



Equal Opportunities Commission

**ANNUAL REPORT ON THE STATE OF  
EQUAL OPPORTUNITIES IN UGANDA**

**2014**

***“Redressing imbalances and promoting equal  
opportunities for all”***

**JUNE 2015**

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# Equal Opportunities Commission

## **ANNUAL REPORT ON THE STATE OF EQUAL OPPORTUNITIES IN UGANDA 2014**



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## Equal Opportunities Commission

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29<sup>th</sup> June, 2015

The Rt. Hon. Speaker of Parliament,  
The Parliament of the Republic of Uganda,  
P.O. Box 7178,  
KAMPALA.

**RE: EQUAL OPPORTUNITIES COMMISSION ANNUAL REPORT TO PARLIAMENT ON THE STATE  
OF EQUAL OPPORTUNITIES IN UGANDA FOR THE YEAR 2014**

The Equal Opportunities Commission has the pleasure and honor to present its 2<sup>nd</sup> Annual Report on the State of Equal Opportunities in Uganda. This Report covers the Year 2014 and is submitted in fulfillment of Section 24, Subsections (2) and (3) of the Equal Opportunities Commission Act, 2007.

This Annual Report highlights the Performance of the Commission in the first part (Chapters 1, 2 and 3). The second part (Chapters 4, 5, 6, and 7) covers the state of equal opportunities in Uganda focusing on four thematic areas, namely Health, Education, Governance and Employment. Conclusions and Recommendations are highlighted in the 8<sup>th</sup> and last Chapter.

FOR GOD AND MY COUNTRY

RITA S. MATOVU,  
CHAIRPERSON,  
EQUAL OPPORTUNITIES COMMISSION.

# **MEMBERS OF THE EQUAL OPPORTUNITIES COMMISSION**



**RITA SYLVIA MATOVU,  
EQUAL OPPORTUNITIES COMMISSION  
CHAIRPERSON.**



**ZAMINAH MALOLE,  
MEMBER OF COMMISSION**



**PATROBAS SIRABO WAFULA,  
MEMBER OF COMMISSION**



**ERINA BAINGANA,  
MEMBER OF COMMISSION**



**CATHERINE AMAL,  
EOC SECRETARY**

## Foreword

It is with great pleasure that I, on behalf of the Equal Opportunities Commission (EOC), present the 2<sup>nd</sup> Annual Report on the State of Equal Opportunities in Uganda covering the Year 2014. The Report is presented in compliance with Section 24, Subsections (2) and (3) of the Equal Opportunities Commission Act, 2007. The Equal Opportunities Commission (EOC) developed the Report through a consultative process involving the participation of a cross-section of stakeholders from the Ministry of Health, the Ministry of Education, Science, Technology and Sports, Political Leaders at National and District Level and the Ministry of Gender Labour and Social Development.

This Annual Report highlights the State of Equal Opportunities in Uganda focusing on four thematic areas namely: Health, Education, Governance and Employment. It examines the extent to which the responsible sectors for the various aforementioned thematic areas have progressed towards having the same treatment or consideration in the enjoyment of rights and freedoms, attainment of access to social services, education, employment and physical environment or the participation in social, cultural and political activities regardless of sex, age, race, colour, ethnic origin, tribe, birth, creed, religion, health status, social or economic standing, political opinion or disability.

The Commission recognizes the progress so far made by various stakeholders socially, politically and economically in enhancing equal opportunities. Nevertheless, it is also clear that many of the marginalised groups still face challenges in accessing services equitably and equally. Therefore, there is need to redress imbalances identified in this Report and promote equal opportunities for all in an effort to eliminate discrimination and marginalisation.

Equitable sustainable development, creation of wealth and subsequent improvement in livelihoods emphasize non marginalisation and discrimination in resource allocation, power centres, opportunity, access to services and goods on grounds based on an individual person's status including gender or other discriminatory attributes created and perpetuated by history and social economic standing in society. Dedicating efforts to realise the full potentials of Special Interest Groups<sup>1</sup> is instrumental in the achievement of the ending millennium development goals, among other targets, to which Uganda had committed.

The Equal Opportunities Commission is committed to working with all stakeholders to redress imbalances as articulated in this Report and to promote equal opportunities for all so as to realise a society free from all forms of discrimination and wherein all persons have equal opportunities in accessing goods and services.

FOR GOD AND MY COUNTRY



Rita S. Matow,  
CHAIRPERSON,  
EQUAL OPPORTUNITIES COMMISSION

<sup>1</sup> Refugees, internally displaced persons, war orphans, abductees, traumatized civilians, households living near conflict zones, widows and widowers without assets, orphans and abandoned children, Female-headed households, child-headed households, People with disabilities (PWDs), The chronically sick, HIV & AIDS, cancer, etc. sufferers and carers, victims of domestic abuse, ethnic minority groups, street children, Urban poor, urban unemployed, low-paid workers, informal sector workers, beggars, squatters, rural dwellers, rural landless, cash crop farmers, pastoralists, plantation workers, older persons and fish mongers.

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FOR GOD AND MY COUNTRY



Rita S. Matovu,  
CHAIRPERSON,  
EQUAL OPPORTUNITIES COMMISSION

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## **Acknowledgement**

The Equal Opportunities Commission has worked with a number of stakeholders whose consolidated effort has resulted into the successful completion and production of this Annual Report on the State of Equal Opportunities in Uganda covering the Year 2014.

The Commission acknowledges the support of the Government of Uganda for continued funding of the Commission activities with an enhanced budget. Special appreciation goes to the line Ministries, Departments, Authorities and Civil Society Organizations for collaborating with the Commission in the execution of its mandate and in the generation of this second Annual Report in particular.

The Commission further acknowledges Parliament, and in a special way, the Standing Committee on Equal Opportunities and the Committee on Gender Labour and Social Development for their continued guidance and support which have played an instrumental role in the implementation of the Commission's mandate.

The Commission is grateful for the technical and financial support from our development partners, namely; the Democratic Governance Facility (DGF), Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, the Ford-Foundation, and the UN Joint Programme on Gender Equality and Women's Empowerment, whose Financial and technical support has been instrumental in the production of this Report.

Finally, the Commission highly appreciates all the Members and Staff of the Commission whose participation was critical to the successful completion of this Report.

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## List of Abbreviations

AU	African Union
BTVET	Business, Technical and Vocational Education and Training
CBO	Community Based Organization
CDD	Community Driven Development
CDO	Community Development Officer
CEDAW	Convention on Elimination of all Discrimination against Women
CSOs	Civil Society Organizations
DEC	District Executive Committee
DGF	Democratic Governance Facility
ECD	Early Childhood Development
EFA	Education For All
EOC	Equal Opportunities Commission
ESCR	Economic Social and Cultural Rights
ESIP	Education Strategic and Investment Plan
FAL	Functional Adult Literacy
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GoU	Government of Uganda
HIV/AIDS	Human Immune Virus/ Acquired Immune Deficiency Syndrome
HRBA	Human Rights Based Approach
HSSIP	Health Sector Strategic Investment Plan
HSSP	Health Sector Strategic Plan
IA	Internal Auditor
IEC	Information Education and Communication
ILO	International Labour Organization
MDAs	Ministries, Departments and Agencies
MFPED	Ministry of Finance Planning AND Economic Development
MHCP	Minimum Health Care Package
MoESTS	Ministry of Education, Science, Technology and Sport
MoGLSD	Ministry of Gender Labour and Social Development
NAADS	National Agricultural Advisory Services
NCDC	National Curriculum Development Centre
NDP	National Development Plan
NER	Net Enrolment Rate
NFE	Non Formal Education
NGOs	Non-Government Organizations
NRM	National Resistance Movement
NUSAF	Northern Uganda Social Action Fund
PES	Physical Education and Sports
PIF	Project Interest Forms
PLE	Primary Leaving Examination
PMA	Plan for Modernization of Agriculture
PO	Personal Officer

POPSEC	Population Secretariat
PRDPS	Peace Recovery and Development Plan
PRO	Population Relation Officer
PWDs	People with Disabilities
SACCOS	Savings and Credit Cooperatives
SAGE	Social Assistance Grants for Empowerment
SDIP	Social Development Investment Plan
SESP	Secondary Education Strategic Plan
SNE	Special Needs Education
SPO	Senior Personnel Officer
SWAP	Sector Wide Approach
UACE	Uganda Advanced Certificate of Education
UBOS	Uganda Bureau of Statistics
UCE	Uganda Certificate of Education
UDHS	Uganda Demographic Health Survey
UNHCR	United Nations High Commissioner for Refugees
UNPS	Uganda National Panel Survey
UN	United Nations
UNDP	United Nations Development Programme
UNEB	Uganda National Examination Board
UNESCO	United Nations Educational and Scientific and Cultural Organization
UNHS	Uganda National Household Survey
UOBDU	Uganda Organization for Batwa Development in Uganda
USE	Universal Secondary Education
YLP	Youth Livelihood Program

## **Glossary of Terms**

**Affirmative Action:** Deliberate actions, policies ,initiatives taken to redress the imbalances caused by reason or attribute of disability, health status, history, culture, gender, ethnicity, religion, opinion, social economic or cultural standing in line with Art.32 of the Constitution.

