



Equal Opportunities Commission

## Training Manual on Equal Opportunities

Developed by the

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## FOREWORD

Issues of equal opportunities, human rights, gender equity, inclusion and equal protection before the law can only be achieved through an informed and continued demand by people for their protection. It is with this in mind, as well as the quest to fulfill our Mission and Vision that the Equal Opportunities Commission (EOC) developed this training manual.

The **Mission of the EOC** is “to give effect to the Government of Uganda’s mandate to eliminate discrimination against any individual or groups of persons through taking affirmative action to redress imbalances and promote equal opportunities for all”, and our **Vision** is “a just and fair society wherein all persons have equal opportunity to participate and benefit in all spheres of political, economic, social and cultural life”.

The Equal Opportunities Commission believes that persons must be educated on issues of equal opportunities as an essential contribution to the long-term prevention of human rights abuses, promotion of gender equality, ensuring inclusion for all and that this represents an important investment in the endeavor to achieve a just society in which all persons are valued and respected. One of the core functions of the EOC stipulated in section 14(c) of the EOC Act, 2007 is to develop, conduct and manage educational and informational programs to facilitate awareness and understanding of equal opportunities and affirmative action.

This Training Manual is developed as one initiative by the Commission in implementing the above mentioned section of the EOC Act. It also acts in response to findings of the baseline study undertaken in early 2012 which highlighted that there was limited awareness about the aspect of equal opportunities. According to the baseline, many actors and agencies lacked knowledge and capacity to implement equal opportunities programmes. It noted specifically that plans and programmes implemented by districts were not promoting inclusion of marginalised groups in their development agendas, the concept of equal opportunities and human rights were not well understood and thus not integrated in development planning.

Now that the planning framework adopted by the Government of Uganda (GoU) is informed by a Human Rights Based Approach (HRBA), the EOC intends to undertake awareness creation on equal opportunities through trainings so as to address the gaps raised in the baseline study.

This Training Manual expounds on the role of the Electoral Commission, the concept of Equal Opportunities as well as other core values of the Commission such as **Equality, Equity, Non discrimination, Inclusion** and **Diversity** and how different groups of persons in Uganda interface with these values. It highlights different marginalised groups in Uganda and the role of both public and private entities as well as citizens in ensuring equal enjoyment of rights and inclusion into public affairs. The manual further outlines guidelines for advocacy, monitoring and evaluation and integrating a Human Rights Based Approach into development planning.

The task of developing the Training Manual benefitted from existing literature on equal opportunities, human rights and development.

The main purpose of this Training Manual is to help all public, private agencies and individuals to understand their role in protecting equal opportunities especially for marginalised groups. It is expected that with more awareness created through the topics in this manual, there will be better recognition of factors that disadvantage individuals and groups, resulting into better understanding and eventual utilization of the concept of equal opportunities in inclusive planning and programming for vulnerable/marginalised groups so as to enable the Commission to meet its mandate of redressing imbalances and ensuring equal opportunities for all persons in Uganda.

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## Acronyms

AA	-	Affirmative Action
ACRWC	-	African Charter on the Rights and Welfare of the Child
CRC	-	Convention on the Rights of the Child
CSOs	-	Civil Society Organisations
EAC	-	East African Community
EOC	-	Equal Opportunities Commission
GIZ	-	Deutsche Gesellschaft für Internationale Zusammenarbeit
GOU	-	Government of Uganda
HRBA	-	Human Rights Based Approach
ICCPR	-	International Covenant on Civil and Political Rights
ILO	-	International Labour Organisation
LCs	-	Local Councils
LCCs	-	Local Council Courts
LFA	-	Logistical Framework Approach
LG	-	Local Government
MoGLSD	-	Ministry of Gender Labour and Social Development
MPs	-	Members of Parliament
NCD	-	National Council for Disability
NOTU	-	National Organisation of Trade Unions
OVIs	-	Objectively Verifiable Indicators
PWDs	-	Persons with Disabilities
SoVs	-	Sources of Verification
UDHR	-	Universal Declaration of Human Rights
UDHS	-	Uganda Demographic Household Survey
UHRC	-	Uganda Human Rights Commission
ULS	-	Uganda Law Society
UMA	-	Uganda Medical Association
UNC	-	United Nations Charter

# Module I: Overview and background on equal opportunities and the Equal Opportunities Commission

## 1.1 Objectives:

- To explain concept of and the background to equal opportunities both from the international and local perspective
- To explain the legal framework for equal opportunities in Uganda and the EAC region as well as the formation of the Equal Opportunities Commission in Uganda
- To explain the mandate and powers of the Equal Opportunities Commission

## 1.2 Content

- Unpacking the concept of Equal Opportunities – A Global Perspective
- The evolution of the concept of Equal Opportunities
- The principles and theories of Equal Opportunities
- Reasons for creating the EOC in Uganda
- The Legal framework governing the Equal Opportunities Commission of Uganda and the EAC regional perspective

### 1.2.1 By the end of the module participants should be able to:

- Understand the concept of Equal Opportunities both from a global, regional and local perspective
- Understand the principles behind this concept as well as its application in day to day life
- Appreciate its importance in fostering social welfare and transformation
- Appreciate the rationale for setting up of an Equal Opportunities Commission in Uganda
- Know the legal framework governing equal opportunities and the EOC in Uganda and the EAC region

### 1.2.2 Methodology

Group work  
Brainstorming  
Short seminar  
Question and answer

### 1.2.3 Training materials

Power point  
Flipcharts  
Markers  
Masking tape

### 1.2.4 Time

3 hours

## 1.3 Definition and aspects of Equal Opportunities

### Activity



The trainer should pose the following questions to the group:

1. What does equal opportunity mean and entail?
2. What is the legal framework governing equal opportunities in Uganda and the EAC region?
3. What principles govern equal opportunity? Why is this concept important?
4. Why was the Equal Opportunities Commission set up?
5. How can the equal opportunity principle be applied to our day to day life?

The trainer should use the notes below and give a seminar on the subject to trainees.

## Reference Notes

The term equal opportunity generally refers to the principle of treating all people the same, and not being influenced by a person's race, colour, age, gender, national or ethnic origin, religion, political association, mental or physical disability or any other individual or group characteristic unrelated to ability, performance, and qualification. It is the principle of non-discrimination which emphasizes that opportunities in education, employment, advancement, benefits and resource distribution, and other areas should be freely available to all citizens irrespective of these grounds except when particular distinctions can be explicitly justified. It advocates removal of barriers to economic, social and political participation on grounds of difference. Equal opportunity can be viewed from 3 paradigms i.e. equal treatment, equal access and equal share. It also takes different forms as highlighted below:

- **Formal equality of opportunity** which is also known as the nondiscrimination principle or alternatively referred to as equality of access or absence of direct discrimination. It is characterized by open call for applications, fair judgment and choice of the application of the most qualified candidate for a given position. This type is guided by minimum standards and limited to the public sphere as opposed to private aspects such as the one's marriage, ethnic origin, race, religion etc..
- **Substantive equality of opportunity** (also known as fair equality of opportunity) which is a broader concept than formal equality of opportunity and deals with what is sometimes described as indirect discrimination. In the substantive approach, the starting point before the race begins is unfair, since people have had differing experiences before even approaching the competition. The substantive approach examines the applicants themselves before applying for a position, and judges whether they have equal abilities or talents, and if not, then it suggests that authorities (usually the government) take steps to make applicants more equal *before* they get to the point where they compete for a position, and fixing the before-the-starting-point issues has sometimes been described as working towards "fair access to qualifications. It seeks to remedy inequalities perhaps because of an "unfair disadvantage" based sometimes on "prejudice in the past". This approach entails the use of affirmative action policies to help all contenders become equal before they get to the starting point, perhaps with greater training, or sometimes redistributing resources via restitution or taxation to make the contenders more equal. It holds that all who have a "genuine opportunity to become qualified" be given a chance to do so. And it is sometimes based on a recognition that unfairness exists, hindering social mobility, combined with a sense that the unfairness should not exist or should be lessened in some manner.
- **Equality of fair opportunity**; a variant of substantive equality of opportunity, which happens when individuals with the same "native talent and the same ambition" have the same prospects

of success in competitions. There is an admission that life is unfair, and that there's only so much one can do about that at the starting line, but we can try to ameliorate the consequences of that unfairness if we wish to create a society each of us would want if we didn't know in advance who we would be.

- **Level playing field** conception of equality of opportunity, similar in many respects to the *substantive* principle, (although it has been used in different contexts to describe formal equality of opportunity) and is a core idea regarding the subject of distributive justice.

### Protected Characteristics

The notion of formal equality of opportunity requires that positions, offices, and admissions in society are open to all applicants and that formal procedures are used to select candidates based on qualifications deemed relevant to successful performance in a position or program. Individual abilities and ambition are valued as criteria while factors derived from group identities assigned by birth or social class, such as tribe, gender, race, family, caste, religion, are excluded. Equality of opportunity carries with it the promise of upward social and economic mobility due to the removal of legally protected rights and privileges for particular classes or groups. Equality of opportunity emphasizes procedural and legal means of providing equal access to social goods, in contrast to alternative approaches to equality; for example, equality of outcomes, equality of resources, and democratic equality. Equal opportunities strategies should be conceived both as an organizational process and in terms of the culture within the organization and should stem from an explicit commitment to the inclusion of all social groups and to the valuing of diversity (un.org/socdev/Ghana/2009).

Suffice to note that in the debate on equal opportunities, quotas have been proposed and many have been misled to believe that quotas and equal opportunity are one and the same. For example, in some jurisdictions employers are required by law to hire fixed percentages of members of specific groups, regardless of their qualifications. Such an approach is clearly erroneous. The

- age
- disability
- gender
- gender identity
- race
- religion or belief (including lack of belief)

appropriate approach would be to set up properly-designed equal opportunity programs simply to create opportunities for marginalized groups in society.

The scope of equal opportunity has expanded to cover more than issues regarding the rights of minority groups, but covers practices regarding “recruitment, hiring, training, layoffs, discharge, recall, promotions,

responsibility, wages, sick leave, vacation, overtime, insurance, retirement, pensions, and various other benefits. Suffice to note that this concept is increasingly being applied to wider areas of public life beyond employment including access to resources and services such as lending, housing, education, college admissions, voting rights, etc. Essentially it seeks equal access to services, resources and benefits.

### 1.3.1 Global Perspectives of Equal Opportunities

The concepts of non-discrimination and equal opportunity have for decades been part of the international community's key principles. Enshrined in numerous international instruments, including conventions of the United Nations and the International Labour Organization, these concepts are rooted in universal principles of human rights, fundamental freedoms, and equality. Both non-discrimination and equal opportunity in the employment perspective for instance are rooted in the principle that all employment decisions are based on the ability of the individual to do the job in question without regard to personal characteristics that are unrelated to the inherent requirements of the work. Overall, discrimination in employment can be defined as any distinction,

exclusion or preference which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation, and is made on the basis of personal characteristics, including race, colour, gender, religion, political opinion, national extraction or social origin, disability, age, and/or HIV status.

Discrimination can take many forms and can affect both access to employment and the treatment of employees once they are employed. It may be direct or indirect, and arise in a range of industry sectors and cultural settings. While tackling these issues can be sometimes controversial and difficult, particularly in an emerging market context, there are a growing number of companies globally engaged in good practice efforts that may go beyond their legal obligations with respect to non-discrimination. These businesses are actively reaching out among the communities in which they operate to create opportunities for previously alienated groups to participate in the labour market. Most have undertaken efforts to increase understanding of the issue in a number of key areas, including: recognition of the various types of discrimination; how and where it can occur in the workplace; obligations under national law and other international provisions; practical approaches and options for addressing workplace discrimination; and the benefits derived from diversifying the workforce.

In today's emerging markets, companies that seek to be leaders and set examples of corporate social responsibility while building a productive and diverse workforce must address issues of discrimination in the workplace. Businesses that succeed in doing so act decisively to eliminate discriminatory practices and create the conditions for diversity and equality of opportunity and treatment in employment; often going beyond what is required of them by national law. Employers who adopt such approaches may derive a number of business advantages, including penetration of new markets, improved employee morale, a wider pool of talent from which to recruit; as well as reduced exposure to legal challenges and reputational benefits.

### **1.3.2 Evolution of the Concept of Equal Opportunities**

Historically, the idea of equal opportunity was conceived in the United States and was initially associated with African Americans and, later, women seeking to level out fundamental social inequities. Although most would consider equal opportunity a recent concept, the true beginning of the idea can be traced to the Fourteenth Amendment (1868) to the United States Constitution.

According to Professor David Christian a historian; there was a shift from seeing people as resources to exploit towards a perspective of seeing people as individuals to empower. In the past thousand years, there has been a gradual movement in the direction of greater respect for equal opportunity, as political structures based on generational hierarchies (like feudalism) broke down during the late Middle Ages and new structures emerged during the Renaissance. Monarchies were replaced by democracies and Slavery was generally abolished. The provisions of the Fourteenth Amendment of the United States Constitution would be circumvented for years, but lawmakers, attorneys, and civil rights advocates would constantly seek the shield of its protection. This landmark constitutional doctrine did not address equal opportunity directly, but it did provide for equal protection under the law. In 1933, Congress passed the Unemployment Relief Act, which forbade discrimination in employment on the basis of race, color, or creed. During World War II Congress again discussed equal opportunity and fairness in employment legislation. These early efforts to eliminate discrimination in employment gained little steam but nevertheless continued to build toward significant federal programs. National attention was diverted in turn by the Great Depression, the war, the perceived threat of global war and the Cold War, and McCarthyism. Finally, popular struggle scored a major victory in the struggle for civil rights after the Supreme

Court's *Brown v. Board of Education* decision of 1954, which bolstered the civil rights movement and ultimately led to a series of government initiatives to end discrimination.

The new entity of the *nation state* emerged with highly specialized parts, including corporations, laws, and new ideas about citizenship, and values about individual rights found expression in constitutions, laws, and statutes.

More recently, persons with disabilities, veterans, and the aged have fallen under the protection of equal opportunity. These groups or classes of individuals are termed a "protected" class, defined as persons who have suffered the effects of employment discrimination or broader social discrimination that impedes their ability to gain equal footing in the job market.

By and large, the history of equal opportunity is traced through a continuum of federal legislation, executive orders, government agency decisions, and court cases. Corporations and organizations have developed separate offices or units to deal with the various aspects of equal opportunity. These units often spend a significant part of their budgets to promote equal access.

### 1.3.3 Principles and Theories of Equal Opportunities

Equal Opportunity theory is a clear and comprehensive examination of the idea of self-determination: both the right to self-determination as well as its expression in our society. Equal opportunity is based on the principle of non discrimination. The concept assumes that society is stratified with a diverse range of roles, some of which are more desirable than others. And the benefit of equality of opportunity is to bring fairness to the selection process for coveted roles in corporations, associations, nonprofits, universities, and elsewhere.

Jacobs, Lesley A. in his book *Pursuing Equal Opportunities: The Theory and Practice of Egalitarian Justice*, Cambridge, 2004<sup>1</sup> argues that the point of equal opportunity principles is to regulate competitive procedures that distribute scarce resources. Since not all questions of justice involve competitive procedures, and since competitions vary in character, it is important to talk about equal opportunities in the plural and to insist that equality of opportunity does not constitute an all-encompassing theory of justice. He argues that the three dimensions of equal opportunity identify three different aspects of fair competitions. First, competitions need to be procedurally fair: to have fair rules of engagement. Secondly, they must take place against fair background conditions, so that the parties enter them on a level playing field. Finally, they must have fair stakes, i.e. the gains and losses to winners and losers should be fair.

There is no "formal linking" between equality of opportunity and political structure, according to one view, in the sense that there can be equality of opportunity in democracies, autocracies, and in communist nations, although it is primarily associated with a competitive market economy and embedded within the legal frameworks of democratic societies. People with different political perspectives see equality of opportunity differently: liberals disagree about which conditions are needed to ensure it; many "old-style" conservatives see inequality and hierarchy in general as beneficial out of a respect for tradition. It can apply to a specific hiring decision, or to all hiring decisions by a specific company, or rules governing hiring decisions for an entire nation. The scope of equal opportunity has expanded to cover more than issues regarding the rights of minority groups, but covers practices regarding "recruitment, hiring, training, layoffs, discharge, recall, promotions, responsibility, wages, sick leave, vacation, overtime, insurance, retirement, pensions, and various other benefits." The concept has been applied to numerous aspects of public life, including accessibility of polling stations, care provided to HIV patients, whether men and women


have equal opportunities, electronic media time for political candidates, army promotions, admittance to universities, and ethnicity in the United States. The term is interrelated with and often contrasted with other conceptions of equality such as equality of outcome and equality of autonomy.

