Bureau of Statistics must also dedicate an entire website reflecting disability statistics, which is essential in keeping disability data up to date.

Given the fact that persons with disabilities in Uganda have for long-lived in chronic poverty and Government programs have not been sufficient to make a remarkable change, it is recommended that the Government of Uganda designs and implements a universal disability grant that will cut across the country. It is a better alternative compared to having several fragmented programs that are difficult to coordinate. Comprehensive grants for persons living with disabilities go beyond compensation for daily living expenses. They act as an income substitute for those who are unable to participate in paid jobs and compensate those who have a partial loss of earnings due to their disability(ILO 2016,1). To successfully implement such a policy change, the Government of Uganda should benchmark from countries that have adopted the same type of grant to Persons with disabilities. However, it is essential to note that such a policy change needs strong political will and commitment from the Government for it to be endorsed.

On the other hand, policy option two on adopting administrative measures to improve coordination between Government and DPOs would facilitate responsive disability planning. On many occasions, persons with disabilities are left out at national, district, and local levels during the preparation of meetings and programs. They are not well consulted, and as a result, programs and policies that are

made do not fully reflect their concerns. This option would also be economically feasible if the Government is looking at realizing returns in the short and medium terms.

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