**Child:** Person below the age of 18 years.

**Civil Society Organizations:** A very broad range of agencies that are neither fully for profit nor state agencies. Examples include; NGOs, Labour Unions, CBOs and advocacy groups among others.

**Commission:** Means the Equal Opportunities Commission established by section 2 of the EOC Act, 2007;

**Community participation:** Process whereby all members of a community are fully involved in decision making and actions that affect them.

**Community:** A group of people who live in the same area or who have common interests. In a community there are different sub groups of people whose needs and status differs greatly.

**Court:** Means a court of competent jurisdiction;

**Disability:** Loss or limitation of opportunities to take part in everyday life on an equal level with others due to impairment.

**Discrimination:** According to the 1995 Constitution of the Republic of Uganda, to "discriminate" means to give different treatment to different persons attributable only or mainly to their respective description by sex, race, colour, ethnic origin, birth, creed or religion, social, culture, geographical, economic standing, political opinion or disability.

**Discrimination:** denies marginalised groups opportunities, which consequently minimizes their contribution to the development process.

**Employment:** The state of gainful engagement in any economic activity.

**Empowerment:** A process of enhancing people's capacity to participate in their own development. The process involves people being able to make choices and have a say in decisions that affect them.

**Equal opportunities;** means having the same treatment or consideration in the enjoyment of rights and freedoms, attainment of access to social services, education, employment and physical environment or the participation in social, cultural and political activities regardless of sex, age, race, colour, ethnic origin, tribe, birth, creed, religion, health status, social or economic standing, political opinion or disability;

**Equal Opportunity:** Equal opportunities is the process of increasing access and choices of persons, irrespective of their gender, age, physical ability, ethnic background, geographical location or any attribute by widening the platform for making choices for realization of their full potential.

**Equality:** Absence of discrimination in resource allocation, power, opportunity, benefits or access to services on a ground of a person's status including gender.

**Equity:** Fairness and justice in distribution of opportunities, benefits, and responsibilities in society to ensure realization of rights for all.

**Gender:** The social and cultural construct of the roles, responsibilities, attributes, opportunities, privileges, status, access to and control over resources and benefits between men and women, boys and girls in a given society.

**Household Poverty:** Compounded lack of productive assets, tools, poor market access and prices, environmental stress, lack of social network and a state of denial.

**Marginalisation:** The situation of being left at the periphery and thus margin of opportunities, resources, services as well as inability to position particular issues, situations at the agenda of decision making and policy level.

**Minister:** Means the Minister responsible for Gender, Labour and Social Development;

**Older Persons:** People aged 60 years and above.

**Parliament:** Means the Parliament of Uganda;

**Person:** Includes any individual, firm, company, association, partnership or body of persons, whether incorporated or not;

**Poverty:** Lack of basic needs and services such as food clothing, beddings, shelter, paraffin, basic health care, roads, markets, education, information and communication coupled with social insecurity and lack of family networks to absorb risks.

**Sex:** Means the natural state of being male or female.

**Vulnerable:** The state of powerlessness to mitigate individual, household and community shocks.

## **Executive Summary**

### **1.0 Introduction**

In compliance with Section 24 (2) and (3) of the Equal Opportunities Commission Act, 2007, the Equal Opportunities Commission presents its 2<sup>nd</sup> Annual Report on the State of Equal Opportunities in Uganda. The Report highlights the Performance of the Commission and the State of Equal Opportunities in Uganda focusing on four thematic areas in relation to the EOC Five Year Strategic Plan (2013/2014-2017/2018) these are; Education, Health, Employment, and Governance. It examines the extent to which Uganda has progressed towards having the same treatment or consideration in the enjoyment of rights and freedoms, attainment of access to social services in the four thematic areas regardless of sex, age, race, colour, ethnic origin, tribe, birth, creed, religion, health status, social or economic standing, political opinion or disability.

### **2.0 Sources of Evidence**

Both quantitative and qualitative evidence was used to inform the Annual Report on the State of Equal Opportunities in Uganda 2014. Sources of data included; testimonies and concerns from the public, public dialogues, individual written submissions to the Commission, desk researches, EOC studies and field audits, monitoring and evaluation activities.

### **3.0 Major Achievements and Challenges of the Commission**

#### **3.1 The Gender and Equity Certificate**

- i. In the recent Public Finance Management Act (2015) the Commission ensured that a section on the Gender and Equity Certificate was incorporated to operationalise the objective in the budget call circular and section 14(i) of the EOC Act (2007).
- ii. The EOC Launched the 1<sup>st</sup> EOC five year Strategic Plan (2013/2014 -2017/2018). It is based on seven priority thematic areas namely: Health, Education, Agriculture, Governance, Employment, Environment and Institutional Building.
- iii. Recruitment of staff is another achievement registered by the Commission. Ten additional technical staff were recruited. This improved the staffing level for technical staff to sixteen.
- iv. The EOC contributed to the Vision 2040. It related to the youth, women, environment, re-skilling those replaced by machinery/technology and emphasis on agriculture before the oil began to flow.
- v. Out of 216 complaints reported, the Commission concluded 20.4 % of the complaints and referred 14.4 percent to other state organs with follow up. 46.7% of the complaints are being investigated in preparation for hearing.
- vi. The Commission has reviewed the; Disability Bill, Employment Act, Mental Health and Older Person's Act. Currently the Commission is monitoring the

implementation of the ESCR and CEDAW among other programs.

- vii. The Equal Opportunities Commission Regulations (2014) were gazetted. The Regulations are a key tool in the operations of the Tribunal.
- viii. The EOC has rolled out its mandate to cover 23 districts directly. These are; Kumi, Amudat, Kamwenge, Mbarara, Tororo, Nakasongola, Rukungiri, Koboko, Masaka, Wakiso, Gulu, Arua, Abim, Kapchorwa, Kanungu, Kisoro, Kamuli, Mayuge, Busia, Kaabong, Amuru, Bundibugyo and Bushenyi.
- ix. The Commission launched its Tribunal on 25<sup>th</sup> March, 2014.
- x. The Commission carried out a desk review study on the status of recommendations made by various studies on ethnic minorities in Uganda.
- xi. The Commission carried out a Study on the effectiveness of the representation of the Marginalised Groups in the districts of Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.
- xii. The Commission disseminated its 1<sup>st</sup> Annual Report on the State of Equal Opportunities in Uganda covering three Financial Years (2010/11; 2011/12; 2012/13).
- xiii. A monitoring and evaluation framework for two sectors (Education and Health) was developed
- xiv. The Commission carried out monitoring and evaluation on compliance to equal opportunities and affirmative action in the delivery of primary level education in the districts of Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.
- xv. The Commission carried out monitoring and evaluation on compliance to equal opportunities and affirmative action in the Implementation of the Youth Livelihood Programme (YLP) in the districts of Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.
- xvi. The Commission carried out an Audit on compliance with the Local Government Act No. 7/2006 in the districts of Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.
- xvii. The Commission carried out monitoring and evaluation on Access to Government services and programmes by the marginalised groups, the level of involvement in governance, poverty, vulnerability and social exclusion among the marginalised groups in the districts of Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.