## 1.4 Equal Opportunities Principles

### 1.4.1 Reasons for creating the EOC in Uganda

The reasons for establishing the Equal Opportunities Commission (EOC) of Uganda stems back to the history of our nation. Under the 1967 Constitution for instance, discrimination on grounds of sex was not prohibited and personal laws relating to marriage, divorce, adoption, burial and devolution of property upon death were exempt from the provision that prohibited discrimination<sup>1</sup>. Participation of persons with disabilities and women in formal politics and decision making was highly limited and there were gender imbalances in access to and control over resources i.e. property ownership, land tenure, education, credit and legal rights among others.

With its ascent to power in 1986, the NRM regime brought relative stability to a State that had been affected by decades of civil strife and sought to rebuild Uganda into a peaceful and non sectarian state based on the rule of law. In a bid to address the above and related societal disparities, a Constitutional Commission was established in 1988. Nationwide consultations were held and proposals as well as a draft Constitution submitted to Government. The Constituent Assembly was later elected with youth, disabled persons, workers, political parties, army and women representatives comprising 285 delegates (50 of whom were women) who debated the draft Constitution and in 1995 the new Constitution was enacted.

- 
- Non- discrimination
  - Diversity
  - Equality
  - Self determination
  - Inclusion

The Equal Opportunities Commission of Uganda was established in accordance with Article 32 (3) and (4) of the 1995 Constitution of the Republic of Uganda. The purpose of the Commission was to actualize the State's constitutional mandate to eliminate discrimination and inequalities against any individual or group of persons on the ground of sex, age, race, colour, ethnic origin, tribe, birth, creed or religion, health status, social or economic standing, political opinion

or disability; as well as to take affirmative action in favour of groups marginalised and vulnerable on the basis of gender, age, disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them; and to provide for other related matters.

That notwithstanding, Uganda still faces challenges such as internally displaced persons, human rights violations, repugnant cultural practices, poverty, unemployment, corruption and a despite having opted for a multiparty dispensation; a political system criticized for limited and decreasing democratic space. The Commission is therefore intended among other things to facilitate inclusive participation for all in various public and national processes such as education, politics, public service, economic and social development.

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<sup>1</sup> See Section 20 of the 1967 Constitution of the Republic of Uganda



## 1.5 The Legal Framework governing the Equal Opportunities Commission of Uganda and the EAC Regional Perspective

The Equal Opportunities Commission of Uganda as earlier stated is established under Article 32 (3) and (4) of the 1995 Constitution. The law governing the Commission is the Equal Opportunities Commission Act of 2007. The enactment of this Act was extremely important in fulfilling the National Equal Opportunities Policy (2006) which clearly states that “*Equal opportunities deal with issues and concerns of marginalisation, discrimination, injustice, exclusion, unfairness and inequality in access to resources, services and benefits.*” Its vision is for “A just and fair society where all persons have equal opportunity to participate and benefit in all spheres of political, economic, social and cultural life.

Although the National Objectives and Directive Principles of State Policy in the 1995 Constitution do not create directly enforceable rights, they oblige the State to work toward these goals and enact legislation and issue policy guidelines in accordance with these objectives. Under Objective VI, the government is enjoined to ensure gender balance and fair representation of marginalised groups, as well as balanced and equitable development under Objective VII. Objective XI further enjoins the State to give the highest priority to the enactment of legislation establishing measures that protect and enhance the right of the people to equal opportunities in development.

### *The Regional Perspective*

From the regional perspective, the Treaty establishing the East African Community (EAC) under *Article 6 (d)* provides for good governance including adherence to the principles of democracy, the rule of law, accountability, transparency, social justice, equal opportunities, gender equality, as well as the recognition, promotion and protection of human and peoples rights in accordance with the provisions of the African Charter on Human and Peoples’ Rights and further, under Article 6 (e) provides for equitable distribution of benefits.

The spirit of the East African Community Common Market Protocol (CMP) which provides for free movement of goods, persons, labour, services and capital as well as the rights of residence and establishment is to foster equal opportunity by facilitating equal access, treatment and opportunity for all nationals of EAC Partner States. Regulations 12 and 13 of the *East African Community Common Market (Free Movement of Workers) Regulations* for instance provide for equal access to employment and equal treatment in employment for all EAC citizens. The EAC is also engaged in various initiatives to foster equal participation and inclusion of vulnerable and marginalization in the development and social transformation processes of the region.

# Module 2: Equal Opportunities and Related Concepts and Principles

## 2.1 Objectives:

- Explain the conceptual framework of Equal Opportunities.
- Highlight and describe other concepts and principles that relate to Equal Opportunities.
- Indicate the interlinkage of these concepts with Equal Opportunities.

## 2.2 Contents of the Module

By the end of the session participants should be able to:

- Appreciate the conceptual framework of Equal Opportunities.
- Outline and describe other concepts and principles that relate to Equal Opportunities.
- Expound on the interlinkage of these concepts with Equal Opportunities.

### 2.2.1 Methodology

Group work  
Brainstorming  
Short seminar  
Question and answer

### 2.2.2 Training materials

Power point  
Flipcharts  
Markers  
Masking tape  
Human Rights Laws – UDHR, UN Charter, Chapter Four of the Constitution of Uganda

### 2.2.3 Time

2 hours

#### Activity

- ⇒ Ask participants to brainstorm on the terms 'Equal Opportunities', 'Human Rights', 'Gender', 'Affirmative Action', 'Vulnerability', 'Marginalisation' and 'Social Exclusion.'
- ⇒ Write out the answers on a flipchart.
- ⇒ Together in the group, compare the similarities and differences.
- ⇒ Then hold a lecture on the concepts with reference to the notes below.

## Reference Notes

### 2.3 Equal Opportunities

Equal opportunities was a term introduced in the 1970s in Britain in response to practices of unfairness such as unequal pay for men and women and unequal treatment between persons of different racial origins, especially African. The concept of equal opportunity allows everyone concerned a fair and equal chance in whatever aspect of life they encounter, and requires the government or responsible institution to take active steps to make sure that no person is not treated less favourably than another person because of factors such as :

- Age
- Disability
- Gender
- Marital status
- Pregnancy / maternity
- Race, colour, ethnic or national origins
- Religion, creed or belief
- Socio-economic background
- Political beliefs
- Employment status
- Minority status, language or culture
- Any other factor that can give rise to unfair treatment

**Equal opportunities** is based on the principles of **equality** and **non-discrimination**.

### 2.3.1 Equality

Equality is about creating a fairer platform where everyone can participate and has the opportunity to fulfill their potential. It includes both formal and substantive equality. **Formal Equality of Opportunities** requires that circumstances for engagement should be open to all interested persons on equal basis, for example, access to education, employment, health services.

**Substantive Equality of Opportunities** recognizes that some people are more disadvantaged than others and may require differential treatment in form of some additional effort so as to enable them to compete effectively with others. It therefore goes a step further than treating everyone in exactly the same way and allows a 'positive action' to be taken in order to give some people the same chance as others. The result of substantive equality of opportunity is equity.

#### Activity

- ⇒ Ask participants to give examples of actions of formal equality and those of substantive equality.
- ⇒ Which of the actions are more effective and why?

Contemporary discussion on equal opportunities tends to incorporate several key terms and concepts. To fully appreciate this concept it is useful to begin with accessible, working definitions of related prevalent terms such as:

### 2.3.2 Discrimination

Unfair or unequal treatment without a justifiable legal basis is called discrimination. Discrimination is when a person or group is unfairly or less favourably treated than others on any ground. It can happen as a result of negative attitudes or prejudice towards an individual or group of persons. Sometimes discrimination occurs as a result of social or economic barriers, political circumstances or bureaucratic requirements that make it more difficult for some people to access opportunities or services. Discrimination can be both direct and indirect.

**Direct discrimination** occurs when one person is treated less favourably than another on grounds such as sex, race, marital status, disability, age, etc. **Indirect Discrimination** occurs where a requirement is imposed which can only be complied with by a smaller proportion of a particular groups of persons and which is not objectively justifiable in the given situation.



An example of indirect indiscrimination is when employers demand excessively high technical qualifications for a job which are not strictly necessary. In turn, this can result into inability of a particular group of disadvantaged persons such as women or persons with disabilities inability to apply or qualify for the job. This limits their equal opportunities to compete effectively for the job on the same basis as others.

### **Objectively Justifiable Requirements**

Discrimination may be permitted in some cases where there are objectively justifiable requirements. These requirements however, have to be fair. Examples of objectively justifiable requirements include:

- Minimum physical capability requirements for firefighters, police and similar professions
- Specifying that only women may apply for a position in a refugee camp for female victims of domestic violence
- Specifying that only women may apply for a position of matron in a same-sex school

### **2.3.3 Diversity**

When equal opportunity is maximally applied, the result is diversity. Diversity literally means difference. It is the embracing, valuing and promotion of the full range of skills, knowledge and life experiences of individuals with different values, attitudes, cultural perspectives and religious beliefs. We live in an increasingly diverse society and need to be able to respond appropriately and sensitively to this diversity. Diversity describes the range of visible and non-visible differences that exist between people. Diversity means 'all of us' not 'some of them'. It means having a wide range of different people with different life experiences and perspectives involved in a particular circumstance, be it employment, political participation, access to economic resources etc. Diversity at the work place for instance has both hard and soft benefits such as enriching the skill and candidate pool and of increasing the potential market for any given organization; and in terms of soft benefits enriching the outlook of systems and organizations and creating an accessible and welcoming environment to a range of social groups.

Applying equal opportunity without unfairness or discrimination results into a participative environment in which all persons are engaged and valued. Thus, to achieve diversity, there must be equality of opportunity.

#### **Activity**

⇒ Ask participants to explain different initiatives that have been taken in Uganda to enable diversity of engagement in the political, economic and social fields.

### **2.3.4 Human Rights**

**Human Rights** are entitlements due to every human being by virtue of the fact they are human. They are inherent basic values without which people cannot live in dignity as human beings. According to human rights, all persons are equal and should live in dignity. Also, because not all persons are equal in opportunity, age, welfare or other status, human rights aim to achieve protection for these persons so as to live in dignity with others. Thus, human rights constitute the

means to achieve minimal human dignity and social justice.

Human rights are protected by law. Human rights laws both at international and national level protect the principle of equality of persons regardless of aspects such as gender, nationality, religious belief, ethnicity, age or disability. Article 3 of the International Covenant on Civil and Political Rights (ICCPR) provides for the equal right of men and women to the enjoyment of the rights it articulates. This provision is founded on Article 1, paragraph 3, of the United Nations Charter (UNC) and article 2 of the Universal Declaration of Human Rights (UDHR) which provide for equality of persons in enjoyment of human rights. In Uganda, human rights are provided under chapter four of the constitution. This chapter is referred to as Uganda's 'Bill of Rights.'

Human rights are classified into three generations. The first generation is the civil and political rights. These are the most commonly known rights, also referred to as 'first generation rights' and include right to life, right against torture, freedom of association and movement. These rights require mainly the government to abstain from undue interference with them. First generation rights have also been called negative rights as they restrict the state from impeding the rights of the citizen or private person.

Under the Constitution of Uganda, civil and political rights include the right to freedom of thought, speech, religion, privacy and assembly. The Government of Uganda is therefore obliged to promote and protect these rights and ensure that its citizens enjoy them. In the event that any of these rights are violated or denied the citizen can seek legal redress. This therefore means that the first generation rights are justiciable.

The other category of rights are the economic, social and cultural rights which are classified as second generation rights. These rights include those such as right to education, work, ownership of property, social security and health. This category of rights obliges the Government of Uganda and other duty-bearers to do certain things or take certain actions in order to enable persons to fully enjoy these rights. Thus, they are also referred to as 'positive rights.'

While in principle all human rights are interrelated, indivisible and interdependent, in practice civil and political rights have greater recognition worldwide than economic, social and cultural rights.

The third generation of rights is even less known than the other two. This category includes group rights such as right to development, peace and security and clean environment. The push for recognition of these rights was mainly by developing countries especially from Africa. Nevertheless, it is important to note that all human rights are just as important and indivisible.

### Activity

Ask participants to identify existing international laws on human rights and the types of human rights that they provide for.

### 2.3.5 Gender

#### Activity

- ⇒ Divide the participants into groups of only male, only female and mixed groups.
- ⇒ Ask the participants what are their expectations from a boy and from a girl.
- ⇒ Ask the groups to make the presentations on expectations.
- ⇒ Ask the group which of the expectations are biological and which are social.
- ⇒ Then the facilitator wraps up the session with the definition of sex and gender.

#### Note to the participants that:

- There is a distinction between sex and gender.
- Sex refers to the physical/ biological differences between males and females and does not change.
- Gender refers to the social differences between males and females and is determined by social factors (history, culture, tradition, religion). It involves the expectations in a society of men/boys/women/girls, their roles and responsibilities, their opportunities and limitations.
- Gender can change depending on the times, culture, class, exposure etc.

#### In summary, gender is about:

- Social roles and relations between men and women in society.
- It affects part of our lives (social, economic and political).
- It changes over time (as communities change socially, culturally and economically).
- It is what we expect men and women to do and behave.
- How power is shared and used in families, communities and states.

#### Activity

#### Share out the following facts to participants:

Women in Uganda represent 80% of the agricultural labor force, are responsible for about 80% of the food crop production and continue to contribute about 60% of the labor for cash crop production. Women also work in non-farm activities to supplement household resources. Together with the aforementioned tasks, women have to continue doing domestic responsibilities such as cooking and cleaning.

Women have a very heavy workload: they work longer hours than men, between 12 and 18 hours per day, with a mean of 15 hours, compared with an average male working day of around 8-10 hours (Blackden and Canagarajah, 2003). According to the 2012 MDG Report published by UNDP Uganda Country Office, the average Ugandan woman spends 9 hours a day on care labor activities such as fetching water, firewood, looking after children and caring for the sick.

However, whereas it is women who are largely responsible for agricultural production, their land ownership rights are limited. Available statistics indicate that women own only 7% of the registered land in Uganda. This insecurity of access to land that is primarily embedded within culture means that women cannot make decisions regarding its use as well as the benefits accruing from its utilisation.

- ⇒ Ask participants what work is done by men and women in their local communities?
- ⇒ Relate the answers to the facts narrated above.

⇒ What do the facts above tell us about societal expectations of male and female work?

**Explain the following to participants:**

**Gender roles:** These are social expectations of what men and women should do in different environments, based on the cultural ideas of what it means to be a man and woman. Gender roles are culturally determined and are learned. They differ from one society to another.

**Sex roles:** 'Sex roles' are from nature; they are genetically determined characteristics of male and female, such as pregnancy and childbirth.

**Share the following examples with the group and ask them to build on the list.**

Gender Roles	Sex Roles
<ul style="list-style-type: none"><li>• Rearing animals</li><li>• Feeding children</li><li>• Mechanical engineering</li><li>• Household chores</li></ul>	<ul style="list-style-type: none"><li>• Pregnancy</li><li>• Breastfeeding</li><li>• Childbirth</li><li>• Impregnating</li></ul>

## Activity

**Read out the following statements and ask participants if they agree with them, and why or why not:**

- Women should modify their behaviour to reduce their exposure to violence by:
- doing more home-based work so as to avoid incidences of sexual harassment and rape.
- training in Karate and Kung Foo to avoiding violence on the streets.
- Accept only day jobs rather and refuse night shifts.
- Not wearing sexually provocative clothing.
- Ask men from their household to accompany them at all times.

### **Why is Gender important? Emphasize the following:**

- Gender helps us to understand that women's and men's lives and therefore experiences, needs, issues and priorities are different
- Men and women's lives are not all the same; the interests that they each have may be determined by factors such as social position or ethnic identity as, well as by the fact they are men or women.
- Most women and some men are disadvantaged by their gender and it may be necessary to design particular strategies to achieve equality and equal opportunity between men and women.
- Proper gender planning and implementation calls upon the government to take specific steps in addressing gender gaps between men and women.

### **2.3.6 Marginalization**

Marginalization is defined under the Equal Opportunities Act 2007 to mean depriving a person or a group of persons of opportunities for living a respectable and reasonable life as provided in the constitution. It refers to a situation where a person or group of people are disadvantaged or excluded from accessing opportunities, resources or services, or from taking part in making decisions on matters concerning their lives.