- xviii. The Commission carried out monitoring and evaluation on compliance to equal opportunities and affirmative action in the delivery of Health Services at Health Centres II, III, and IV in the districts of Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.
- xix. The EOC has rolled out monitoring and evaluation activities to cover to cover 23 districts. These are; Kumi, Amudat, Kamwenge, Mbarara, Tororo, Nakasongola, Rukungiri, Koboko, Masaka, Wakiso, Gulu, Arua, Abim, Kapchorwa, Kanungu, Kisoro, Kamuli, Mayuge, Busia, Kaabong, Amuru, Bundibugyo and Bushenyi.
- xx. The Commission has used various approaches in awareness creation on equal opportunities and seminars rendered by the Commission to the public especially the vulnerable groups. It has carried out sensitization programmes in various districts on the mandate, functions and powers of the Commission.
- xxi. In addition, District Planners and Political Leaders have been trained on how to mainstream equal opportunities in policies, laws, plans, programs, activities, practices, traditions, cultures, usage and customs.
- xxii. The Commission has held public dialogues with local people in over 21 districts of Uganda to discuss issues of equal opportunities in their localities.
- xxiii. Radio talk shows constitute the other avenue used by the Commission to sensitize the public about topical issues on equal opportunities and services. In this regard, a number of workshops have been organised to sensitize both the public and the vulnerable groups about equal opportunities and rights. As a strategy to ensure and promote equal opportunities for the vulnerable and marginalised groups, the Commission works in collaboration and in partnership with other government bodies and authorities, ministries and None-Governmental Organizations (NGOs).
- xxiv. The Commission trained Parliamentarians who are members to the Sessional Committee on GLSD and the standing Committee on Equal Opportunities.
- xxv. The EOC has rolled out education and training activities to cover to cover 23 districts. These are; Kumi, Amudat, Kamwenge, Mbarara, Tororo, Nakasongola, Rukungiri, Koboko, Masaka, Wakiso, Gulu, Arua, Abim, Kapchorwa, Kanungu, Kisoro, Kamuli, Mayuge, Busia, Kaabong, Amuru, Bundibugyo and Bushenyi.
- xxvi. The Commission organized a 2 day Youth Partnership Conference to obtain understanding of the youth concerns through their representatives before commencing the policy formulation process. The 2 day partnership conference was held on the 5th and 6th December, 2013 at Hotel Africana, Kampala. The participants were drawn from; Equal Opportunities Commission, Hostalite, Youth Development Link, GIZ, Katutandike Uganda, State House and Makerere University.

### **3.6 Challenges**

- i. The proposed Organogram that is suited for the EOC to implement its mandate is not yet approved by Ministry of Public Service.
- ii. Lack of regional offices which limit accessibility to the Commission services. Basing at its secretariat in Bugolobi, the EOC is only able to directly cover a total of 35 districts out of 112 districts.
- iii. Inadequate funding. On its establishment the certificate of financial implication gave the EOC 3.5 Billion UGX; however the Commission does not receive these funds. The Commission now has Strategic plan which demands 11 billion annually against 2.7 Billion allocated to the Commission to cover wage and non-wage.

### **4.0 State of Equal Opportunities in the Education Sector**

#### **4.1 Equitable Accessibility to Education**

- i. The current state of access to pre-primary education reveals that 91% of Uganda's children are not accessing nursery education. There is need for a deliberate effort to invest hugely in Early Child Education in Uganda.
- ii. A regional analysis on distribution of ECD centres shows that the central region has the highest percentage of ECD centres (39%), and North-East region has the lowest percentage (3%). The central region has the highest share of ECD centres due to the fact that the region has the highest number of urban centres and income generating activities.
- iii. There are a total of 18,079 primary schools in Uganda of which 51% are located in Buganda, Ankole and Busoga. Karamoja, Acholi, Bukedi, Elgon, Lango, Teso and Kigezi have the least share of schools. The implication of few schools in a sub region includes among others long distances between pupil's homes and the schools. However, it is difficult to draw meaningful conclusion about equity since the number of schools is not disaggregated by the population of school going children.
- iv. In 2009, Uganda attained gender parity in terms of enrolment. This has been realised almost across the classes. Participation of children from marginalised areas of the country in primary education has continued to improve.
- v. The main reason attributed to school dropout was inability to afford school in terms of fees, scholastic materials and boarding fees among others.
- vi. Many schools across the regions do not have adequate sitting and writing space. However, inadequate sitting and writing space is precarious in Karamoja, Lango, Teso, west-Nile, Acholi, and Bukedi, regions. Although one could argue that this is a one point data and therefore not easy to conclude that there is unequal opportunity in terms of sitting and writing space in schools in Northern and Eastern regions, other sources of information have consistently shown that



those regions exhibit poor indicators over time (UBOS, 2012; UNDP, 2007; Ministry of Finance, planning and Economic Development, 2007; Ssewanyana *et al.*, 2004).

- vii. In the 127 selected primary schools there were a total of 868 permanent classrooms out of which only 34% were disability friendly. This implies that in many of our schools, persons with disabilities are denied access to education. Every structure at school should be disability friendly. The Commission is grateful to contractors who have respected constructions plans.
- viii. In all schools monitored by the Commission in 2014, there were no instructional materials for special needs children.
- ix. Schools do not have capacity to effectively and efficiently handle special needs education complaints. In most schools, there are neither trained teachers nor instructional materials.
- x. Pertaining to infrastructure, a number of schools have blocks that were not disability friendly. There are also a number of instances where the ramps have been washed away by running water. In addition, most of the schools do not have wide doors to allow easy accessibility for learners with wheel chairs.
- xi. In the 127 selected schools, there were a total of 462 latrine blocks of which 34% were for female pupils, 33% for male pupils, 29% for teachers and 4% shared. Out of 1608 latrine stances, only 14.7% were disability friendly.

#### **4.2 Recommendation**

- i. Deliberate effort should be taken to provide access to Early Child Education Centres. Meaningful targets for investment should be set to provide infrastructure of ECD in all regions of Uganda.
- ii. This requires that government provide resources that are lacking in these regions to enable pupils to excel in primary leaving examinations. Such resources include: training, recruitment, and retention of more teachers in disadvantaged areas, provision of scholastic materials and training materials, and building of infrastructure.
- iii. Every physical structure at school should be disability friendly. All classrooms should be accessed by children with disability. The old buildings should be modified to enhance access for pupils with disability.
- iv. Two disability friendly latrine stances (one for females and another for the males) should be constructed and maintained in every school. Hence the monitoring process should consider schools with or without disability latrine stances. This information can then be aggregated at different levels i.e. sub county, district, region and national levels.

## 5.0 State of Equal Opportunities in the Health Sector

- i. The average distance to a health facility in Uganda is 3 kilometers (UNHS 2012/13) and 77% of the Ugandan population lives within a 5 kilometer radius to a health facility (UNHS 2012/13). During the Commission's visits in the hard to reach areas such as Kamion in Kaabong and Bundibugyo, it was found that the only transport means is walking. In addition, a number of islands in Uganda do not have any health facility, for example in Mayuge district, out of seven islands two did not have any health facility while the rest only had Health Centre II.
- ii. All public and private health institutions/ buildings should have wide doors, ramps, rails, and signage for guided movement and accessibility by persons with different physical abilities including the users of wheelchairs. The Commission made an assessment on the physical accessibility within health centres II, III and IV in 15 districts (*Kaabong, Amudat, Amuru, Koboko, Bundibugyo, Mbarara, Bushenyi, Kamwenge, Rukungiri, Mayuge, Kamuli, Busia, Tororo, Kumi, and Nakasongola*).
- iii. During the various assessments and audits conducted by the Commission on accessibility to health facilities in the 15 districts, it was found that very few facilities have accessible toilets, bathrooms and urinals. In some complaints even newly constructed sanitary facilities did not have provisions for ramps yet the architectural plans include them.
- iv. The Equal Opportunities Commission established that the status of some medical equipments were below standard and dangerous to health. In the Health Centres II, III and IV assessed, only a few had disability friendly delivery beds. Most of the available delivery beds are not adjustable.
- v. It was found out that the majority of health facilities were operating below the approved staff ceiling. Consequently, complaints were raised pertaining to the too much work load. In addition, patients have to wait for longer hours to be addressed too. There were a number of instances where patients report at 8:00am in the morning but leave the facility at 2:00pm or even beyond.
- vi. Some health facilities have created unit services for the youths such as youth corners/clinics, youth days as well as outreach training activities. However, in a number of health facilities, there is no single arrangement to address the needs of the youth.
- vii. On a negative note, only Health Centre IVs offer specialized treatment to the older persons. Whereas older persons need medicines to take care of their old age associated with low immunity, health facilities do not receive some of the medicine that would help the older persons. In several instances, older persons are given prescriptions which they cannot afford nor easily find.

## **5.1 Recommendations**

- i. Carry out a needs assessment in all health facilities and develop an implementation plan based on the findings
- ii. Review the drug purchase and distribution list. The distribution of drugs for old age related illness should be made available at least up to Health Centre IIIs
- iii. The Ministry of Health should design specialized sensitization on family planning for ethnic minorities and Karimajong.
- iv. The Ministry of Health in Collaboration with UDIPU should make arrangements for on job training with basics of sign language.
- v. Supervision of constructions should be strengthened to ensure that all constructions are disability friendly.
- vi. The ministry of Health should share the latest versions of approved plans with relevant bodies including the Equal Opportunities Commission for review to ensure their compliance to equal opportunities.
- vii. The District Engineers should be re-addressed on standards of public ramps
- viii. The administration of health centres should budget and implement placement of sign posts for entrances and path ways linking buildings to parkings
- ix. The District Engineers should be re-addressed on standards of public entrances and exits
- x. The ministry of Health should share the latest versions of approved plans with relevant bodies including the Equal Opportunities Commission for review to ensure their compliance to equal opportunities.
- xi. The District should enhance supervision of health facilities and take action where necessary
- xii. Administrators of Health Facilities should be encouraged to offer specialized services to special interest groups
- xiii. The District Engineers should be re-addressed on standards of public toilets
- xiv. The ministry of Health should share the latest versions of approved plans with relevant bodies including the Equal Opportunities Commission for review to ensure their compliance to equal opportunities.

## **6.0 State of Equal Opportunities in Governance**

- i. District councils presented more issues concerning special interest groups as compared to sub county council meetings. At both levels, issues concerning women, the youth and Persons with Disabilities were the most common. Concerns of older persons and ethnic minorities were the most neglected by council meetings at all levels. This is partly attributed to lack of representation.
- ii. Under decision making, only 28 percent of the representatives had been involved in making decisions that concern their respective constituencies. There was no involvement at all among the ethnic minorities. Among the other constituents, the levels of involvement in decision making were low as well.

- iii. 48 percent of the respondents believed that information on development projects and programmes is discriminatively shared. However, on a positive note, for every 100 respondents interviewed, at least 54 were involved in a development project/programme.
- iv. Majority of the marginalised people do not know their respective representatives. Of the total respondents, only 26% knew their representatives at National Level. 35% knew their representatives at district level, while 38 % knew their respective representatives at sub-county. Ignorance of the special interest groups on who represents them is an indication of non effectiveness since it becomes very hard for them to submit their concerns to the right representatives.
- v. Out of 1,032 respondents interviewed, only 36 percent had knowledge on development programmes under their respective constituents. Respondents that had no access to information on government programmes constituted 64 percent. The most known development projects/programmes in their order of popularity starting with the most popular included the following; NAADS, SACCOS, NUSAF, CDD Programme, Youth Fund, PRDPS, NUSAF II and Rural Electrification.
- vi. Very few Ugandans (20%) believed there was increased involvement in social economic development due to representation. There were variations between districts with Mayuge and Bushenyi ranking highest at 28% and 33% respectively. In addition, only 21% of the marginalised appreciated the fact that their recognition in society had improved due to representation.

## **6.1 Recommendations**

- i. Representatives of the marginalised groups should be equipped with basic skills on mainstreaming issues of the marginalised in local government policies
- ii. Gazette specific meetings to discuss concerns of the marginalised.
- iii. Sensitization and empowerment of subcommittees to enable them critically analyze and assess issues of the marginalised.
- iv. Emphasize respect for dignity and integrity to let the representatives of the marginalised freely vote during council meetings.
- v. Participatively Involve Representatives of Marginalised groups in the implementation of the various Policies, programs, projects, actions and activities within the district.
- vi. Representatives of the marginalised should be re-oriented on how best they can ensure that their constituents access them. In addition, the respective constituents should be sensitized on the roles of their representatives rather than asking for favors.
- vii. Representatives of the marginalised should utilize all the available fora to report and advocate for issues that concern the marginalised.
- viii. The representatives of the marginalised should come up with regular programs in which they can inform their constituents on developments among other relevant information.

## 7.0 State of Equal Opportunities in the Employment Sector

- i. The youth livelihood program was designed to operate in such a way that it is easy for others to see what actions are being performed. The 31 groups monitored ranked transparency and accessibility of the youth livelihood project at 89 percent. However, groups whose application did not go through indicated that the procedures used lacked transparency which made accessibility to the program hard. In some instances, influence of the council could not be over powered.
- ii. The youth livelihood project was designed to up light and benefit the poor. However, during the monitoring exercise, findings revealed that it was very hard for the very poor to benefit from the program. This was attributed to the high cost of opening and registering groups. It was noted that on average groups spent between 300,000 Ugx and 700,000 Ugx to accomplish all the processes of group registration. Consequently, the various groups held initial meetings in which resources to meet the registration costs were mobilized. Those that could not make the agreed contribution were eventually eliminated from the groups and majority of these included the very poor who are the primary target of the program.
- iii. Youth that were benefiting were optimistic that the program will help in addressing the youth unemployment only if the various groups are able to pay back the grant in time to benefit other youth. During the various discussions, it was noted that majority of the youth had confidence that the money will not be paid back. This needs to be addressed otherwise it can be a dangerous ground of causing laziness and non commitment.
- iv. The youth expressed their gratitude for the fund whose efficiency was appreciated with a performance rating of 83 percent. However, in some of the groups monitored, the businesses set up where far much below the fund given. In other instances, not more than three members had knowledge on the details of what was going on in the group. There were a few stage managed projects most of which had been in place for two years and above. It is important for the Ministry of Gender Labour and Social Development to Investigate tendencies of kick backs at sub county level.
- v. Over 80 percent of the beneficiaries were positive that the initiated ventures will be sustained even without additional grants. Whereas UBOS surveys indicate that over 70 percent of the small businesses started in Uganda collapse after one year, the youth reported that they have been oriented and guided by the technical officers and that they will be able to overcome obstacles that fail young businesses.
- vi. Relevancy of the fund was ranked at 89 percent due to the fact that unemployment remains one of the big challenges among youth and it is believed that the youth livelihood program will make instrumental contribution to its reduction.

- vii. All the 31 groups monitored had a re-imbursement plan but in-depth discussions revealed that youth were confident that the funds availed to them were not to be paid back.

## **7.1 Recommendations**

- i. The Community development officers should regularly monitor approved groups and report any inconsistencies identified.
- ii. Employed youth should be denied access to youth groups such that those who are unemployed are given chance.
- iii. Youth that have benefited from previous projects should not be given priority such that other youth can also benefit.
- iv. At least 3 Percent of the total budget should be earmarked to Youth With Disabilities.
- v. Involve leaders to encourage group to be committed to refunding the loans such that other youth that were left out can also subsequently benefit.
- vi. Districts should organize their own annual performance reviews on the Youth Livelihood Program.

## **8.0 General Conclusion and Recommendations**

### **8.1 Conclusion**

The Constitution of the Republic of Uganda and other relevant laws provide for the promotion and protection of the rights of marginalised groups and vulnerable people. It is commendable that the government and other stakeholders have made some effort to attain equalization of opportunities and affirmative action for the marginalised. Nevertheless, a lot remains to be done to improve access to services and opportunities for the vulnerable and marginalised. Therefore, the recommendations made in this Report should feed into the policies, programmes, plans, activities, practices and usages of both public and private entities for the purpose of improving the situation of the marginalised and vulnerable people.<sup>2</sup>

### **8.2 General Recommendations**

- i. Government of Uganda should come up with a minimum wage. A minimum wage is the lowest monetary value which may be paid to a worker at a particular point in time. Being the lowest monetary value, a minimum wage provides a basic social protection floor to help safeguard incomes and living conditions of workers and their families who are considered most vulnerable in the labour market.
- ii. The Ministry of Local Government should consider filling up vacant posts in the areas of Health and Education to improve on the staffing levels especially where

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<sup>2</sup> Ref. Section 15 (4)(b) EOC Act, 2007.