### **2.3.7 Social exclusion**

This is the process by which individuals or entire communities of people are systematically blocked from (or denied full access to) various rights, opportunities and resources that are normally available to the members of a different group which are fundamental to social integration within that particular group such as housing, employment healthcare, civic engagement and democratic participation. It is a form of discrimination based on social class. Acts resulting from exclusion are often connected to a person's social class, education status or early childhood background. Social exclusion may also be extended to apply to people with disabilities, minorities or any group that appears to deviate away from the perceived social norms. The result of social

exclusion is alienation or disenfranchisement preventing these groups of persons from participating fully in the economic, social, and political life of the society in which they live.

### Activity

- ⇒ Divide participants into four groups.
- ⇒ Ask each team to identify one group of persons in Uganda suffering social exclusion.
- ⇒ Ask the team to elaborate how social exclusion affects this group and how it progresses in the following four stages:
  - Insufficient access to social rights
  - Material deprivation
  - Limited social participation
  - Lack of normative integration

### Vulnerability

Vulnerability is the inability to withstand the effect of a hostile environment. The National Equal Opportunities Policy 2006 defines it as, “a state of powerlessness to withstand individual, household and community shock.” Vulnerable persons are categories of people who lack security or are susceptible to risk and exploitation.

### Activity

Ask participants to identify vulnerable persons in Uganda and what factors lead them to this condition.

### 2.3.8 Affirmative Action

Affirmative Action is a deliberate action or initiative taken in favour of marginalized groups to redress past practices of discrimination or imbalances. It can take different forms as required by different types of vulnerability.

### 2.3.9 Inclusion

Inclusion is a strategy of integrating excluded groups into the mainstream of development, fostering access to goods and services, opportunities; providing leveled ground without discrimination on the basis of ground enshrined in Article 32 (1) of the 1995 Constitution of the republic of Uganda. Inclusion is a response to social exclusion which results in an individual's exclusion from meaningful participation in society. It encapsulates tackling unemployment, poverty, deprivation and access to services. It also allows for inclusive education, promoting the inclusion of disabled people in mainstream education at all stages.

### *2.3.10 Under representation / Prioritization*

Discussion on and planning for equal opportunities often raises the need to open access to underrepresented/prioritized groups. Occupational, educational, social and political settings may have traditionally favoured particular constituent groups and as a result other social groups may be under represented in comparison with their presence in the population as a whole. These groups depending on the given society usually include persons with disabilities or other health challenges, ethnic minorities, the elderly, women, homeless people, people under long term unemployment, persons with addictions etc.

### **Examples of Discrimination and Marginalization**

Individuals or groups of persons can encounter unfair treatment in many aspects of their lives. Such unfair treatment might be regarded as discrimination.

#### *Activity*

**Read the following examples and let participants explain how the following scenarios amount to discrimination:**

- A person with a physical disability cannot access a service in a building because, there is no ramp or accessibility for a wheelchair.
- A female colleague earns less than males doing work of equal value.
- Groups of individuals are subjected to cultural acts such as female genital mutilation, which impair their enjoyment of human rights.
- An older person or youth denied employment or access to services because of age.
- An individual living with HIV/AIDS is dismissed from his or her employment on the grounds of their health status.
- An expectant mother is denied a job on the basis of her pregnancy, or is denied maternity leave by her employer.

## Module 3: Disadvantaged Groups in Uganda

### 3.1 Objectives:

- Identify the most disadvantaged groups in Uganda
- Highlight the context within these groups exist
- Explain how the situation of these groups affects their enjoyment of Equal Opportunity
- Discuss steps that the government has taken to address the situation of these groups.

### 3.2 Contents of the Module

Reference Notes on the Status on legal Framework of the following Groups:

- Persons with Disabilities
- Minorities
- Elderly
- Women
- Youth / Children
- Persons Living with HIV/AIDS

#### 3.2.1 By the end of the session participants should be able to:

- Name some of the most disadvantaged groups in Uganda
- Give local examples of marginalised groups in their communities
- Explain the factors that make these groups vulnerable in regard to concepts such as equal opportunities, human rights, affirmative action, inclusion and gender.
- Pinpoint the legal framework related to these groups.

#### 3.2.2 Methodology

Group work

Brainstorming

Expert Panel Presentation

Question and answer

#### 3.2.3 Training materials

Reference Notes

Flipcharts

Markers

Masking tape



### 3.2.4 Time

2 hours

Disadvantaged group	National data / statistics in relation to population	Common factors affecting this group	Key rights violated and linkage to equal opportunities	Relevant legal and policy framework	Recommendations / required strategies by both state and non state actors
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#### Activity

- ⇒ Divide participants into groups.
- ⇒ Ask each group to identify one of the most marginalized groups in Uganda.
- ⇒ Ask participants to research and fill in information on their selected group as herebelow:

Make reference to the notes below:

#### Reference Notes

Different individuals and groups within Uganda are constrained by many inequalities be they political, religious, social and economic. These inequalities are systemic in nature and were generated over time through history, patriarchy, economics and social injustices. Some of them remain deeply embedded in social structures, practices and attitudes.

These inequalities result into marginalization and vulnerability of a cross section of the Ugandan population and undermine the aspirations of the concept of equal opportunities as envisaged under Uganda's constitution and Equal Opportunities Act.

This module does not attempt to highlight all forms of marginalized groups in Uganda but identifies those with greatest need in terms of ineffective enjoyment of equal opportunity with others.

### 3.3 Persons with Disabilities

**Persons with Disabilities (PWDs)** are among the most vulnerable group of the Ugandan society. Generally speaking, an individual is disabled if he or she suffers from a mental or physical impairment that substantially limits a major life activity. Approximately 20 percent of Ugandans have disabilities (UDHS 2006) and PWDs face many challenges because disability in Uganda remains one of the major factors of marginalization and discrimination. Many PWDs lack access to education, food and healthcare and encounter high levels of social exclusion. The denial of PWDs such basics of life amounts to complete discrimination and violation of their human rights and limits their opportunities to equally compete with others in aspects such as employment and political participation.

### 3.4 Albinos

Albinos are recognized as PWDs. These are people who lack pigments in their skin and appear pale. In many parts of the world including Uganda, people with albino condition are often misunderstood, disadvantaged and attacked leading to discrimination and violation of their rights. In some homes, they are kept in hiding and denied access to basic services such as health and education. Often, their lives are in danger because it is believed in some local societies that potions made from their body parts bring good luck and wealth. Thus, they are often hunted and killed. In Uganda, albinos receive protection under the same legislative framework designated for PWDs.

That aside, the Ugandan government has attempted to address the plight of PWDs, first through legislative intervention. Uganda was among the first countries in the world to ratify the Convention on the Rights of Persons with Disabilities (CRPD) in 2007, the convention having only been passed by the United Nations the year before. The CRPD affirms that PWDs are entitled to enjoy all human rights just like other persons.

Uganda has domesticated the CRPD in its constitution and national statutes. Article 35 of the constitution recognises that PWDs have a right to respect and human dignity, while article 32 mandates the government to take affirmative action in favour of marginalized groups including PWDs.

#### **National statutes on PWDs include:**

- The Uganda Persons with Disabilities Act, 2006
- The National Council for Disability (NCD) Act, 2003
- National Policy on Disability, 2006

In addition, the Ministry of Gender, Labor and Social Development is specially mandated to cater to issues of PWDs, and the Local Government Act 1997 designates seats for five members of parliament (MPs) representing PWDs.

### 3.5 Minorities

Minorities are another of the marginalized groups in Uganda. Minorities exist in different identities in human society. There are cultural, ethnic, linguistic, racial, religious, and political minorities. In Uganda, classification of minorities is mostly on ethnic grounds and size in relation to the total population. This classification has limited these groups mainly to the semi nomadic Karimojong and Basongora/ Bahima pastoralists and hunter–gatherers such as the Batwa and Benet. This group of indigeneous minorities suffers particular disadvantages especially those related to use of resources which often results into ethnic tensions and conflicts. The Batwa, for example, who were originally forest dwellers lost their land due to forest conservation by the government. As a result, many were dispersed to neighbouring districts where they have been trapped in poverty due to lack of resources such as land. They suffer hunger, under-nutrition, illiteracy, lack of access to basic health services, social discrimination, physical insecurity, political exclusion and

forced assimilation into the dominant host groups. This mode of life of merely bare survival and chronic poverty is vulnerability and an abrogation of human rights.

With regard to marginalization of the Karimojong, this dates back to the colonial era where colonial governments failed to understand their way of life. They constrained their mobility within newly created state boundaries, and restricted their access to key natural resources. As a result, their ability to manage their livestock effectively has been repeatedly undermined. Attendant to this are high levels of malnutrition, persistent morbidity and massive livestock losses. Thus, many Karimojong have dropped out of pastoralism or have been forced to migrate. Also, the Karamoja region has barely benefitted from investments in technological innovations, infrastructure or social services. As a result of all this, the Karimojong livelihoods system is increasingly vulnerable to external shocks (Oxfam, 2011).

The classification of minorities in Uganda on numerical strength leaves out other forms of minorities such as the Asian and Muslim communities. These two groups are undermined not so much by their weaknesses in number, but by their exclusion from power. For instance, discrimination of Muslims in Uganda began in colonial missionary schools and continued in education and employment. For a long time, Muslims were unable to access quality formal education and work, which translated into political marginalization. This discrimination has played a big role in fostering Muslim dissatisfaction with successive post-colonial governments, some of which has translated into negative social and political violence based on the fact that many ADF rebel youths were Muslims. Today Muslims feel marginalized majorly in the political arena.

That said, issues of minorities in Uganda are not regarded to be of utmost importance at a policy level. A baseline undertaken by the Equal Opportunities Commission (EOC Survey Report on Equity and Equal Opportunities Capacity Gaps for Vulnerable Groups in Northern Uganda, 2010) established that while Government has put in place institutions such as the Equal Opportunities Commission, these lack adequate resourcing to enable them undertake their mandate and thus, issues of minority groups are not sufficiently mainstreamed in development and planning processes. In addition, many persons did not see the need for a different set of policy frameworks or laws for this group, and in fact, there have been attempts to assimilate them into the dominant society, an approach which has impacted negatively on their values and cultural diversity.

Additionally, Uganda lacks a strong legal and policy framework to protect minorities. The government is yet to ratify and implement the UNESCO Convention on Promotion and Protection of Cultural Expression and the International Labour Organisation (ILO) Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries. Similarly, the existing law, the Equal Opportunities Act 2007 lumps minorities together with other marginalized groups leaving them without a legal framework that caters for their specific rights and needs.

It is therefore important for the government to develop a legal and policy framework that protects the rights of all minorities, not only those who are numerically disadvantaged but also those with

limited power and control, so as to adequately protect their territories and resources, cultural identity, right to effective participation as well as right to non discrimination and equality.

### **3.6 The Elderly**

An older person according to the UN is, "one who is aged 60 years and above." There are around 1.3 million people in Uganda above 60 years of age (UDHS 2006)." Age differentiation is important for the purpose of ascribing rights and responsibilities, for example, basic education for the young and pension for the old. However in other cases, it results into discrimination. The old are the most desperate of persons in most communities in Uganda. Most live in rural areas in absolute chronic poverty and heavily dependent on their families or neighbors. This is because they are too weak and sick to perform any productive work. Additionally, many face challenges of isolation and abuse including rape and grabbing of their property.

Uganda's pension scheme which ideally should provide a replacement of income to those that lose their regular income owing to old age, among other grounds, is challenged by poor coverage as less than 5% of Uganda's workforce are covered and these are majorly urban workers. At the same time the scheme is expensive and leaves out workers in the informal sector. Without a non-contributory pension, the majority of older people end up living in abject poverty, with minimal enjoyment of basic life services such as adequate food, quality shelter and access to healthcare.

### **3.7 Women**

Lastly, women are another group of marginalized persons, despite their numerical majority within Uganda's population. Women in Uganda suffer discrimination on many grounds including equality of rights, freedom from abuse, unequal pay and unemployment. Violence against women is a common phenomenon with over 45% of women having suffered some form of abuse by their male partners (UDHS 2006). Maternal mortality is still high as well as abortion related deaths due to poor sexual and reproductive health service provision. Additionally, women in Uganda are still suffering minimal political participation.

The legal framework on gender equality in Uganda is fairly progressive. The constitution prohibits discrimination on grounds of gender. Women's rights are protected in article 32, including freedom from negative cultural and traditional practices. The constitution allows affirmative action for women and in fact guarantees women representation in the national parliament. Further, the Local Government Act 1997 provides for one-third of the seats on each local council to be reserved for women.

Even with these legal guarantees however, women still face challenges. For instance, the constitutionally mandated quota system for political participation is perceived as merely an “add-on” system of affirmative action which has given women a harder task (Cristina Costantini, 2009). The Women members of parliament must represent larger areas, but with inadequate allotments of support both in terms of financial and human resource to run initiatives in their districts, forcing them to use their personal funds to keep up with constituency demands. Additionally, there is widespread confusion about the mandate and roles of Women MPs where many constituents think that Women MPs “champion only women’s issues.”

### **3.7.1 Older Women**

Older women suffer even more discrimination than their male counterparts. As women tend to live longer than men, there are more older women than older men in Uganda. However, older women suffer more violations and discrimination than men. Older women are less likely to remarry after the death of a partner. According to a study on Equal Opportunity and Diversity in 2006, in 2009 only 36% of older women were married compared to 73% of older men. 75% of older women were widowed compared to only 23% of older men.

Widowhood profoundly changes the status of women in Uganda and undermines their security. For older widows, discrimination and being subject to traditional practices such as property grabbing compounds the effects of a lifetime of poverty and gender discrimination. This often results in extreme impoverishment and isolation. Older women are also affected by domestic and sexual violence. It should also be noted that there is a lack of data on older women in Uganda which poses a challenge in assessing the extent to which their rights are being realised.

With regard to the legal framework, age is not recognised as a prohibited ground for discrimination in either the Constitution of Uganda or the Equal Opportunities Commission Act, 2007. However, Article 32 (1) of the constitution of Uganda allows the state to take affirmative action in favour of marginalised groups on various grounds including age. Similarly, the Equal Opportunities Commission Act includes age and gender in its interpretation of treatment with regard to “equal opportunities.”

However the government of Uganda is yet to implement real strategies targeting better welfare for older persons in Uganda.

### **3.7.2 Women and Conflict**

Gender inequalities are exacerbated during periods of armed conflict and continue during post-conflict reconstruction. Both women and men suffer war abuses and traumas, disruptions and loss of resources. The impact of these losses is experienced in different ways and women are often disproportionately affected.

One repercussion of armed conflict is forced displacement. Displacement disproportionately disadvantages women, because it results in reduced access to

resources to cope with household responsibility and increased physical and emotional violence. Displacement often leads to shifts in gendered roles and responsibilities for both women and men. In Northern Uganda during the conflict with the Lord's Resistance Army, it was a common phenomenon for women to take over the role of head of households, giving them more responsibilities of sustaining the home, economic, social and emotional. In particular, younger girls have to assume more responsibilities such as caring for children, the elderly and the sick, along with managing burdensome domestic work.

Also, physical and sexual violence against women continues to be a well-documented feature of armed conflict. Often, women are targets of GBV, resulting into an increased rate of HIV infection, as well as other sexually transmitted infections (STIs), damage to physical and psychological health; disruption of lives; and loss of self-confidence and self-esteem.

Some types of GBV are experienced almost entirely by women and girls during and after conflict, such as forced prostitution and sex work; increases in trafficking for sexual or other types of slavery; and forced pregnancy. Also, the impact of GBV has distinct consequences for women and girls including sexual mutilation; sterility; chronic reproductive/gynaecological health problems; and marginalisation from family and community due to stigma associated with sexual abuse (UN 2002).

### 3.8 Youth

There is no generalized definition of the term "youth." However, according to the 1995 Ugandan constitution, youth is any person aged between 18-35 years. Youth in Uganda, though a numerically superior group, are marginalized. These young people form 60% of Uganda's total labor force. The country's economic growth rate has, however, been insufficient to create adequate employment opportunities to absorb the increasing number of youth seeking employment. This is against the background of a rapidly growing population, whereby, with a 3.2% population growth rate.

Youth unemployment in Uganda is one of the most challenging problems the country is currently grappling with. Uganda's Vision 2040 proclaims the youth as the springboard of the country's development agenda. The unemployment rate among the youth in the country currently stands at 65 percent (Population Secretariat, The State of Uganda Population Report 2014) and it is one of the highest in the world.

The Youth employment index analysis by UBOS 2008 reveals that out of the 100% young graduates who graduate from institutions of higher learning, 5% seek for job opportunities abroad, 10% are absorbed in the formal sector, 37% (20% - young women vs 17% young men) aspiring to work formally end up in the informal sector running small businesses mainly in shopping malls, arcades, artisans and markets while the rest choose to either give up on the search for opportunities of survival or are dependent. **As** a result, an estimated over 2 million literate youths are jobless and a further over 2 million underemployed (GoU, 2013; MoFPED, 2013).

In response to youth unemployment, the Government initiated several job-creation schemes with a specific aim of providing youth with jobs. Some of these schemes include the Youth Capital Venture Fund (YCVF), the Youth Enterprise Capital Fund, the Graduate Venture Capital Scheme and, most recently, the Youth Livelihoods Programme. These schemes are in addition to the youth SACCOs' which Government has also been rolling out. However, these interventions have fallen short of expectation (Makerere University, Economic policy and Research Centre Report (2015). These schemes have remained largely uncoordinated, with government taking a back seat as the commercial banks profit from the altered and high interest rates they charge on those accessing the youth funds. One of the greatest concerns over these initiatives has been the fear that some of the youths who access these loans may be arrested for failure to pay. The other concern has been the fact that commercial banks have over time generated their own list of requirements: including collateral; reduced grace period; 'O' Level education certificate, and guarantors, contrary to the list of requirements provided by government.

The high unemployment rate among the youth poses a security threat to society, as they indulge in unlawful acts to make ends-meet. The World Bank Report of 2008 warned that youth unemployment would be a push factor for youth involvement in crimes and armed rebellion (World Bank 2008). Much as the majority of the crimes are committed by the uneducated category of unemployed youth, however, the effects would also spill over to the educated group. Also, on the other hand, the unemployment problem threatens to result into violations of human rights associated with the lack of avenues for livelihood. These include the lack of access to medical care because of the costs associated with access, which threatens the enjoyment of the right to life; the lack of food and the lack of means to afford decent housing.

### 3.9 Children

Children comprise another group of marginalised persons in Uganda, especially those in need of care and protection as well as those in conflict with the law. Children in need of care and protection are those without any home or settled place, are under no responsible adult care and have no means of subsistence. According to General Comment No. 13 (2011) under UN Convention on the Rights of the Child (CRC), 'neglect' means the failure to meet children's physical and psychological needs, protect them from danger or obtain medical, educational or other services. In Uganda, **street children** is a common example of such children. Children especially from Karamoja are a common phenomenon on Kampala's streets. They are usually homeless and vulnerable, having to beg or steal for survival. Such children are at high risk of exploitation and abuse especially through economic exploitation, forced commercial sex and violence on the streets.

In Uganda, like many other countries, there is a tendency to merge the social welfare system with the criminal justice systems, which jeopardises the rights of vulnerable children in need of care and protection who are instead exposed to more institutionalised neglect. Because it is hard for the police and probation officers to trace the relatives, parents and guardians of lost, abandoned or street children, child victims often end up being bundled with children in conflict with the law.



Similarly, **children in conflict with the law** are particularly vulnerable. These are children who come into contact with the justice system as a result of being suspected or accused of committing an offence. The challenges of children in conflict with the law include ignorance by duty bearers that these children have rights, lack of adequate funding for institutions charged with child care such as rehabilitation homes leading to over congestion as well as mixing adult and child offenders, condemnation, victimization, rejection and discrimination because of what society believes they are. Such children often feel socially excluded. After conflicting with the law, these children are often unwanted by their communities, and are left to grow up on the streets without guidance and support from the adult population. Due to lack of skills, these young people face diminishing job opportunities to sustain a livelihood. This can cause a sense of willingness to return to illegitimate means of sustaining a desired lifestyle which keeps them in a cycle of poverty and reoffending, making them even more vulnerable.

With regard to the legal framework, article 17 of the African Charter on the Rights and Welfare of the Child has very far-reaching enabling provisions on the protection of children in conflict with the law. It specifically provides that such children are entitled to special treatment in a manner consistent with the child's sense of dignity and worth and 'which reinforces the child's respect for human rights and fundamental freedoms of others.'

At the national level, the Constitution of Uganda sets out the rights of Children. It refers to the treatment of 'child offenders', who are to be kept in lawful custody or detention and kept separately from adult offenders (Article 34 (6)). It also states under Article 34 (7) that special protection is to be accorded to orphans and other vulnerable children and one can read into it the need to protect children at risk.

Additionally, the Children's Act contains progressive and enabling provisions on the care and protection of children at risk and in conflict with the law. It states very succinctly that its guiding principle-the welfare principle-is paramount. It makes specific provision on the processes of arrest and charging, pre-trial and post trial detention and hearings, adopting the child rights based approach. The Children Act puts in place crucial guarantees and mechanisms for child care and protection, including Family and Children's Courts, approved homes, a national rehabilitation centre and the Local Council Courts. It also activates the jurisdiction of probation Services, the police, Local Councils (LCs) and Local Council Courts (LCCs) in matters involving children at risk.

### **3.10 Persons Living with HIV/AIDS (PLWHAs)**

HIV prevalence has been rising since its lowest rate of 6.4 percent in 2006. Currently, 7.2 percent of Uganda's population is living with HIV (UNAIDS 2012). This amounts to an estimated 1.4 million people, which includes 190,000 children. An estimated 62,000 people died from AIDS in 2011.

Almost a quarter of people living with HIV in Uganda are part of the education system - either students or staff. Only 39 percent of young people aged 15 to 24 know all the necessary facts about how HIV can be prevented, suggesting a lack of clear sex education. Women in particular are in need of sex education and access to HIV services; HIV prevalence for women is 5.4 percent, compared to 2.4 percent amongst men (UNAIDS 2012). The fact that Ugandan women



tend to marry and become sexually active at a younger age than their male counterparts, and often have older and more sexually experienced partners, places them at an increased risk of HIV.

The government's shift towards abstinence-only prevention programmes, alongside a general complacency or 'AIDS-fatigue' has reduced the practise of safe sex (Human Rights Watch, 2005 "The Less They Know, The Better). It has also been suggested that greater access to antiretroviral drug treatment (ART) reduces people's fear and urgency to get tested for HIV, increasing the likelihood of engaging in risky behaviour.

Persons living with HIV/AIDS face stigma and discrimination by families and local communities. This undermines national prevention and treatment efforts by creating fear of testing.

## Module 4: The role and responsibilities of the Equal Opportunities Commission in redressing imbalances

### 4.1 Objectives

- To explain the structure, role, mandate and powers of the EOC;
- To highlight the Mission and Values of the EOC.

### 4.2 Content

- How is the EOC set up? The law and policy framework
- What is the role and mandate of the EOC?
- What are the mission and values of the EOC?
- What powers does the EOC have?
- What is the structure of the EOC?

#### 4.2.1 By the end of the module participants should be able to:

- Understand how the EOC was set up and the governing policy and legal framework
- Understand the mandate and function of the EOC
- Appreciate the Commission's Mission and Values
- Appreciate the powers that the Commission has in exercise of its duties
- Know the structure of the EOC

#### 4.2.2 Methodology

Brainstorming

Group work

Question and answer

#### 4.2.3 Training Materials

Flipchart and flipchart stand / markers

Masking tape

1995 Constitution of the Republic of Uganda

Equal Opportunities Commission Act of 2007

#### 4.2.4 Time:

2 Hours

#### Activity

The trainer should post the following questions on the wall and ask participants to fill in answers to them.

1. How is the EOC set up?
1. What is the structure of the EOC?
2. What is the role and mandate of the EOC?
3. What are the mission and values of the EOC?
4. What powers does the EOC have?

The trainer should hold a small seminar with guidance from the reference notes below:

### 4.3 How is the EOC set up? Relevant Law and Policy Framework

The Equal Opportunities Commission is set up in accordance with Article 32 (3) of the Constitution. The Commission is a body corporate with perpetual succession and a common seal and may sue or be sued in its corporate name and, may do, enjoy or suffer anything that bodies corporate lawfully do, enjoy or suffer.

The Commission is established in line with and to foster government policy on equality and affirmative action for disadvantaged and marginalized groups in our society. Government has enacted a number of policies with a view of encouraging equal treatment, access and participation for all persons in social, economic and political processes. Some examples of such policies include:

- ✓ **National Equal Opportunities Policy (2006)** focusing on addressing issues and concerns of marginalisation, discrimination, injustice, exclusion, unfairness and inequality in access to resources, services and benefits.
- ✓ **The National Trade Policy** focusing on creating opportunities for equal participation in trade through entrepreneurial development and giving priority to the socially and economically disadvantaged groups in society.
- ✓ **The Judiciary Gender Policy** providing for affirmative action and setting a programme to outlaw customs, traditions and practices that undermine the welfare, dignity and interest of people at the judiciary and those accessing courts especially women who have less access to the judicial services than men in Uganda.

### 4.4 Role and Mandate of the EOC

The role of the Equal Opportunities Commission is specifically provided for by **Section 14** of the Equal Opportunities Commission Act of 2007. The Commission is purposed to monitor, evaluate and ensure that policies, laws, plans, programs, activities, practices, traditions, cultures, usages and customs of: organs of state at all levels; statutory bodies and agencies; public bodies and authorities; private businesses and enterprises; nongovernmental organizations, and social and cultural communities to ensure that they are compliant with equal opportunities and affirmative action in favour of groups marginalized on the basis of sex, race, colour, ethnic origin, tribe, creed, religion, social or economic standing, political opinion, disability, gender, age or any other reason created by history, tradition or custom.

Without prejudice to the above functions, the Commission is mandated to:

- ⇒ Investigate or inquire into, on its own initiative or on a complaint made by any person or group of persons, any act, circumstance, conduct, omission, programme, activity or practice which seems to amount to or constitute discrimination, marginalization or to otherwise undermine equal opportunities;
- ⇒ Examine any law, proposed law, policy, culture, tradition, usage, custom or plan which is likely to have effect of nullifying or impairing equal opportunities to persons in employment or enjoyment of human rights.
- ⇒ Develop, conduct and manage information and educational programs to facilitate and promote public awareness, understanding and acceptance of equal opportunities and treatment in employment, occupation, education and all social services;
- ⇒ Undertake research and organize, coordinate and promote workshops, seminars, conferences and public discussions on equal opportunities and treatment in employment, education, social services or social and cultural construct of roles and responsibilities in society;
- ⇒ Consider such recommendations, suggestions and requests concerning the promotion of equal opportunities as it may receive from any source;
- ⇒ Prepare and publish, guidelines for implementation of equal opportunities and the avoidance of acts, practices, usage, customs, tradition or cultures that undermine equal opportunities;
- ⇒ Monitor the compliance, in Uganda, with the provisions of international and regional conventions, treaties and other instruments to which Uganda is a party, that relate to or are relevant to the functions and objects of the Commission;
- ⇒ Perform such other functions that are incidental or conducive to the above functions.

The Commission may also rectify, settle or remedy any act, omission, circumstance, practice, tradition, culture, usage or custom that is found to constitute discrimination, marginalization or which otherwise undermines equal opportunities through mediation, conciliation, negotiation, settlement or other dispute resolution mechanism. Subject to the above, the Commission may hear and determine complaints by any person against any action, practice, usage, plan, policy programme, tradition, culture or custom followed by any organ, body, business organization, institution or person which amounts to discrimination, marginalization or undermines equal opportunities.

#### 4.5 Mission and Values of the EOC

The mission of the EOC is to give effect to the State's mandate to eliminate discrimination against any individual or groups of persons through taking affirmative action to redress imbalances and promote equal opportunities for all in all spheres of life.

In execution of its mandate the Commission is guided by the following values and principles:

- ✚ **Equality** by promoting equal protection and treatment for all in all spheres of life.
- ✚ **Equity by** ensure fairness and social justice in access, treatment, participation and enjoyment of opportunities.
- ✚ **Justice by** treating all people justly and fairly to enhance their opportunities.

- ✚ **Integrity through** honesty and truthfulness in all its undertakings.
- ✚ **Inclusion by** ensuring that all those discriminated/ marginalized are actively and meaningfully involved in all its programmes.
- ✚ **Diversity through** recognition of the diverse needs and attributes from different individuals and groups of people and sensitivity to differences in sex, age, disability, faith, ethnicity, region, culture and choice.
- ✚ **Accountability** to its stakeholders for all its actions and decisions.
- ✚ **Teamwork** as a united and committed team in order to achieve the EOC set goals and objectives.
- ✚ **Participation** - recognising the right of people to participate in development plans and programmes that affect them.
- ✚ **Accessibility by ensuring** the right of access to or affordable and convenient acquisition or use of a good or service.
- ✚ **Respect for Human Rights** and freedoms in accordance with the Constitution of the Republic of Uganda.

#### 4.6 Powers of the EOC

In the performance of its functions under the Equal Opportunities Commission Act of 2007, the Commission has the following powers:

- a) It has powers of a court in;
  - ✚ requiring the attendance of any person before it
  - ✚ requiring production of any books, papers or documents before it and inspecting, retaining or making copies of the same
  - ✚ requiring any person to make oath or affirmation to answer truthfully all questions put to him/her by any member of the Commission.
- b) The EOC can impose a fine not exceeding one hundred currency points or imprisonment not exceeding nine months or both to a person who commits the following offences:
  - ✚ fails without reasonable excuse to attend in obedience to summons issued by the Commission
  - ✚ fails without reasonable excuse to comply with summons requiring the production of books, papers, materials or documents before the Commission
  - ✚ misbehaves before the Commission, willfully insults the Commission or a member of the Commission, or interrupts the proceedings of the Commission
  - ✚ refuses to be sworn or to affirm or to answer a question when required to do so by the Commission.
- c) It can receive in evidence the transcript of evidence in proceedings before a court or tribunal and draw such conclusions of fact from that evidence.
- d) It can adopt any findings, decision or judgment of a court or tribunal that may be relevant to the proceedings.

- e) It can refer any matter to any other institution, body, tribunal or authority which, in the opinion of the Commission can best handle that matter.
- f) It can recommend to or order any institution, body, authority or person to adopt or take particular steps or action which, in the opinion of the Commission will promote equal opportunities.
- g) It can recommend to any Minister, institution, body or authority to adopt a new legislation which promotes equal opportunity and that recommendation must be implemented within six months from the date of its communication.
- h) It can in writing, delegate to a member of the Commission any of its powers or functions other than this power of delegation.
- i) It has power to establish its operational guidelines and rules of procedure.
- j) Finally, it can request the assistance of any department, bureau, office, agency or person in the performance of its functions.

The Commission however does not have the powers to investigate the following;

- ✓ any matter which is pending before a court or judicial tribunal or is under investigation by another constitutional Commission
- ✓ a matter involving the relations or dealings between the Government of Uganda and the government of any foreign state or international organization;
- ✓ a matter relating to the exercise of the prerogative of mercy; or
- ✓ any matter involving behavior which is considered to be:
  - ✚ immoral and socially harmful, or
  - ✚ unacceptable, by the majority of the cultural and social communities in Uganda

In the performance of its functions, the Commission:

- ✚ may establish its operational guidelines and rules of procedure;
- ✚ may request the assistance of any department, bureau, office, agency or person in the performance of its functions; and
- ✚ shall observe the rules of natural justice.

#### 4.7 Structure of the EOC

As provided in the Equal Opportunities Act of 2007, the Commission comprises five members including a Chairperson, a Vice-Chairperson, at least one person with a disability, a youth and two women. The members of the Commission are appointed by the President with the approval of Parliament. These members are persons of high moral character and proven integrity and possess considerable experience in, and a record of commitment to, matters relating to the promotion of equal opportunities or human rights.

## **Module 5: The Role of Public and Private Institutions in ensuring Equal Opportunities**

### **5.1 Objectives:**

- Identify public institutions responsible for disadvantaged groups and individuals in Uganda
- Identify private institutions responsible for disadvantaged groups and individuals in Uganda
- Explain the mandate and role of each of these institutions in ensuring equal opportunities for the different marginalized groups

### **5.2 Contents of the Module**

Public Institutions - Parliament of Uganda, Administrator General, Equal Opportunities Commission, Uganda Human Rights Commission, government ministries

Private Institutions - Professional Bodies, Labour Unions, Civil Society

#### **5.2.1 By the end of the session participants should be able to:**

- Name both public and private institutions with a role in protecting equal opportunities for different groups in Uganda
- Outline the roles and functions of each of these institutions with regard to protecting equal opportunities

#### **5.2.2 Methodology**

Short seminars  
Group work  
Brainstorming  
Plenary

#### **5.2.3 Training materials**

Flipcharts  
Markers  
Masking tape

#### **5.2.4 Time**

2 hours

There are several institutions, both public and private with a mandate to address the plight of vulnerable and marginalized groups in Uganda. Some of these bodies derive their mandate by law while others are part of civil society. The discussion below highlights

some of these institutions and their role in ensuring equal opportunities for marginalized individuals and groups in Uganda.