- the performance is below 40%.
- iii. There is need to build future capacity of the District Councilors and Technical staff on the HRBA. This will enable them to appreciate equal opportunities and affirmative action, especially in the lower local government structures.
  - iv. There is need to enhance women empowerment by encouraging them to compete for responsibilities at senior level.
  - v. The Office of the Prime Minister should enhance close monitoring of all government projects and programmes to improve project performance and service delivery in the long run.
  - vi. UBOS should take lead in building capacity at both Central and Local Government for production of disaggregated statistics that could guide planning at all levels.
  - vii. UBOS statistics should be able to indicate hard to reach areas to guide other responsible MDAs (Finance & Public Service) in providing incentives to specific categories i.e. Health workers and Teachers to enhance service delivery. **Note:** The Ministry of Education and Sports should establish schools which are accessible and have curricula and provisions for pupils with Disabilities.
  - viii. Government should intensify the implementation of poverty eradication programs in rural areas and urban areas with special attention to ethnic minority groups like the Batwa, Beheet, Basongora etc.
  - ix. The Uganda Bureau of Statistics in collaboration with all line ministries, Departments and Agencies should guide Harmonized desegregation of indicators by Regions. It has been noted that beyond the five traditional regions in Uganda (Northern, Eastern, Southern, Central, and Western) some ministries report using customized breakdowns. This makes comparison of data from different sectors difficult.
  - x. Sectors should come up with commitment plans with clear targets to provide equal access to services in all the regions of the Country. This can be done through affirmative action.
  - xi. Sectors should identify the neediest categories or regions in relation to their mandate such that more resources are allocated were the neediest are located.
  - xii. The Ministry of Gender Labour and Social Development should roll out the SAGE programme to all districts in the country. Currently, the SAGE programme is being implemented in 15 districts out of 112 districts that constitute the county. The SAGE program was communicated in 2009 as an initiative by Government of Uganda together with donors to start paying money to the older persons and vulnerable families in 15 districts. Each older person was to be given 25,000 shillings per month. The estimated population for older persons is 1,481,600 (male 664,200; female 817,400) which translates into 4.2 percent of the National Total Population. At a rate of 25,000 shillings per month per older person government needs 444.48 billion Uganda Shillings annually.

# **CHAPTER ONE**

## **GENERAL INTRODUCTION**

### **1.0 Introduction**

In compliance with Section 24 (2) and (3) of the Equal Opportunities Commission Act, 2007, the Equal Opportunities Commission presents its 2nd Annual Report on the State of Equal Opportunities in Uganda covering the Year 2014. This Annual Report highlights the Performance of the Commission in the first part (Chapters 1, 2 and 3). The second part (Chapters 4, 5, 6, and 7) covers the state of equal opportunities in Uganda focusing on four thematic areas in relation to the EOC Five Year Strategic Plan (2013/2014-2017/2018), namely Health, Education, Governance and Employment. Conclusions and Recommendations are highlighted in the 8th and last Chapter. It examines the extent to which Uganda has progressed towards having the same treatment or consideration in the enjoyment of rights and freedoms, attainment of access to social services in the four thematic areas regardless of sex, age, race, colour, ethnic origin, tribe, birth, creed, religion, health status, social or economic standing, political opinion or disability.

The Report is structured into eight chapters. Chapter one constitutes the general introduction which reflects the theme of the Report, background of the Equal Opportunities Commission and the methodology used to obtain information contained in this Report. Chapter two gives an understanding of equal opportunities and explains the various categories of marginalised groups in Uganda, concerns of the special interest groups relating to discrimination and inequalities, sources and nature of vulnerability. Chapter three presents a summary of the performance of the Commission in the year 2014. Chapters four to seven provide an in-depth analysis of the state of equal opportunities in the four thematic areas that include; Health, Education, Governance, and Employment. Chapter eight concludes with a set of recommendations to eliminate discrimination and inequalities.

### **1.1 Sources of Evidence**

Both quantitative and qualitative evidence was used to inform this Annual Report on the State of Equal Opportunities in Uganda 2014. The key sources of quantitative data used are nationally representative. Quantitative data sets were analyzed using descriptive statistics to examine the patterns on the state of equal opportunities in Uganda. Sources of qualitative data included; testimonies and concerns from the public, public dialogues, individual written submissions to the Commission, desk researches, EOC studies and field monitoring and evaluation activities.



## **1.2 Mandate of the Equal Opportunities Commission**

The Equal Opportunities Commission (EOC) is a constitutional body established by the Equal Opportunities Commission Act, 2007

*"to give effect to 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, and take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them; and to provide for other related matter" (EOC Act, 2007).*

## **1.3 Functions of the Equal Opportunities Commission**

The functions of the Commission are spelt out under section 14 of the EOC Act (2007). In brief these are; to monitor, evaluate and ensure that policies, laws, plans, programs, activities, practices, traditions, cultures, usage and customs of: organs of state at all levels, statutory bodies and agencies, public bodies and authorities, private businesses and enterprises, non-governmental organizations, and social and cultural communities, are compliant with equal opportunities and affirmative action in favor of groups marginalised on the basis sex, age, race, colour, ethnic origin, tribe, birth, creed or religion, health status, social or economic standing, political opinion or disability or any other reason created by history, tradition or custom.

## **1.4 The Composition of the Commission**

The composition of the Commission is provided for under Section 5 of the EOC Act, 2007 which stipulates that the Commission shall consist of five members, namely; a Chairperson, Vice-Chairperson, at least one person with a disability, a youth and two women. Currently, the Commission is composed of the Chairperson and three Members who were appointed by the President with the approval of Parliament and these are; Mrs. Rita S. Matovu (Chairperson); Mrs. Erina Baingana (Member), Ms. Zaminah Malole (Member), Mr. Patrobas Sirabo Wafula (Member). The Vice Chairperson has not been appointed to date.

## **1.5 EOC Secretariat**

The Commission Secretariat is headed by the Secretary to the Commission Ms. Catherine Amal who is also the Accounting Officer. The Secretariat consists of four departments namely; Legal Services and Investigation, Administration and Finance, Research, Monitoring and Evaluation, and Education, Information and Communication. Plans are under way to establish a fifth department of Compliance and Reporting.

## **1.6 Powers of the Commission**

Under Section 15 of the EOC Act, 2007, the Commission has powers; to issue summons or other orders requiring the attendance of any person before the Commission and the production of any document or record relevant to the investigations by the Commission, to question any person in respect of any subject matter under investigation before the Commission, and to commit persons to prison for contempt of its orders. The Commission does not investigate any matter which is pending before a court or judicial tribunal or a matter involving relations or dealings between the government of Uganda and a government of a foreign state/ International organization or a matter relating to the exercise of the prerogative of mercy.

## **1.7 EOC Vision, Mission, Values, Goal and Strategic Objectives**

### **1.7.1 Vision**

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.

### **1.7.2 Mission**

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.

### **1.7.3 Strategic Objectives of the Commission**

The Commission is implementing a Five Year Strategic Plan (2013/2014 -2017/2018) which focuses on seven thematic areas: Health, Education, Agriculture, Governance, Employment, Environment, and Institutional Building. The Commission launched and shared the Strategic Plan with key stakeholders: Members of Parliament, MDAs, CSOs and the Private Sector. The focus of the Strategic Plan (2013/2014–2017/2018) is derived from the constitutional mandate of the Commission; its vision and mission; the situational analysis of issues related to equal opportunities and the strategic framework provided by the National Development Plan 2010/2011 – 2014/2015, the NRM Manifesto 2011-2016, the Social Sector Strategic Development and Investment Plan I & II, the EOC Policy (2006), and the EOC Act (2007). The overall Goal of the Commission for the Five Year period (EOC Strategic Plan 2013/2014-2017/2018) is “equal opportunities for marginalised groups promoted in social economic and political spheres”. Strategic objectives for the period of the Strategic Plan are linked to thematic areas as indicated in Table 1.1