### 5.3 Parliament of Uganda

The **Parliament of Uganda**, also known as the legislature is one of the three arms of government. The key role of the parliament is to scrutinize and pass laws for the good governance of Uganda. It works through specialized committees to engage critically with issues and stakeholders before passing laws. Through committees such as that on HIV/AIDS, the committee on Equal Opportunities, that on Gender and the one on Human Rights, members of parliament engage with critical stakeholders such as the Uganda Aids Commission, the Equal Opportunities Commission and the Uganda Human Rights Commission to ensure that Uganda implements agreed standards in compliance with national and international standards. It makes laws that affect the welfare of marginalised groups and monitors the status of these vulnerable groups across the country through review of budgets and accountability of public officials.

For instance, the **Committee on Equal Opportunities** monitors and promotes measures designed to enhance the equalisation of opportunities and improvement in the quality of life and status of all peoples including marginalised groups. It considers the reports of the Equal Opportunities Commission and works closely with ministries such as the one on Gender, Labour and Social Development and specifically the department of Equity and Rights (under the Ministry of Gender, Labour and Social Development) to ensure the welfare of marginalised groups such as women, PWDs and the elderly.

### 5.4 Ministries

Key ministries dealing with issues of equal opportunity include the Ministry of Justice, Internal Affairs and the Ministry of Gender Labour and Social Development.

#### Activity

- ⇒ Divide participants into three groups.
- ⇒ Ask participants to find out the work of each ministry and compare it to the roles of the other two.
- ⇒ Which marginalized groups does each ministry work with?
- ⇒ Under which department is each marginalized group dealt with in the ministry?
- ⇒ Let the participants explain how the work of each ministry assists marginalized groups in Uganda.

### 5.5 Administrator General

The Directorate of Administrator General functions under the Ministry of Justice. It is charged with the administration of properties of deceased persons in Uganda. The Administrator General's



office is engaged when a deceased person did not leave a Will, or where a Will was left but disputes arise in the management or distribution of the deceased's property.

The Administrator General has a role to play in protecting children and especially widows where the deceased parent or husband left no Will. It is common for young children and poor widows to be denied their inheritance rights by relatives who do not want them to benefit from the deceased's estate. The Administrator General plays a role in protecting the rights of such persons by making a determination about who in the deceased's family will administer the deceased's property in order to ensure that the immediate family and dependent relatives benefit equitably from it.

## 5.6 Commissions

There are two main commissions relevant to aspects of equal opportunity. These include the **Equal Opportunities Commission** (discussed elaborately in module One) and the Uganda Human Rights Commission (UHRC). This section will focus only on the Uganda Human Rights Commission.

The **Uganda Human Rights Commission** is an independent constitutional body established under Article 51 of the Constitution of Uganda, 1995. It is an important body in ensuring that the rights of all Ugandans are protected through the application of important human rights standards and cultures. Under Article 20(2) of the constitution, the rights and freedoms of all individuals and groups enshrined under Chapter Four of the constitution shall be respected, upheld and promoted by all organs and agencies of Government, including the UHRC.

The UHRC has a wide mandate under Article 52 of the Constitution. It can investigate at its own initiative or on a complaint made by any person or group of persons against the violation of any human rights. It also plays a key role in visiting prisons and places of detention in order to examine the conditions of the inmates. The UHRC conducts regular research and civic education on thematic areas of human rights and presents an annual status report to Parliament on how institutions are protecting and promoting the rights of all Ugandan citizens.

## 5.7 Professional Bodies

These are organisations established to influence policies in favour of their members. For instance, the **Uganda Medical Association** (UMA) provides a forum where doctors can deliberate on issues that concern their welfare and their professional interests, as well as those of their patients. The Association is important to marginalized groups because it promotes the highest possible standards of medical ethics and advises doctors on patient safety. It also undertakes advocacy on public health policy development, drug policy formulation and protection of rights of doctors and patients' rights. In light of re-emerging and new diseases, UMA encourages research and continuing professional development for its members.

The **Uganda Law Society** (ULS) on the other hand not only works to improve the professional standards of members of the legal profession but also provides subsidized legal services for indigent members of the community through its Legal Aid Project (LAP). LAP implements its work

through countrywide legal aid clinics, a prisons outreach programme and the pro bono legal aid scheme.

## 5.8 Labour Unions

A labour union is a group of workers who form an organization to gain a voice in improving socio-economic interests and rights at workplaces including decent wages and benefits. The most prominent labour organisation in Uganda is the National Organisation of Trade Unions (NOTU) with twenty labour union affiliates. It represents millions of Ugandan workers and community groups in all districts of Uganda. Unions are important for marginalised workers through advocacy for improved wages and working conditions, helping to formulate laws, fighting child labour, establishing mechanisms for solving labour-management disputes and protecting workers' safety and health.

## 5.9 Civil Society

Civil society plays a key role in ensuring the welfare of marginalised groups. It compliments the state in service provision. Through NGOs for instance, citizens are able to access free HIV/AIDS medication, HIV testing and preventive care. Similarly, civil society is particularly important for providing traditionally excluded groups such as women, PWDs and minorities access to power that had been denied them in the “upper institutional echelons” of formal government. Women's organizations, youth organizations and other CSOs representing special interest groups have created channels for the articulation, aggregation, and representation of interests of their members.

Additionally, civil society plays a critical role in monitoring and following up on governments' domestic and international commitments on aspects such as human rights, corruption and democratic governance). This monitoring function ensures that governments implement appropriate public policies and programs in compliance with international obligations (Nanna Thue et al, 2002).

### Activity

- ⇒ Break participants into groups of three members each.
- ⇒ Ask the groups to identify one organization working for the rights of marginalised groups outlined in module 3.
- ⇒ What strategies does each organization employ?
- ⇒ What successes have been achieved and what gaps remain?

## Module 6: The Role and Responsibilities of Citizens in ensuring Equal Opportunities

### 6.1 Objectives

- To explain and understand the role and duties/obligations of citizens in ensuring equal opportunities in Uganda
- To highlight and appreciate the challenges faced by citizens in ensuring equal opportunities.

### 6.2 Content

- Role of Citizens in ensuring equal opportunities
- Duties of Citizens in ensuring equal opportunities
- Challenges and Barriers by citizens in ensuring opportunities

#### 6.2.1 By the end of the module participants should be able to:

- Know and understand the role of citizens in ensuring equal opportunities
- Appreciate the duty or obligations of citizens in ensuring equal opportunities
- Understand the challenges/barriers faced by citizens in ensuring opportunities

#### 6.2.2 Methodology

Brainstorming

Group work

Question and answer

#### 6.2.3 Training Materials

Flipcharts

Masking tape

1995 Constitution of the Republic of Uganda

Universal Declaration of Human Rights

Equal Opportunities Commission Act of 2007

#### 6.2.4 Time

1 and ½ Hours

#### Activity

⇒ The trainer will start the discussion by giving the example below:

Example:

A hospital might decide to provide car parking spaces for disabled patients so that those who cannot use public transport because of their impairment have equality of opportunity in access to treatment. Although non-disabled patients might also want a parking space, they will not suffer the same degree of disadvantage without one.

- ⇒ Then the trainer will ask participants to give other examples of how individuals, institutions and groups may protect equal opportunities of marginalised groups.
- ⇒ The trainer should also pose the question whether the examples given are protected under law?
- ⇒ If not, where does the authority to protect these groups come from?

**The trainer should use the notes below to guide the discussion.**

### **6.3 Role of Citizens in ensuring Equal Opportunities**

Equal opportunity demands and involves taking positive steps to end discrimination, to prevent its recurrence, and to create new opportunities that were previously denied to marginalized groups in society. The responsibility to ensure equal opportunities for all falls on all people in a given society and as such makes them duty bearers to a certain degree as well as rights holders as equal citizens of that society.

Therefore, as both duty bearers and rights holders, citizens have the following roles and obligations in ensuring equal opportunities for all:

- ✓ Recognise and respect the various demographics or categories of persons in any given society and to promote equal treatment, access and benefits.
- ✓ Hold their leaders and other duty bearers accountable in ensuring equal treatment, access and benefits for all with respect to national policy and development opportunities.
- ✓ Actively participate in promotion of equal opportunities in all spheres of social life for all persons.
- ✓ Participate in identifying and dismantling discriminatory barriers in society such as hidden biases in recruitment, hiring, promotion and compensation practices, such as unnecessary job requirements; uneven access to, distribution and enjoyment of public resources and services, among others.
- ✓ Participate in conducting outreach to under-represented persons and minorities in society by targeting respective communities.
- ✓ Instituting and reviewing, mentoring and offering targeted training programs

### **6.4 Duties of Citizens in ensuring Equal Opportunities**

**These are many and wide ranging, and they include the following:**

- ✓ Treat all persons equally and fairly regardless of their race, colour, age, gender, national or ethnic origin, religion, political association, mental or physical disability etc..
- ✓ Report any form of discrimination in relation to treatment, access and benefits with respect to development opportunities.
- ✓ To foster national unity and live in harmony with others;
- ✓ To promote democracy and the rule of law.

### 6.4.1 Challenges /Barriers facing Citizens face in ensuring Equal Opportunities

Citizens are bound to face many challenges or barriers when ensuring equal opportunities. The following are some of them:

- ✓ **Inadequate financial resources:** Implementation of equal opportunity programmes for instance provision of equal health care services for all citizens can be prohibitively expensive. Furthermore, if government seeks equality of opportunity for citizens to get health care by rationing services using a maximization model to try to save money, new difficulties might emerge. For example, trying to ration health care by maximizing the "quality-adjusted years of life" might steer monies away from disabled persons even though they may be more deserving, according to one analysis.
- ✓ **Age discrimination** can present difficult challenges for policymakers trying to implement equal opportunity. According to several studies, attempts to be equally fair to both a young and an old person are problematic because the older person has presumably fewer years left to live, and it may make more sense for a society to invest greater resources in a younger person's health. Treating both persons equally, while following the letter of the equality of opportunity seems unfair from a different perspective.
- ✓ Another difficulty is that it is hard for a society to bring substantive equality of opportunity to every type of position or industry. If a nation focuses efforts on some industries or positions, then people with other talents may be left out. For example, a warrior society might provide equal opportunity for all kinds of people to achieve military success through fair competition, but people with non-military skills such as farming may be left out (Stanford Encyclopedia of Philosophy).
- ✓ Limited opportunities due to a large focus on public sector jobs.
- ✓ Absent/inadequate political will to deal with ensuring equal opportunities
- ✓ Absence of internal policy controls to foster equal opportunities.
- ✓ Lack of information among key stakeholders on issues relating to equal opportunities.
- ✓ Mindset informed by cultural traits.

### 6.4.2 Illustrations on practice to ensure equal treatment and opportunity

- Do not victimize
- Do not discriminate
- Do not harass
- Do not exclude others

Example:

When reviewing the services it provides, a public transport service provider finds that Sunday services are often used by people going to religious services. Reducing the Sunday service would therefore affect the ability of people belonging to certain religious groups to attend those services. The transport service provider considers this evidence along with any other relevant factors, such as the cost of providing the service, when arriving at its conclusions following the review.

Example:

A police authority, when reviewing its policy on hate crime, finds that 68% of all hate crime reported is described as being ethnic. The police authority takes account of the extremely high occurrence of hate crime on the particular local ethnic population in drawing up and implementing its new policy addressing hate crime

## **Module 7: Mainstreaming Equal Opportunities in Development Planning and Budgeting using the Human Rights Based Approach to Development**

### **7.1 Objectives**

- Explore the concepts of mainstreaming, development planning, budgeting and the human rights based approach to development
- Explore the process of mainstreaming equal opportunities in the planning and budgeting processes at local government using the human rights based approach to development

### **7.2 Content**

- Definition of mainstreaming and development planning
- Relationship between mainstreaming and development planning
- The process of mainstreaming equal opportunities in development planning process at lower local government
- Definition of budgeting and human rights based approach to development
- The process of using a human rights approach to development in the planning and budgeting process
- Example of a development plan and budget that has mainstreamed equal opportunities using the human rights based approach to development

#### **7.2.1 By the end of the session participants should be able to:**

- Understand the concepts of mainstreaming, development planning and the human rights based approach to development and their importance in mainstreaming equal opportunities in budgeting and planning processes

#### **7.2.2 Methodology**

Group work

Buzz groups

Brainstorming

Expert Panel Interview

Question and answer

#### **7.2.3 Training materials**

Flipcharts

Markers

Masking tape

Wall space

Public Finance Management Act,



## 7.2.4 Time

3 hours

## 7.2.5 Sequencing

1. Ask participants their expectations.
2. Explore the concepts of mainstreaming, development planning and their importance to ensuring compliance on equal opportunities.
3. Explore the concept of budgeting
4. Explore the concepts the human rights based approach to development in the budgeting process.

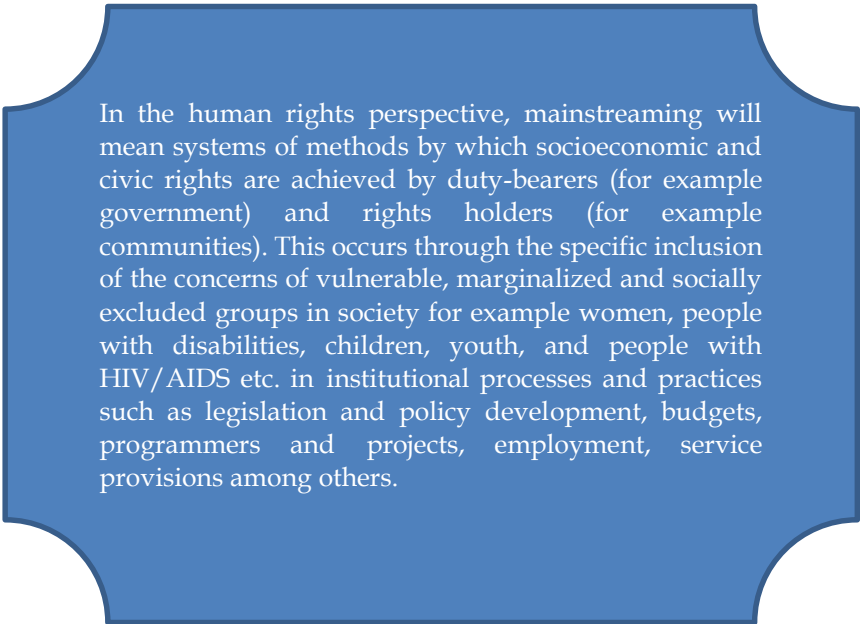
## 7.2.6 Expectations of participants

Ask participants to write down their expectations on VIPP cards and pin them on the wall. Together with the participants group similar expectations to generate a list of consolidated expectations which should be pinned up and re-examined at the end of the session to assess whether the expectations have been met.

## 7.3 Concepts of Mainstreaming and Development Planning

### Activity

Using buzz groups ask the participants to discuss their understanding of the concepts of mainstreaming and development planning. During plenary pick out the key elements in the definitions and discuss the concepts.



In the human rights perspective, mainstreaming will mean systems of methods by which socioeconomic and civic rights are achieved by duty-bearers (for example government) and rights holders (for example communities). This occurs through the specific inclusion of the concerns of vulnerable, marginalized and socially excluded groups in society for example women, people with disabilities, children, youth, and people with HIV/AIDS etc. in institutional processes and practices such as legislation and policy development, budgets, programmers and projects, employment, service provisions among others.

(Source: [http://sun025.sun.ac.za/portal/page/portal/Arts/Departments/political\\_science/research/cicp/Tab](http://sun025.sun.ac.za/portal/page/portal/Arts/Departments/political_science/research/cicp/Tab), accessed on 10<sup>th</sup> June 2015)



(Source: The Local Government Development Planning Guidelines, Uganda Vision 2040)

### 7.3.1 Plenary discussion

The ensuing discussion should include a review of review of the national legal and policy framework on mainstreaming.

- *The Public Finance Management Act, 2015*  
Section 9 (1) of the Act requires all accounting officers to take into consideration gender and equity responsiveness when preparing Budget Framework Papers.
- *National Development Plan II, 2015/16 – 2020/21 & Vision 2040*  
The NDP recognizes the existence of gender inequalities and existence of vulnerable groups and has therefore prioritized promotion of gender equality and women's empowerment and redressing imbalances and promoting equal opportunities for all (NDP Chapter 3, 15) .

### 7.3.2 Some of the action points focusing on promoting rights, gender equality and women's empowerment in the development process are:

- ☞ Mainstream gender and rights in policies, plans and programmes in sectors and local governments
- ☞ Strengthen capacity of stakeholders in social equity and human rights promotion, protection and reporting
- ☞ Promote formulation of gender sensitive regulatory frameworks in all sectors and local governments with a focus on emerging areas of climate change and oil and gas

### **73.3 The following interventions have been identified to reduce imbalances and improve access to opportunities for all:**

- Eliminate discrimination, marginalisation and ensure that all persons have equal opportunities in accessing goods and services.
- Enhance effective participation of the marginalised in social, economic and political activities for sustainable and equitable development.
- Strengthening the capacity of state and non-state actors to mainstream equal opportunities and affirmative action in all policies, laws, plans, programmes, activities, practices, traditions cultures, usages and customs

### **7.3.4 Linkages between Mainstreaming and Development Planning**

Both concepts seek to improve the welfare of people with mainstreaming going further to identify the people as the vulnerable and marginalized. Development planning can be used as a strategy to mainstream the needs of vulnerable and marginalized groups.

### **7.4 Definition of a budget and budgeting**

Using VIPP cards ask participants to write their understanding of the term budget and budgeting. Put up their answers and conclude with definition below:

- ⇒ A budget is a statement that shows funds available, where they are coming from and how they are divided among the different activities (*Capacity Building of Women Councillors, Training Manual*, Royal Netherlands Embassy, Kampala, 2002).
- ⇒ Budgeting is the process of allocating funds available to the different activities in a work plan

#### **7.4.1 Budgeting process**

- ⇒ Using group work participants should give personal experiences of budgeting activities they have participated in and group members should highlight the steps followed and importance of budgeting.
- ⇒ Participants should make their presentations and trainer should note the key steps and ask participants to indicate the order in which they should be followed

#### **Steps to be followed when budgeting<sup>2</sup>**

- List all activities
- List resources available
- Cost the activities
- Prioritise where resources are not enough to cover all the activities

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<sup>2</sup> NAWOU et, al

## 7.5 The concepts the human rights based approach to development (HRBD) in the budgeting process

A human rights based approach to development is one that places human rights at the center of development policies, projects and activities. Vision 2040 provides that over the Vision period, respect for human rights and its fundamental principles shall be at the core of development planning. The approach is characterized by:

- Incorporation of the National Objectives and Directive Principles of State Policy and Bill of Rights as enshrined in the 1995 Constitution and international bill of rights and other human rights treaties that Uganda is party to.
- Government ensuring the integration of the human rights based approach to development in policies, legislation, plans and programs.
- Strengthening the capacity of the duty bearers to respect, fulfill and protect human rights; and that of the rights holders to know, claim and realize their rights.
- Interventions that will respond to the needs of vulnerable and marginalized groups in society shall be prioritized.
- Human rights education shall be integrated to develop the capacity of citizens to undertake informed participation at all levels in line with the principle of equality and nondiscrimination
- Measures will be put in place for implementing and monitoring progressive fulfillment of the rights and obligations.

Rights based approach to development in the budgeting and development planning process would involve a budgeting process that has human beings at its center and seeks to promote and protect human rights. A planning and budgeting process of this nature is participatory in nature and makes provision to ensure that the priorities of marginalized and vulnerable groups are captured and reflected in the budgeting process. It is for this reason that the human rights based approach to development is critical to ensure that equal opportunities are mainstreamed in both the planning and budgeting processes. In summary therefore:

- A HRBA to the budget demands that such choices be made on the basis of *transparency, accountability, non-discrimination & participation* and that these principles should be applied at all levels of the budgetary process.
- A budget influenced by human rights would ensure for example that
  - Primary education is free for all;
  - Budget allocations are prioritized towards the most marginalized or discriminated against;
  - Provision is made for essential minimal levels for all rights;
  - There is progressive improvement in human rights realization; and
  - Particular rights are not deliberately realized at the cost of others (E.g., that health programmes are not compromised by a disproportionate focus on security or debt servicing).

Note:

The trainer should emphasize that mainstreaming does not require additional resources. Instead the mainstreaming should be done with the available resources. For example where a budget has

been allocated for construction of schools, mainstreaming would mean that measures such as building ramps should be catered for within the allocated resources.

### 7.5.1 Expert Panel Interview

Using the expert panel interview ask participants who have participated in the sub-county planning procedures to give an account of how equal opportunities can be mainstreamed in the District Development Plan (for parish participants it should be the planning process at that level).

Give participants time to formulate questions to ask the panelists on the planning process. Where participants are unable to formulate questions, the trainer may give questions in the text box below to the participants to ask the members on the expert panel interview.

- ☞ What are the local government planning procedures?
- ☞ Who attends local government planning procedures and what are their roles?
- ☞ Describe the steps followed during planning at sub-county, parish level?
- ☞ At what stage can activities that seek compliance to equal opportunities be proposed?
- ☞ With whom should one align with to ensure that activities that seek compliance to equal opportunities are selected and included in the parish and sub-county development plan?
- ☞ How should one prepare for effective participation in the local government planning procedures?
- ☞ Why is it important for one to prepare for these procedures?
- ☞ How do the sub-county plans feed into the district plans and the parish plans into the sub-county plans?

Wrap up session by emphasizing key things to note in the sub-county planning process, which should be the answers to the questions in the text box above and discussing the example of a development plan that has mainstreamed equal opportunities using HRBD in the handout.

## Module 8: Advocacy and Lobbying for Equal Opportunities

### 8.1 Objective

- Explore the term advocacy and how to build partnerships that will advocate for equal opportunities

### 8.2 Content

- Definition of advocacy
- Definition of advocacy strategies
- Examples of advocacy strategies
- Definition of partnership building in relation to joint advocacy
- Criteria for selection of strategic partners and advocacy strategies for promotion of equal opportunities
- Examples of strategic partners and advocacy strategies for promotion of equal opportunities

#### 8.2.1 By the end of the session participants should be able to:

- Understand Advocacy and the circumstances around it.
- Choose advocacy Issues within their thematic areas.
- Develop skills in lobbying
- Identify the processes and build skills in advocacy, lobbying and coalitions building

#### 8.2.2 Methodology

Group work

Buzz groups

Brainstorming

Question and answer

#### 8.2.3 Training materials

Flipcharts

Markers

Masking tape

Wall space

Case study

#### 8.2.3 Time

3 hours

#### 8.2.4 Sequencing

1. Discuss expectations
2. Explore the meaning of advocacy and Lobbying
3. Share personal experiences regarding advocacy and Lobbying

4. Outline the context in which advocacy principles have to be applied.
5. The process of advocacy (checklists for evaluating issues, identification of targets through a process of power mapping, deciding on strategies to use and linkages to develop)
6. Strategy development
7. Partnership Building

### 8.2.5 Discuss expectations:

Participants may write out their expectations for this session on VIPP cards. Alternatively, they may just raise their hands and mention their expectations while the facilitator or a volunteer writes them down. Together with the participants group similar expectations to generate a list of consolidated expectations which should be pinned up and re-examined at the end of the session to assess whether the expectations have been met.

## 8.3 Exploring the meaning of Advocacy

Note to Facilitator: An Advocate focuses on an issue or issues and wants a better situation. S/he feels strongly about the issues and is dedicated to make a change. 'Advocates help others realise the need for fundamental policy change and bring people together to influence government, other organisations and the public at large'<sup>3</sup>.

### Activity

In groups, ask participants to read Case study 3<sup>4</sup> and answer the following questions;

#### Questions:

1. What was the strategy that the women used and why do you think they chose that?
2. Why were the women successful?
3. Based on the case study and the brainstorming exercise you had in plenary, what is your definition of advocacy?
4. What steps were used in the story (building blocks)?
5. Do you think the women were successful? Why?

<sup>3</sup> A training of Trainers Manual on Advocacy and Lobbying for Women Leaders in Uganda, African Center for Empowerment Gender and Advocacy (AC-EGA)

<sup>4</sup> Extracted from materials developed by FOWODE as part of materials extracted From SARA/AED Advocacy Training Guide.

### 8.3.1 Plenary Presentation

The groups present main points from their group work on the case study and these are discussed.

#### **Goals and objectives for advocacy**

- ✱ Build support for an issue or cause
- ✱ Influence others to support the cause
- ✱ Achieve change e.g. in relation to legislation
- ✱ Promote an issue or build public awareness
- ✱ Defeat an unacceptable proposal
- ✱ Generate public debate
- ✱ Put an issue on the national agenda
- ✱ Raise resources
- ✱ Shift existing priorities in policy
- ✱ Make people more responsive to your agenda
- ✱ Maintain public demand for your product.

### 8.3.2 Share personal experiences regarding advocacy:

Have a loose session of sharing experiences with regards to advocacy or sharing of issues from various perspectives.

### 8.3.3 Context in which advocacy principles are applied

Buzz Groups: Brainstorm on what the participants should keep in mind when planning to champion a particular issue regarding equal opportunities. How would these things influence their approach? (At most 3 answers per group) [Answers could range around issues of policy, plans and programmes, legal framework of the EOC; to mention a few]

### 8.3.4 The process of advocacy

Present the following checklist for identifying issues. Participants may critique the list and add additional issues.

#### **Criteria for choosing the most important issues**

	The issue	Issue 1	Issue 2	Issue 3	Issue 4
1.	How strongly felt is it?				
2.	How widely felt is it?				
3.	Are there real benefits in the solution?				
4.	How urgent is it?				
5.	Is it non-divisive?				
6.	What chance of success does it have?				
7.	How much money is required for the campaign?				



8.	Does it have a clear target?				
9.	Does it give people a sense of their own power?				
10.	Does it alter power relations?				
11.	Is it consistent with your vision?				
12.	Does it have a convenient time frame?				
13.	Is it a 'respected' issue?				
14.	Is it easy to explain?				
15.	Does it improve leadership?				
16.	Who really benefits; is it their greatest need?				
17.	How does it improve on other situations?				

### 8.3.5 Activity: Formulating an Advocacy Objective

Ask participants to do the following in their groups;

1. List 4 scenarios which illustrate unequal treatment or consideration in the enjoyment of rights and freedoms or access to services for a particular interest group (What do you want to change and what kind of change do you want to make?). It could be access to employment opportunities for disabled persons could be an area for advocacy.
2. Propose a solution for each one of them. (Who will make the change?)
3. Examine the check list on choice of issues provided and apply this to your list of 4 issues then choose the issue you would like to handle. This will form your advocacy objective or the issue from which you will form your advocacy objective.
4. Formulate an advocacy objective that your group considers most critical. (Following the rules for development of objectives in general, an advocacy objective should be SMART, i.e. **Specific, Measurable, Achievable Realistic and Time bound**.)

**Remember, an Advocacy objective will spell out; What** you want to change; **who** will make the change; by **How much**; and by **When**. **Your Advocacy strategy will then spell out how.**

Participants can report back on their group work, or just write down their discussions for further analysis.

**The Facilitator should clarify on the process and steps in advocacy with the following points:**

**As a person with an advocacy agenda, you:**

- ⇒ Have to know your target or objective, which involves making a change in a particular area
- ⇒ At the National level, the Constitution prohibits discrimination on grounds of disability but the constitutional provisions are being violated. Parliament may have to pass a law to operationalize the constitutional provisions. The objective therefore is to target MPs

- (and in particular those that represents disabled persons) to influence Parliament to pass a law to operationalize the constitutional provisions
- ⇒ The First Parliamentary Council which drafts laws for debate in Parliament has the power to decide on the contents of the draft Bill. Therefore the targeted MPs, with the support of technical persons in the FPC should aim at ensuring that the draft Bill comprehensively addresses the concerns of PWDs.
  - ⇒ The group deciding to use advocacy has to plan on how to influence the Parliament or the individuals within it, as well as other people who can influence Parliament. (i.e. it will have to develop a strategy)

## 8.4 Strategy Development

An advocacy strategy is a mechanism for achieving an advocacy objective.

The group then develops a strategy to implement their advocacy objective.

They will mention;

- (i) The issue or situation they are addressing
- (ii) What they would like to achieve, i.e. their objective
- (iii) The mechanism they will use to make the change
- (iv) The actions that will be taken to make a change
- (v) The time frame within which they would like to make a change.
- (vi) The expected outcomes of the change can also be outlined including the ways in which it is going to be measured and sustained (how the change will continue)

### 8.4.1 Types of Strategies

Using group work ask the participants to brainstorm on advocacy strategies they have used, what led to the choice of the strategy and its effectiveness.

After the plenary have a discussion with the participants on the strategies below. The facilitator can ask participants to give examples of instances where the strategies have been used.

- 👉 Pilot or Model Programs
- 👉 Collaboration
- 👉 Protest
- 👉 Litigation
- 👉 Public Education and Media
- 👉 Research
- 👉 Organization and Constituency-Building
- 👉 Persuasion

#### What good strategies should be

- ⇒ **Appropriate**
- ⇒ **Adequate**
- ⇒ **Effective**
- ⇒ **Efficient**
- ⇒ **Sensitive to side effects**

## 8.5 Partnership Building

**In advocacy, it is essential to know the decision makers with power to decide on the outcome of the advocacy objective. These would be the primary targets;**

- ☀ The individuals and groups, which can influence the decision-makers (secondary targets)-influencers.
- ☀ Some of these groups or individuals who are influencers can be opposed to your objective (**opponents**) while others are friendly (**allies**) to your objective.
- ☀ Each of these is important and they must be listed, studied and included in the advocacy strategy. In this way, it is possible to know who will be of help or who will try to prevent realisation of the objective.
- ☀ The process of identifying whom your allies and foes are regarding an objective and what influence or power they have and regarding what issues is called power mapping.
- ☀ A power map should be made for each objective, and based on this, the strategy will outline how each of these people will be influenced and at what stage. This can be done after studying their views and beliefs about the advocacy objective through having discussions with them, reading newspapers and listening to radio, attending meetings of the group you are targeting, researching and gathering information.
- ☀ The strategy will basically determine how to influence the decision makers favorably towards the objectives and how to neutralize opponents and draw support from policy and other environmental factors.

**(Source:** Training Manual for Newly Elected Women Councillors, Akina Mama wa Afrika, 2006)

### Activity

Divide participants into groups and ask them to identify three strategies and three partners with whom to undertake advocacy to promote equal opportunities.

At the end of the session review the expectations with the participants and assess whether they have been met.

## **Module 9: Monitoring and Evaluation Indicators for measuring Equal Opportunities and Preparation of Action Plans**

### **9.1 Objectives**

- Explore the concepts of monitoring and evaluation
- Explain the process of conducting monitoring and evaluation and development of an action plan

### **9.2 Contents**

- Definitions of monitoring and evaluation
- Difference between monitoring and evaluation
- Types and methods of conducting monitoring
- Types and methods of conducting evaluations
- Definition of a log frame
- Definition and purpose of indicators
- Purpose and types of indicators
- Examples of indicators for monitoring promotion and attainment of equal opportunities
- Developing an Action Plan to conduct M&E
- Examples of Action Plans for M&E

#### **9.2.1 By the end of the session participants should be able to:**

- Understand and distinguish between the terms monitoring and evaluation
- Develop and use a log frame
- Prepare and undertake a monitoring mission to monitor equal opportunities compliance

#### **9.2.2 Methodology**

Group work

Buzz groups

Brainstorming

Question and answer

#### **9.2.3 Training materials**

Flipcharts

Markers

Masking tape

Wall space

### 9.2.4 Sequencing

1. Discuss expectations
2. Explore the terms monitoring and evaluation
3. Explore the concept of the log frame
4. Process of preparing for and undertaking a monitoring mission

### 9.2.5 Discuss expectations:

#### Monitoring is:

- A continuous or periodic checking and overseeing at every level of implementation on an activity to ensure that inputs, expected outputs and other required action are going on well according to plan
- A process of observing project process and resource utilization and anticipated deviations from planned expectations
- A continuous process of data processing and information gathering over the life span of a project/activity which allows adjustments to be made and objectives refined.