**Table 1.1: Thematic areas, Strategic Objectives and Key Result Areas (2013 /14– 2017/18)**

Thematic Areas	Strategic Objectives	Key Result Areas
Health	1 Equitable access to health services by marginalised groups enhanced	1.1 Accessibility issues in the health sector identified and strategies for addressing them developed 1.2 Guidelines for ensuring accessibility developed and disseminated to the relevant stakeholders 1.3 Public awareness and access to health services promoted.
Education	2 Equitable and all inclusive quality education promoted	2.1 Compliance to education standards monitored and reports disseminated 2.2 Compliance to appropriate physical accessibility in education facilities audited. 2.3 Implementation of inclusive education policy in teacher training colleges monitored and evaluated. 2.4 Selected education policies and gaps identified.
Agriculture	3 Equitable access to NAADS programme by marginalised groups promoted	3.1 Access to NAADS by the marginalised people audited.
Governance	4 Effective Participation of the marginalised in decision making processes strengthened	4.1 Public awareness and understanding of civic duties and responsibilities of a citizen with a focus on inclusion promoted 4.2 Marginalised groups empowered to participate in decision making processes
	5 The Capacity of state institutions and other partners to mainstream Equal Opportunities and Affirmative Action in favour of marginalised groups strengthened	5.1 EOC Tribunal operationalized 5.2 Systems and Practices in selected public and private enterprises audited 5.3 National policies, laws and plans reviewed to assess compliance with Equal Opportunities
	6 Access to equitable economic and social justice for marginalised groups enhanced	6.1 EOC Tribunal operational 6.2 Practices in selected public and private enterprises audited for compliance with equal opportunities
Employment	7 Equal opportunity and treatment in employment promoted	7.1 Existing laws and policies on employment reviewed 7.2 Complaints received and handled appropriately
Environment	8 Protection of citizens from the adverse effects of displacement enhanced and access, use and protection of natural resources and public spaces promoted	8.1 The extent and nature of displacement of citizens due to mineral/oil exploration or natural disasters established and guidelines provided for safe and dignified relocation of citizens 8.2 The level of compliance to environmental standards by industries established 8.3 Public spaces in urban and rural areas protected
Institutional Building	9. The capacity of the Equal Opportunities Commission to implement its mandate strengthened	9.1 A strong and coherent administrative and management system in place

# **CHAPTER TWO**

## **UNDERSTANDING EQUAL OPPORTUNITIES**

### **2.0 Introduction**

The concept of equal opportunities hinges on having the same treatment or consideration in the enjoyment of rights and freedoms, attainment of access to social services, education, employment and physical environment or the participation in social, cultural and political activities regardless of sex, age, race, colour, ethnic origin, tribe, birth, creed, religion, health status, social or economic standing, political opinion or disability (*Concept Paper on Equal Opportunities, 2000*). The chapter explains the policy, legal and institutional framework for delivering equal opportunities in the country, the various categories of marginalised groups, concerns of the special interest groups relating to discrimination and marginalisation, sources and nature of vulnerability.

### **2.1 Policy, Legal and Institutional Framework**

The Government of Uganda is committed to uplifting the welfare of the marginalised, the discriminated against and the vulnerable groups. This is evidenced by the various policies, legal and regulatory frameworks targeting to enhance their participation in the development processes and promotion of access to services.

#### **2.1.1 Policy Framework**

There are a number of policies that relate to equal opportunities in Uganda;

- (i) The National Youth Policy 2004  
The policy provides an appropriate framework for enabling the youth to develop social, economic, cultural and political skills so as to enhance their participation in the development process and empowerment.
- (ii) The National Orphans and Other Vulnerable Children Policy 2004  
The National Orphans and Other Vulnerable Children Policy 2004, provides a framework for equal enjoyment of opportunities and responsibilities for orphans and other vulnerable children.
- (iii) The National Equal Opportunities Policy (2006)  
The National Equal Opportunities Policy (2006) is the basis for implementation of equal opportunities in Uganda. Among others, the policy emphasizes enhancement of; participation of the marginalised groups in the development processes; employment and income of the marginalised groups; access to reproductive resources and land; and access to justice, education and health services.
- (iv) The National Policy on Disability 2006  
This policy aims at promoting equal opportunities for enhanced empowerment, participation and protection of the rights of PWDs. This is in recognition of the fact

that PWDs can perform to their full potential given favorable conditions and opportunities irrespective of their social, economic or cultural background.

- (v) The Social Sector Strategic Development & Investment Plan (2011/12-2015/16)  
The Social Development Sector (SDS) promotes community level action to reduce poverty and promote the rights of the poor, vulnerable and marginalised groups. The SDIP II restates government's commitment to achieve growth with equity and sets out targets and strategic results in five thematic programme areas of community mobilization and empowerment, social protection for vulnerable groups, labour employment and productivity, gender equality and women's empowerment and institutional capacity development.
- (vi) The Uganda Gender Policy 2007  
This Policy gives guidance and directs planning, resource allocation, implementation of development programs using a gender perspective. Both men and women are targeted with emphasis laid on women participation in decision making, resource management, land ownership and a shared responsibility on all family matters.
- (vii) The National Policy for Older Persons 2009  
This policy provides a planning frame work with priority action areas to support, mobilize and empower older persons' participation in economic growth and social development process. It lays emphasis on the importance of protecting older persons from risks and repercussions of livelihood shocks by overcoming constraints that impede the development of their productive capacities.
- (v) The National Development Plan (2010/2011-2014/2015)  
The Uganda National Development Plan was developed using a Human Rights Based Approach (HRBA) focusing on human dignity as a central factor in the development process of the country. Social development involves sensitization and mobilization of the citizenry to equitably participate in national development. The Uganda social development agenda is currently configured around; social protection, community mobilization and empowering gender and human rights and culture for development. These thematic areas are approached using varied objective issues that encompass human development. The objectives include;
  - a. To develop and nature a national value system,
  - b. To promote positive cultural values, norms and practices,
  - c. To expand social protection measures to reduce vulnerability and enhance the productivity of human resources,
  - d. To promote gender equality and women empowerment by ensuring equitable access to opportunities and participation in development initiatives, and
  - e. To strengthen the institutional capacity for the social development sector.
- (vi) The Equal Opportunities Commission Strategic Plan 2013/2014-2017/2018  
The National Equal Opportunities Policy (2006), the National Development Plan 2010/11-2014/15, the Social Sector Development Investment Plan II and NRM Manifesto 2011 inter alia informed the development of the Five Year Equal Opportunities Commission

Strategic Plan 2013/2014-2017/2018. The Commission's Strategic Plan is geared towards the attainment of the broad Commission strategic priorities.

The Commission's strategic priorities are: (i) to audit the mainstreaming of equal opportunities in the planning process, implementation of programmes and allocation of resources; (ii) to develop guidelines for mainstreaming equal opportunities in the selected sectors; (iii) to empower marginalised and vulnerable groups for their increased participation in all development processes; and (iv) to enhance capacity of implementing agencies to provide quality services in compliance with equal opportunities.

### **2.1.2 The Legal and Regulatory Framework**

The overall Legal and Regulatory Framework of EOC is derived from the Constitution of the Republic Uganda 1995 (as amended), the Equal Opportunities Commission Act 2007, international and regional conventions, treaties, protocols and declarations to which Uganda is party that relate to or are relevant to the functions and objects of the Commission. Some of the provisions relating to equal opportunities from the International and Regional Instruments are;

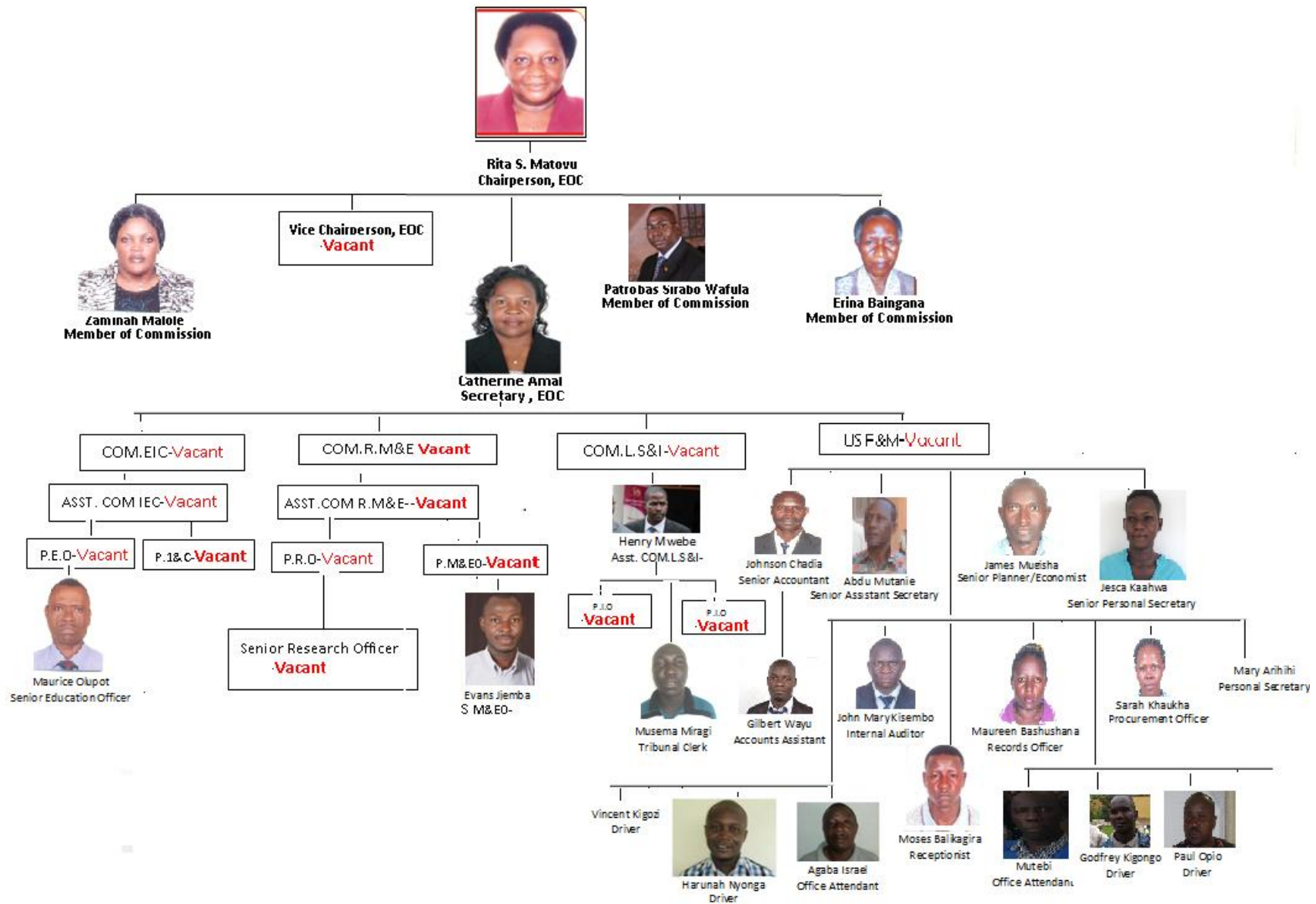
- i. Articles 1 and 2 of the Universal Declaration of Human Rights.
- ii. Articles 2 and 3 of the International Covenant on Economic, Social and Cultural Rights.
- iii. Article 2 of the International Covenant on Civil and Political Rights
- iv. Article 7 of the Convention on the Elimination of all Forms of Discrimination against Women.
- v. Article 2 (1) and (2) of the Convention on the Rights of the Child.
- vi. Article 4, General Obligation (1) of the Convention on the Rights of Persons with Disabilities.
- vii. Articles 2 and 3 of the African Charter on Human and Peoples Rights.

In the 1995 Constitution of the Republic of Uganda, Article 21, and Chapter IV states that, "*All persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law*". Sub section II of the same Article states that, "no person shall be discriminated against on the grounds of sex, race, colour, ethnic origin, tribe, birth, creed or religion or social or economic standing, political opinion or disability.

### **2.1.3 Institutional Framework**

The Commission is headed by the Chairperson who together with Members of the Commission formulate policies that guide the implementation of programmes for the realization of targets and goals. The Commission also presides over a Tribunal. The EOC Organogram is presented below;

Figure 2.1: The Equal Opportunities Commission Organogram



## Key:

<b>COM. I.E.C</b>	<b>Commissioner, Education, Information and Communications</b>
<b>COM.R.M&amp;E</b>	Commissioner, Research, Monitoring and Evaluation
<b>COM.L.S.I</b>	Commissioner, Legal Services and Investigation
<b>US F&amp;M</b>	Under-Secretary, Finance and Administration
<b>ASST.COM.E.I.C</b>	Assistant Commissioner, Education, Information and Communications
<b>ASST.COM.R.M&amp;E</b>	Assistant Commissioner, Research, Monitoring and Evaluation
<b>ASST.COM.L.S.I</b>	Assistant Commissioner, Legal Services and Investigation
<b>P.E.O</b>	Principal Education Officer
<b>P.I.&amp;CO</b>	Principal Information and Communications Officer
<b>PRO</b>	Public Relations Officer
<b>P.M &amp;EO</b>	Principal Monitoring and Evaluation Officer
<b>P.L.O</b>	Principal Legal Officer
<b>S.E.O</b>	Senior Education Officer
<b>S.I.&amp;CO</b>	Senior Information and Communications Officer
<b>S.R.O</b>	Senior Research Officer
<b>S.M.&amp;E.O</b>	Senior Monitoring and Evaluation Officer
<b>SA</b>	Senior Assistant
<b>SAS</b>	Senior Assistant Secretary
<b>SPO</b>	Senior Personnel Officer
<b>RO</b>	Records Officer
<b>IA</b>	Internal Auditor
<b>PO</b>	Personnel Officer
<b>AA</b>	Accounts Assistant

### **2.2 Categories of Marginalised Groups in Uganda**

In Uganda, there are different categories of marginalised groups. Marginalisation and vulnerability can be poverty-related (EOC Policy 2008), conflict-related or demography-related. The activities of Equal Opportunities Commission target all the marginalised<sup>3</sup> and vulnerable groups in Uganda. The Commission aims at eliminating discrimination and inequalities which directly or indirectly has the effect of nullifying or impairing equal opportunities or marginalizing a section of society resulting into unequal treatment of persons in the enjoyment of rights and freedoms;

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<sup>3</sup> “Marginalisation” means depriving a person or a group of persons of opportunities for living a respectable and reasonable life as provided in the Constitution (EOC Act, 2007 Section (I)).



**Table 2.2: Categories of Vulnerable/ Marginalised Groups in Uganda**

Poverty-related marginalised group category	Conflict-related marginalised group category	Demographic related marginalised group category
a. Urban poor b. Urban unemployed c. Low-paid workers d. Informal sector e. Workers f. Beggars g. Squatters h. Rural dwellers i. Rural landless j. Cash crop farmers k. Pastoralists l. Plantation workers	a. Refugees b. Internally displaced persons c. War orphans d. Abductees e. Traumatized civilians f. Households living near conflict zones	a. Widows and Widowers without assets b. Older Persons c. Youth d. Orphans and abandoned children e. Female-headed households f. Child-headed households g. People with disabilities (PWDs) h. The chronically sick i. HIV & AIDS, cancer, etc. sufferers and carriers j. Victims of domestic abuse k. Ethnic minority groups l. Street children

Source: EOC Strategic Plan 2013/2014-2017/2018

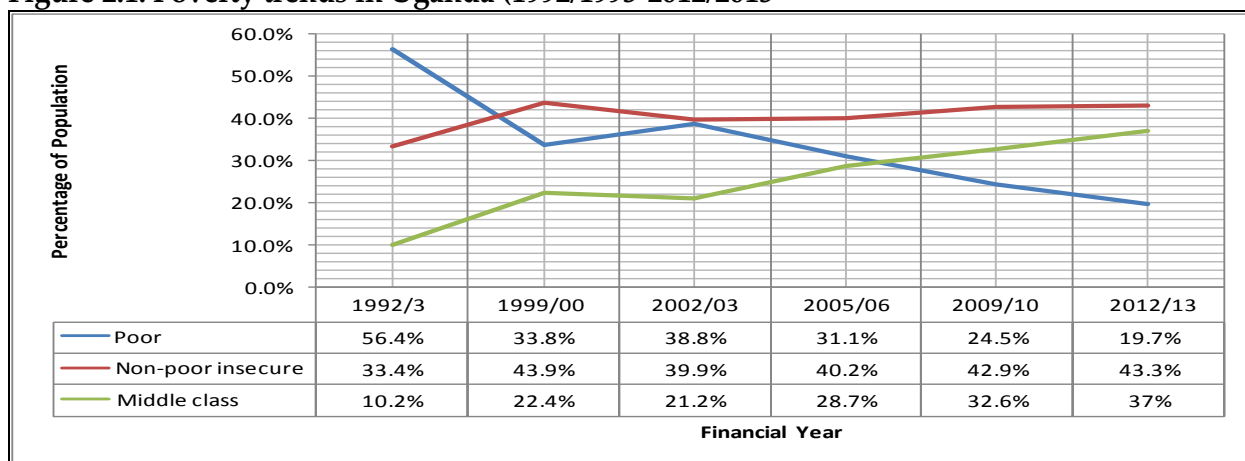
### 2.3 Attributes of Marginalisation and Discrimination

In fulfillment of section 14 of the Equal Opportunities Commission Act, 2007, the Commission carried out a series of Audits, Monitoring and Evaluation Exercises. In due process, interaction was made with various state organs and individuals in which attributions of discrimination and marginalisation were shared by the representatives of the Marginalised, the marginalised themselves, cultural and local leaders. The following are some of the pertinent attributions.