Source: Alternative M&E Approaches

Participants may write out their expectations for this session on VIPP cards. Alternatively, they may just raise their hands and mention their expectations while the facilitator or a volunteer writes them down. Together with the participants group similar expectations to generate a list of consolidated expectations which should be pinned up and re-examined at the end of the session to assess whether the expectations have been met.

## 9.3 Explore the concept of Monitoring and Evaluation

### Activity

Using group work, ask the participants to discuss and note down their understanding of the term monitoring. During the plenary highlight common phrases and use them to explain the term monitoring making reference to the definition in the text box.

### 9.3.1 Importance of Monitoring

Project participants to assess how far the activities been carried out  
Project participants to determine how the resources are being utilized  
Identify problems or shortcomings in time so that something can be done before they do much harm  
Record accurate information on the project  
Regular feedback on the progress of project implementation and on the problems being faced during implementation  
In a timely manner, the information needed to ensure that a project is implemented efficiently, economically and is  
Achieving objectives

Using group works ask the participants to discuss and note down their understanding of the term evaluation. During the plenary highlight common phrases and use them to explain the term evaluation.

⇒ It provided information on which evaluation is based

### 9.3.2 Types of Monitoring

#### Review

This is monitoring done on a large scale. We need to be able to review how things are done at regular intervals. A review may be internal if it is carried out by the project staff or it may be termed external if it is done by external persons specifically appointed to do it.

## 9.4 Evaluation

### Activity

### 9.4.1 Evaluation

Ask the plenary the and discuss the of evaluation in participants.

### 9.4.2 Types

Depending on there are and those can types of the Basis of

aspects

intervals

- **Timing**

implementation or after implementation of project activities.

Evaluation is:

- ☞ Finding out whether the objective of an activity or piece of work has been achieved and what impact it has made
- ☞ The periodic assessment and review of the extent to which medium and long term objectives of an activity (or program) has been reached
- ☞ An assessment at one point in time that is concerned with the medium and long term objectives of an activity/project or program

### Importance of

participants to share in importance of evaluation reasons on the importance the hand out jointly with the

### of Evaluation

the basis of categorization, various types of evaluation be combined as different evaluation process. categorization:

- **Coverage** – dependent on which of the project are being evaluated and at different of the project life span. – this is done before

- **Who does the evaluation?** An evaluation can be done either by internal or external persons.
- **Input – output relationships** – this type of evaluation determines the relationship between project inputs such as resources (human, financial, implements) and achievements, results, etc attributed to the project.


## 9.5 Logical Framework Approach (LFA)

Begin the session by asking the participants if they have had experience of using the LFA. Select 2 or 3 participants to explain when and how they used the LFA.

The LFA is both a process and a tool for planners and managers. It provides a systematic methodology for programme planning, implementation, monitoring and evaluation. Therefore the LFA and its extension project cycle management has been the main approach used in development programme design. It has also been the dominant influence in programme management and monitoring for a number of years. A tool for understanding the tasks and management functions to be performed in the course of a project or programme's life time.

### 9.5.1 Key Features of the LFA

The basic logic of the LFA is:

Activities    Results    Programme Purpose    Development Objective

The logic is: if you carry out certain activities, you will produce certain results (or outputs or outcomes), and if you produce these results you will achieve your programme purpose (or immediate objective). If you achieve your purpose, your programme especially over a longer term will contribute to a development (or wider) objective. The LFA is particularly applicable in the identification and formulation phases of the project (programme) cycle, and it leads to a presentation of the results of the problem analysis and the identification of objectives in a systematic and consistent way. The two main phases of the LFA are presented in the figure below:



## The Logical Framework Approach

### ANALYSIS PHASE

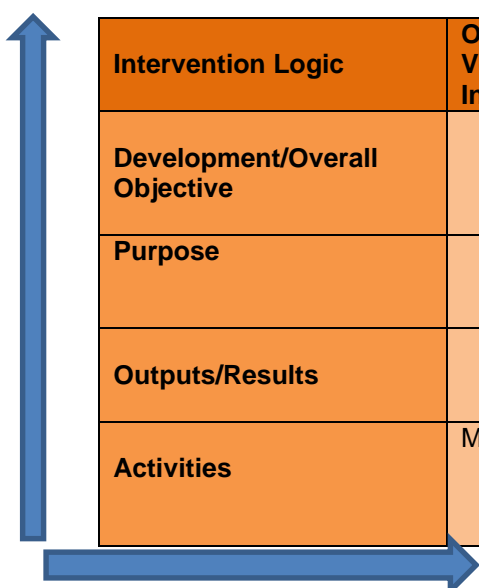
- ↓ **Stakeholder analysis** - identifying & characterising potential major stakeholders; assessing their capacity
- ↓ **Problem analysis** - identifying key problems, constraints & opportunities; determining cause & effect relationships
- ↓ **Objective analysis** - developing solutions from the identified problems; identifying means to end relationships
- ↓ **Strategy analysis** - identifying different strategies to achieve solutions; selecting most appropriate strategy.

### PLANNING PHASE

- ↓ **Developing Logical Framework matrix** - defining project structure, testing its internal logic & risks, formulating measurable indicators of success
- ↓ **Activity scheduling** - determining the sequence and dependency of activities; estimating their duration, and assigning responsibility
- ↓ **Resource scheduling** - from the activity schedule, developing input schedules and a budget

*(Source: Alternative M&E: A Catalogue of Tools and Approaches)*

The products of the analytical process are summarized in a matrix called the Logical Framework Matrix (LFM) which displays the derived objectives in their hierarchical relationship in the following manner:



Intervention Logic	Objectively Verifiable Indicators	Sources of Verification	Assumptions
Development/Overall Objective			
Purpose			
Outputs/Results			
Activities	Means		Costs

### Horizontal logic

The first column is referred to as the **intervention logic**. It consists of:

- ❖ The **Overall Objective** is the higher level objective to the achievement of which the programme contributes. This looks at the long term benefits of the project to society in this case. For example, *to contribute to social justice and legal protection of vulnerable groups in Uganda*

- ❖ The **Project Purpose** ('immediate objective'), is the specific objective that the programme is designed to achieve. The purpose describes the medium term impact of the programme. For example, *to increase access to justice and legal protection of vulnerable groups – particularly women and children through provision of legal advice and representation*
- ❖ The **Results** are what the program will deliver, actual achievements attributed to the project/programme. For example, *an increase in the number of cases received/handled and resolved.*
- ❖ The **Activities** are what the programme will do or the specific work or tasks to be performed within a project or programme. For example, *mediation, negotiation, counseling and court representation*

The second column consists of **Objectively Verifiable Indicators (OVIs)**. They specify the project objectives in operationally measurable terms of quantity, quality, target group (s), time and place. They are defined during the identification and formulation stages and specified in greater detail during implementation based on the needs of the organization or project to allow for effective monitoring. For example, *number of women to whom legal aid services are provided; number of cases resolved.*

**Means** are the inputs necessary for carrying out the planned activities. They should be summarized at the bottom row of the second column. They are specified in more detail when preparing an activity or implementation schedule. Examples of means could be staff, equipment, financial resources, etc.

**Sources of Verification (SoV)** found in the third column, indicate where and in what form evidence is found for progress made in achieving OVIs. They help to test whether or not an indicator can be realistically measured within a reasonable amount of time and at a reasonable cost in terms of money and effort. The sources should be reliable, accessible and up-to-date. SoVs can be progress reports, baseline surveys, monitoring and evaluation reports, etc.

The **Costs** appear at the bottom row of the fourth column. This is usually a summary of the budget and, where necessary, the contribution of each partner specified; for example, the government, donors or beneficiaries.

**Assumptions** are external factors outside the direct control of the project that might influence the achievement of the project's activities, results, project purpose and overall objectives. These factors should be monitored regularly and mitigation strategies should be designed.

### Activity

Using the case study divide the participants into groups and ask them to design a project and formulate, the overall objective; purpose; results; activities.

## Plenary

During the plenary discussion the advantages and limitations of the log frame should be discussed as well. Reference can be made to the handout as well.

## Link between LFM and M&E

Focus		Log frame hierarchy of objectives
Evaluation	➡	Overall objective
Evaluation and review	➡	Purpose
Monitoring, review and audit	➡	Results
Monitoring and audit	➡	Activities and resources

### 9.5.2 Definition and purpose of indicators<sup>5</sup>

Indicators are quantitative or qualitative criteria for success that enable one to measure or assess the achievement of project objectives. They help answer the question of “how much, or whether, progress is being made toward a certain objective

#### Purpose and types of indicators

##### **Qualitative indicators:**

Users’ views and Perceptions,

##### **Quantitative indicators**

Tangible and easy to access- can be observed and counted (e.g. numbers

**Input indicators:** these measure the quantity (and quality) of resources provided for project or programme activities e.g. funds, human resources, training and equipment.

**Process or activity indicators:** these measure the steps taken to achieve an output, and can be used to track progress e.g. Process taken to establish a sector wide policy and planning unit may include ToRs, memos written, number of meetings held with Ministry of Public Service

**Output indicators:** these measure the quantity (and quality) of the goods or services created or provided through the use of inputs e.g. number of cases completed, number of staff trained.

**Outcome and impact indicators:** these measure the quantity and quality of the results achieved through the provision of project or programme goods and services and can include increased public awareness about their rights and duties, improved confidence in the sector, increased levels of accountability and integrity among the staff, improved quality of decisions and increased speed in disposal of cases.

#### Examples of indicators for monitoring promotion and attainment of equal opportunities

Activity

Divide the participants into groups of 5 persons. Ask them to review the mandate of the EOC and develop 2 indicators to

<sup>5</sup> Alternative M&E Approaches: A Catalogue of Approaches and Tools

measure progress on attainment of equal opportunities at three levels: individual, institutional and societal.

The indicators can measure changes or outcomes attributed to the EOC at three levels:

- Individual
- Society
- Institutional

A sample of indicators in the handouts can be discussed in the plenary.

### *9.5.3 Developing an Action Plan to conduct Monitoring*

#### *Activity*

Begin the session by dividing the participants into groups of 4 or 5 persons. The group work requires the participants to prepare an action plan to monitor the effectiveness of the representation of marginalized groups in district councils. **The participants should prepare the action plan addressing the areas indicated below:**

- Purpose of the monitoring mission
- Identify issues to be monitored
- Tools for monitoring/how the monitoring will be carried out
- Persons for consultations
- Process and target groups for information dissemination
- Key actions for follow up

During plenary discussions the trainer should emphasize key steps to be followed in conducting a monitoring mission. Examples of action plans for monitoring are in Annex C

### *9.5.4 Developing an Action Plan to conduct Evaluation*

#### *Activity*

Begin the session by dividing the participants into groups of 4 or 5 persons. Ask the participants to develop an action plan to evaluate compliance to equal opportunities in the delivery of health services at national and regional referral hospitals following the key steps below:

- Developing terms of reference for the evaluation
- Time frame for responding to the call for proposals
- Criteria for evaluation of proposals
- Process of awarding the contract
- Timelines for receiving draft report and concluding the evaluation

## REFERENCES / HAND OUTS

### ANNEX A

#### SESSION 7: MAINSTREAMING EQUAL OPPORTUNITIES IN DEVELOPMENT PLANNING, BUDGETING USING THE HUMAN RIGHTS BASED APPROACH

**Example of a development plan and budget that that has mainstreamed equal opportunities using the human rights based approach to development**

<b>Plan Section 1: Situational Analysis</b>	
Explanation of plan section	<p>Identification of needs, problems and priorities to be addressed by the plan (an analysis of the state of equal opportunities is done at this level)</p> <p>For example the plan could be one developed by the education sector at local government level. The analysis may reflect the following information:</p> <p>The sector lacks policies to promote equal opportunities. The sector is characterized by high dropout rates and absenteeism among girls caused by child marriages, lack of separate sanitation facilities, pregnancies and defilement.</p>
<b>Compliance to equal opportunities (What to look for in the plan)</b>	<p>The plan provides figures on the following:</p> <ul style="list-style-type: none"> <li>- Gender disaggregated data on the number of children enrolling in primary education</li> <li>- Gender disaggregated data on the number of children completing primary education</li> <li>- Gender disaggregated data on the performance of pupils in PLE</li> <li>- Gender disaggregated data on no of teachers</li> <li>- Special needs educational facilities</li> </ul>
<b>Plan Section 2: Goals and Objectives</b>	
Explanation of plan section	States the change the LG would like to make in the situational analysis identified above.

	To improve the girl child enrollment and retention in primary schools and improved access to education for disabled children
<b>Compliance to equal opportunities (</b>	To develop policies to promote equal opportunities in the education sector To develop and implement girl child education initiatives To construct functional special needs educational facilities in all primary schools in District X
<b>Plan Section 3: Strategies</b>	
<b>Explanation of plan section</b>	These are methods of how to address the problems in the education sector
	To develop and implement the Universal Primary Education Policy with emphasis on enrollment of the girl child Conduct community based sensitization sessions on the dangers of child marriages To develop and implement a by-law banning child marriages within the district To construct separate sanitation facilities for girls and boys Undertake a recruitment drive targeting female teachers as role models for the girl child Undertake mobilization campaign with local councils to ensure that both girls and boys attend school Increase enrolment of primary school going children from 30% to 60% Increase girl child enrolment from 5% to 30% in the FY 2015/16 Increase girl child retention from 1% to 20%
<b>Plan Section 4: Budget</b>	This involves determining sources of revenue and allocations/expenditures on planned activities
<b>Budgetary allocations</b>	20% of the District's Education budget is reserved for implementing strategies to mainstream equal opportunities in the education sector 8% of the education budget will go towards making primary schools girl child friendly 2% of the education budget will go towards making primary schools accessible to children with special needs 80,000 girl children are expected to benefit from improved facilities
<b>Plan Section 5: Implementation</b>	This means the use of resources (people, money, equipment) to carry out activities
	SMCs, PTAs and boards of governors will be involved in the implementation of activities
<b>Plan Section 6: Monitoring and Evaluation</b>	This means checking on progress of implementing activities to ensure that the plan is followed and that expected results and impacts are achieved
	Development of indicators to measure progress and impact of the plan on boys, girls and school going children with disabilities District officials, SMCs, PTAs and boards of governors will be involved in the monitoring of the plan

(Source: Adapted from Harmonised Participatory Planning Guide for Lower Local Governments, Ministry of Local Government, 2004).

## **ANNEX B**

### **SESSION 8: ADVOCACY**

#### **TYPES OF STRATEGIES<sup>6</sup>**

##### **Pilot or Model Programs**

Where it is difficult to influence the public agenda, a successful model intervention can demonstrate to government a better way to solve a problem. This strategy was used especially well by the Undugu Society in Kenya. Undugu used an important international meeting to showcase its innovative housing program for the urban poor with influential delegates. By doing this, it pushed government officials to make public commitments in front of the visitors about addressing poverty in urban areas.

##### **Collaboration**

When there is compatibility and agreement between NGOs, grassroots groups and government, then civil society groups are likely to collaborate directly with government to design and/or implement legislation or state services. Similarly, joint citizen-government monitoring initiatives are becoming increasingly common.

##### **Protest**

A demonstration or March relies on numbers and creative messages to gain attention and support. A march of 2,000 people will not usually have the impact of one with 25,000 people. Timing is important. Boycotts are another form of protest often directed at corporations. Vigils and hunger strikes can be less confrontational expressions of protest. Protest is sometimes a tactic of last resort where more conventional strategies of influence fail to open up a policy dialogue.

##### **Litigation**

A well-publicized court case can draw public attention to a problem, and sometimes leads to legal reform or fairer enforcement. Some countries have a legal mechanism called “class-action”. Where this exists, groups of people affected by abuses of power can use a court case to fight for justice collectively.

##### **Public Education and Media**

Education and media strategies build public support, and may influence policymakers. Strategies include providing data, articles and alternative policies to the media, as well as creative messages using music, videos and songs. Alternative media strategies using theatre, posters and pamphlets are especially useful in countries where fewer people have access to radio and television. In some countries NGOs organize public dialogues to discuss issues.

##### **Research**

Positions and proposals based on solid information increase the credibility of advocacy. Research provides the necessary information for planning, message development, policy alternatives, and lobbying. Depending on the methodology used, research can also strengthen alliances, build constituencies, and help develop citizenship skills. Where information is hard to get, research efforts can evolve into “right to know” advocacy campaigns. Advocacy usually benefits from

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<sup>6</sup> The Action Guide for Advocacy and Citizen Participation, Pathfinder International



close ties with sympathetic researchers and policy analysts that give advocates speedy access to facts and analysis in the midst of political battles.

### **Persuasion**

All advocacy must be persuasive to a wide range of people. Persuasion has three main ingredients:

- lobbying - involves attempts to meet face to-face with decision makers to persuade them to support an advocacy issue or proposal;
- clout - gained through the credibility and legitimacy of demands; by showing strength through mobilizing popular support; by working in coalitions and with many diverse allies; by using the media to inform, educate and be visible;
- negotiation - involves bargaining to seek common ground or, minimally, respect for disagreement. It happens between allies, advocates and constituents as well as across the table with those in power. To bargain with decision makers you need to know your own power and your opponent's, as well as what is negotiable, what is not, and what you will do if negotiations fall apart.

### **Organization and Constituency-Building**

The long-term nature of most advocacy efforts demands strong links with constituency groups. Effective advocacy requires alliances between organizations and with key individuals for leverage, legitimacy, and implementation. Organization depends on effective decision making, shared leadership, clear roles, communication, and members and staff with analytical skills and confidence.

A vital component of all advocacy, these strategies are geared to strengthening people's confidence and understanding of power. People's awareness of themselves as protagonists with rights and responsibilities to participate in and transform political processes is the core of active citizenship.

### **Timing: Matching the Strategy to the Moment**

Developing effective strategies requires careful political analysis of ever-changing opportunities and constraints. The following are some specific political opportunities that can be conducive to advocacy.

**Elections** are an opportunity to involve a broad base of citizens in public debate, raise issues, criticize officials and current policy, influence candidates, political parties, and policymakers, and present policy alternatives and people's platforms. The election itself usually happens over a few days. However, you can use advocacy for a year or more before the elections, as well as between elections. Unless citizens keep track of political promises by parties and candidates, and sustain pressure on those who are elected, the gains during elections may not last.

**International events & policy meetings** such as UN conferences, World Trade Organization, and G8 meetings provide opportunities for transnational advocacy and high level dialogue with policymakers that can boost national advocacy. The events can give visibility to alternative perspectives about the impact and process of international policies and demonstrate broad public support for reforms.

**Different stages of law or policy formulation** provides groups an opportunity to voice positions and propose alternatives. But knowing the timeline for review is essential for effective intervention. Some governments have institutionalized their consultations with civil society on particular issues. While this presents important opportunities, over time it can become exclusive of other issues and people. Similarly, when a policy is debated in Parliament or when a new policy is announced, there are opportunities for people to express support or opposition.

**A crime or other highly visible tragedy** can personalize a political problem, and thus generate public attention and demand for a solution. Such tragedies can reveal that marginalized people are more vulnerable to disasters, violence, and exploitation and force decision makers to explore solutions.

## **WHAT GOOD STRATEGIES SHOULD BE**

<b>Appropriate</b>	Will the strategy further your group's vision and mission? Will it make good use of your organization's strengths? Will it fit the community conditions where your group operates? Will your constituency be able to participate? Will it exacerbate or reduce social tensions within the community?
<b>Adequate</b>	Will the strategy be sufficient to address the problem given its magnitude? Does the problem justify the effort and resources you will expend?
<b>Effective</b>	Will the strategy achieve the stated objective? Will the strategy further your mission and address the problem in a reasonable timeframe?
<b>Efficient</b>	Will the strategy make optimum use of the organization's material and human resources? What are the strategy's costs in terms of people's time, energy, and materials in relation to benefits?
<b>Sensitive to side effects</b>	Will the strategy increase demand for basic services or resources? Will the strategy generate resistance due to traditions, religion, etc? How can this resistance be minimized?

How will those in power respond to shifts in social relationships, demands for change, etc?

What will happen if violence breaks out?

Will the negative consequences be counterbalanced by the positive benefits?

## ANNEX C

### SESSION 9

#### **Importance of Evaluation:**

*To find out:*

Whether an activity is making progress towards achieving objectives

What impact has been made on the people (different categories of people).

Whether the impact is positive or negative

Who has benefitted from the activity and who has not and why?

How the situation of the people has changed due to other factors other than the activity

*To assess:*

Whether the objectives are still relevant or whether there is a better way of achieving the objective

Whether the work is being carried out efficiently and what major problems and constraints are being faced

Whether the work is suitable (continue when external support is withdrawn, adopted by other people other than the beneficiaries)

*To make recommendations:*

About how the work could be improved in the short term

About how objectives could be improved

How the work can be improved generally in future and other possible initiatives

## **TYPES OF EVALUATION**

### **I. COVERAGE**

Partial evaluation – this only considers some aspects of the project but not the entire program. For example, an organization may carry out an evaluation of a department or just a few activities

#### *(a) Comprehensive evaluation*

This deals with judging the performance of the entire activities of the project/programs

#### *(b) Mid-term Evaluation*

This is done in the middle of an ongoing project. It is normally done to determine which way the project is heading and if necessary to make an early review before the completion of the project

#### *(c) Ongoing Evaluation (formative)*

This takes place at intervals during the implementation of the project/program. It is mainly to ascertain the continuing validity of the project objectives and designing to review efficiency of the implementation process, timing of the activities, adequacy, nature and timeliness of output

#### *(d) Terminal Evaluation*

This is the analysis of the project/program at about the end of its life to determine its relevance, effectiveness and likely impact. It is normally undertaken by an external evaluation team.

## **II. TIMING**

### *(a) Ex-Ante Evaluation*

This is normally carried out before the activities in a project are undertaken. The essence is to gauge viability and needs assessment to justify the activities.

### *(b) Ex-Post Evaluation (Summative)*

This is normally carried out when the project activities have been completed. This is done to determine the worth of the project in terms of the initially set objectives and goals against the achievements realized.

## **III. WHO DOES THE EVALUATION**

### *(a) Built-in/Self Evaluation*

This is sometimes known as auto evaluation and is normally conducted internally by those directly involved in the execution of the project/program.

### *(b) External Evaluation*

This is normally conducted by individuals outside the implementing organization. For example, staff of the line ministry, central planning authority, donors or consultants.

## **IV. INPUT-OUTPUT RELATIONSHIP OR PRACTICAL ASPECTS OF THE PROJECT**

### *(a) Performance Appraisal*

This may take place anytime during the project. Usually it focuses on three elements of the project at a time (technical, time and cost performance). They also focus on immediate achievements rather than broad project objectives.

### *(b) Audits*

An audit focuses on the financial performance in the project. It is also designed to evaluate the quality of project management handling of project finances. Audits are usually conducted by a specially contracted third party and not project management or donor.

### *(c) Results Evaluation*

This takes place at (or towards) the end of the project. It addresses the question of whether the project outputs have been used to achieve the project's planned objective. It also tests whether the set indicators have been achieved.

### *(d) Cost/benefit Assessment*

This helps to ascertain whether the benefits realized from the project actually justify the resources expended to achieve them.

### *(e) Impact Studies*

These tell us whether the project actually had the desired effect.

## **CASE STUDY 2: Collecting Scrap metals for a Living**

On a daily basis, more than 20 boys aged between 8 and 14 years swarm different scrap business centers in Kibe Zone along Mambule Road in Kawempe Division, Kampala Capital City Authority (KCCA).

The main source of livelihood for these boys is collecting scrap metals and selling it to willing buyers. A kilogramme of scrap goes for U shs. 700. These children have resisted attempts by their parents and relatives to take them back home.

The area Local Council Chairman who is also a mechanic, Charles Kadali, says that at first many garage owners were hostile to the children fearing that they would steal their items. But Kadali saw no harm in allowing the children to eke a living from the obsolete vehicles parked in front of his shop. Later, other members of the community allowed these children to stay around provided they shower and wash regularly.

Twelve year -old Ceaser came from Arua district with his mother to enroll in school. However, he dropped out in Primary Two and ran away from home. Ceasar's troubles started when his father sent him to a drug shop. The boy bought the wrong drugs and to escape his father's wrath, Caesar ran away from home. Like the other boys in this area, Ceaser wakes up before 6.00 a.m. every day to comb every corner of the village picking whatever is considered useless. On average, the boys pick scrap metals worth Ushs. 4,000 - 8,000/= daily. From this, those who can afford pay rent and buy supper which is mainly fried rice. Sometimes the older boys steal the earnings of the weaklings.

Eric, 14 is the oldest in the group and therefore the leader. He came from Jjandira village in Mpigi district. Eric dropped out in Primary Five after losing interest in school. He resorted to picking scrap metals for a living. Unlike his colleagues who sleep in abandoned old cars, Eric stays with his mother in Kyebando. He wakes up very early to join the group to search for scrap metals. With an average daily income of Ushs. 8,000/=:, Eric hopes to save some money to train as a mechanic which costs about Ushs. 500,000. For the time being, Eric has bought a goat and seven chickens which he hopes to sell later to boost his income.

Deus, 13 is from Hoima and dropped out of school in Primary Six, claiming harassment from the parents. He has been sleeping in an old car for one - and half years. Deus occasionally suffers from malaria, headache and stomach upsets. He shares the car with Yusuf 13, who says he just felt bored staying at home in Mityana and decided to find his way to the city.

Apart from selling scrap metals, the boys do petty jobs in the garages like helping the mechanics to cut out spare parts or lift machines. However, some people don't want to pay the boys or pay less than what is agreed upon before doing the assignment. On a bad day, the boys may earn as little as Ushs. 4,000. They also have to contend with some hostile residents. Some boys get knocked down by boda boda riders while others get pierced by sharp object especially those without shoes. Extreme weather conditions are also another challenge to contend with. Some boys have got used to the harsh conditions and never fall sick.

(Source: State of Uganda Population Report 2013).

### **Advantages of the Log frame**

- ☞ During the initial stages of deciding whether to pursue an idea for a programme intervention, LFA can be an effective method for testing the relevance of the proposed programme.
- ☞ It should ensure a review of other programmes with similar objectives in the same target area – through the discussion of assumptions related to external influences.
- ☞ It facilitates a discussion of the potential risks and an assessment of their strengths.
- ☞ The LFM can be (often is) the basis for a contract between a donor and a programme implementing agency.
- ☞ It generates an array of indicators for assessing the progress (achievements and failings) of the programme.
- ☞ It is the basic text for making detailed work plans, terms of reference for supporting consultancy assignments, drawing up budgets and providing a template for progress reports.

### **Limitations of the Log frame**

Given the considerations on M&E in the field of Human Rights and Social Change, it should be clear that conventional M&E approaches, entailing the use of the log frame and precise indicators, can become quite problematic when trying to assess impacts in that field. These are some of the main limitations:

#### **Limited focus on processes**

LFA monitoring systems tend to focus on outcomes rather than on structures and processes. They tend to pay less attention, for example, to tracking the growth of accountability, which is a key component of human rights progress.

#### **Little qualitative data on impact and change**

Conventional M&E systems tend to pay more attention to activities rather than on impacts. For example, a typical monitoring report might measure the number of clients accessing legal aid in a given period without assessing the actual outcomes of the clients' cases and a corresponding improvement in their circumstances.

#### **Concentration on too few actors**

To assess the status of a given right it means that attention must focus on the capacity and effectiveness of duty bearers in discharging their human rights obligations. But a very range of actors should be considered – from government agencies to civil society, from public institutions to private businesses, from individuals to whole communities.

#### **Disproportionate emphasis on short term successes**

Conventional M&E tools focus on short term achievements which can be measured from year to year; yet human rights outcomes are long-term, involving changes in attitudes, perceptions and value systems at individual and societal levels. And the conventional monitoring systems lack tools for measuring the important intangible impact of attitudinal change.

**TABLE OF POSSIBLE INDICATORS**

LEVEL	TYPE	INDICATOR
Individual	Output	<ul style="list-style-type: none"> <li>⇒ The number of individuals who make contact with the equality body and whose inquiries are responded to</li> <li>⇒ The number of individuals supported to take or resolve cases of discrimination or whose cases are heard or mediated</li> </ul>
	Impact	<ul style="list-style-type: none"> <li>⇒ The number of inquiry outcomes that meet claimant expectations.</li> <li>⇒ The number of casework outcomes that meet claimant expectations.</li> </ul>
Institutional	Input	<ul style="list-style-type: none"> <li>⇒ The number of initiatives taken to support employers and service providers to implement good practice and the level of investment in these.</li> <li>⇒ The number of survey or research initiatives implemented to inform policy making and the level of investment in these.</li> <li>⇒ The number of initiatives developed to enable the work of other organisations in promoting equality and combating discrimination and the level of investment in these.</li> </ul>
	Output	<ul style="list-style-type: none"> <li>⇒ The number of organisations, employers which engage with the EOC</li> <li>⇒ The number of organisations, employers stimulated, supported or required to put in place equality policies, procedures and/or practices.</li> <li>⇒ The number of instances when policy makers developing new policy or reviewing existing policy consult the EOC</li> <li>⇒ The number of policy recommendations made by the EOC.</li> </ul>
	Impact	<ul style="list-style-type: none"> <li>⇒ The number of policy recommendations made by the EOC that are taken up by policy makers.</li> <li>⇒ The number of changes made in equal treatment legislation on foot of interventions by the EOC.</li> <li>⇒ The number of casework outcomes that result in new interpretations of the equal treatment legislation in the jurisprudence.</li> <li>⇒ The number of employers and service providers that have developed equality policies, procedures and practices as a result of their engagement with the EOC.</li> <li>⇒ The number of civil society organisations that take new actions to promote equality and combat discrimination within their sector or within society, which have been supported by the EOC.</li> </ul>
		<ul style="list-style-type: none"> <li>⇒ The number of employer and employee organisations that take new actions to promote equality and combat discrimination within their sector or within society, which have been supported by the EOC.</li> </ul>
Society	Input	<ul style="list-style-type: none"> <li>⇒ The number of initiatives taken by the equality body to raise awareness of the equal treatment legislation, the equality body, and equality issues and the level of investment in these</li> </ul>
	Output	<ul style="list-style-type: none"> <li>⇒ Informed media coverage of key messages articulated by the EOC.</li> <li>⇒ The level of participation by the EOC in public debate on the equality, diversity and non-discrimination messages that it has identified as key.</li> </ul>



LEVEL	TYPE	INDICATOR
	Impact	<ul style="list-style-type: none"> <li>⇒ The level to which the EOC voice is deemed to be an authoritative voice by stakeholders identified as key by the equality body.</li> <li>⇒ Initiatives taken by educational establishments, on foot of intervention by the EOC, to enable learning about equality, diversity and non-discrimination</li> <li>⇒ Knowledge of and commitment to the EOC legislation and its key provisions among employers, etc</li> <li>⇒ Knowledge about the EOC among the general public</li> <li>⇒ Knowledge of and engagement with the EOC legislation and its key provisions among organisations representing groups experiencing discrimination</li> <li>⇒ Knowledge of the EOC among groups that experience discrimination</li> <li>⇒ Level of those who perceive that they have experienced discrimination and do not take action in response to this experience</li> </ul>

(Source: Niall Crowley: Processes and Indicators for Measuring the Impact of Equality Bodies: European Network of Equality Bodies).

### Action Plan to conduct Monitoring

Project component to be monitored	Information required	Methods of data collection (how(	Sources of information (from where)	How often	Person in charge
Monitoring compliance to equal opportunities and affirmative action in the delivery of primary education on the district of Kibaale	Access to education by children including the marginalized and vulnerable	Review of school records Interview with school personal Focus group discussions with PTA Focus group discussion with students	School records Members of PTA Representatives of schools Representatives of students	Every 6 months	EOC officer in charge of Research, Monitoring and Evaluation

### Action Plan to conduct an Evaluation

Evaluation problem	Evaluation questions	Evaluation of proposals	Conclusion of evaluation process
Evaluation on compliance to equal opportunities and affirmative action on the implementation of the Youth	Development of the terms of reference which should include the following: <ul style="list-style-type: none"> <li>- Objectives of the evaluation</li> <li>- Evaluation questions</li> <li>- Data required</li> </ul>	<ul style="list-style-type: none"> <li>- Criteria for evaluation based on the technical and financial proposal</li> <li>- Awarding of the contract</li> </ul>	<ul style="list-style-type: none"> <li>- Criteria for selection of team to review of draft evaluation report</li> <li>- Receipt of final report</li> <li>- Key actions for follow up</li> </ul>

Livelihood Program in Mayuge District	<ul style="list-style-type: none"> <li>- Sources of data</li> <li>- Methods of data collection</li> </ul>		
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- Developing terms of reference for the evaluation
- Time frame for responding to the call for proposals
- Criteria for evaluation of proposals and awarding the contract
- Timelines for receiving draft report and concluding the evaluation