#### 2.3.1 Poverty

Poverty is one of the major challenges facing the minority and marginalised communities. Among others, it is an outcome of historical and present exclusion, marginalisation and discrimination with the most disadvantaged experiencing discrimination and unequal access to social services such as health, clean and safe drinking water, and education infrastructure among other public services which entirely constitute the economic, social and cultural rights. Figure 2.1 below shows poverty trends in Uganda.

**Figure 2.1: Poverty trends in Uganda (1992/1993-2012/2013)**



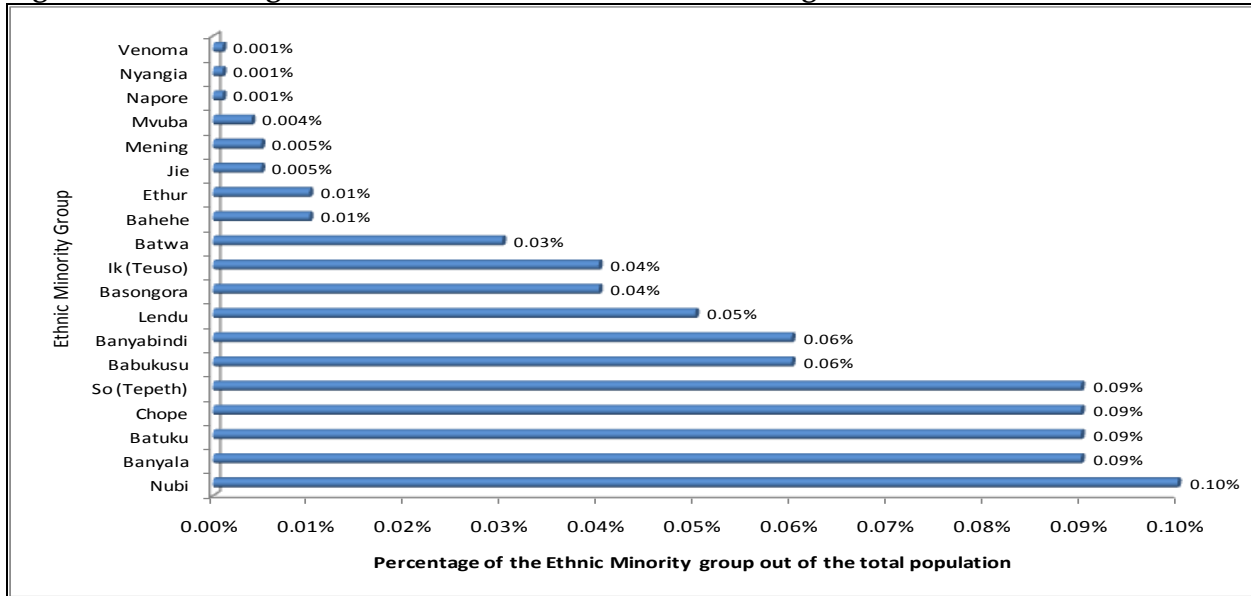
Source: UNHS 2012/13

Uganda has continued to reduce the number of people living in poverty. The national poverty rate fell to 19.7 percent in 2012/13, from 24.5 percent in 2009/10. Even with significant population growth, the total number of Ugandans living below the poverty line declined from 7.5 million to 6.7 million over the same period. There are now almost twice as many Ugandans in the middle class – living above twice the poverty line as there are poor. In 1992/93, there were more than five Ugandans below the poverty line for every Ugandan in the middle class.

### **2.3.2 Identity Predicament**

Being small communities and living among numerically superior groups and communities, these communities continue to grapple with lost collective communal identity. Most of them have experienced cultural attrition through assimilation into the neighboring tribes. Uganda subscribes to international and regional human rights commitments that promote and protect the rights of ethnic minorities. Although Uganda subscribes to regional and international instruments relating to the protection and promotion of people's rights, the country is yet to ratify and domesticate the ILO Convention 169 Concerning Indigenous and Tribal Peoples in Independent Countries (1989). The lack of a framework to implement international Conventions and Declarations for the protection of ethnic minorities hampers the task of harmonizing constitutional rights for ethnic minorities with international standards, and makes enforcement and monitoring of those rights more difficult. Figure 2.2 below shows ethnic minorities identified in the UBOS (2002) census Report.

**Figure 2.2: Percentage distribution of ethnic minorities in Uganda**



Source: UBOS (2002)

It is reported that more than three-quarters of Uganda's population falling under minority group live in rural areas. Minority groups in rural areas are often the most disadvantaged. With the increasing competition for natural resources in their areas, the situation of minorities is steadily deteriorating leading to growing impoverishment.

### 2.3.3 Political Exclusion

Uganda has been pursuing a major decentralization programme since the late 1980s. A highly centralized state gradually turned into a decentralized one following the transfer of powers, functions and services from central government to local councils. Decentralization is expected to contribute to development by empowering all categories of people and institutions at every level of society including public, private and civic institutions; improving access to basic services; increasing people's participation in decision-making; assisting in developing people's capacities; and enhancing government's responsiveness, transparency and accountability.

Constitutionally, political representatives are elected by majority vote. Consequently, the non dominant groups and communities find themselves pushed to the periphery in both elective and nominative positions as a result of conspiracies and lobbying by the majority for highly delicate and diplomatic positions. Through affirmative action, provisions have been made to ensure equal opportunities representation at the various political levels such as Women Members of Parliament from every district and representatives of persons with disabilities, youth and workers. Arrangements to have representatives of the older persons have been provided for by the Older Persons' Act, 2014.

### **2.3.4 Limited Access to Social Services and Economic Empowerment**

Access to education is a critical equalization variable for members from the minority and marginalised backgrounds owing to its transformative power to access and control of power and resources. During the public dialogues, it was established that academic qualification poses major hindrance to the communities in marginal areas to accessing readily available opportunities in private and public sectors. In addition, educationally disadvantaged children are experiencing barriers to learning, and are directly or indirectly excluded from or denied the chance to optimally participate in the learning activities which take place in a formal or non-formal setting'. The children are educationally disadvantaged by the social, cultural, regional, political and economic environments in which they live.

### **2.3.5. Unemployment**

Unemployment enhances vulnerability to discrimination and marginalisation. Access to goods and services becomes hard among those that do not earn any income. In Uganda, the unemployment rate measures the number of people actively looking for a job as a percentage of the labour force. Unemployment Rate in Uganda increased to 4.20 percent in 2010 from 1.90 percent in 2007. Unemployment Rate in Uganda averaged 3.20 Percent from 2003 until 2010, reaching an all time high of 4.20 Percent in 2010 and a record low of 1.90 Percent in 2007.

### **2.3.6 Culture**

Culture refers to the cumulative deposit of knowledge, experience, beliefs, values, attitudes, meanings, hierarchies, religion, notions of time, roles, spatial relations, concepts of the universe, and material objects and possessions acquired by a group of people in the course of generations through individual and group striving. It is important to note that some cultural practices are discriminative. For instance, in some cultures women are not allowed to own property.

### **2.3.7 Disabilities**

Over 650 million people around the world live with disabilities. In every region of the world, in every country, persons with disabilities often live on the margins of society, deprived of some of life's fundamental experiences. They have little hope of going to school, getting a job, having their own home, creating a family and raising their children, socializing or voting. Persons with disabilities make up the world's largest and most disadvantaged minority. The numbers, according to the UN handbook "From Exclusion to Equality: Realizing the Rights of Persons with Disabilities", are damning: 20% of the world's poorest people are with disabilities, 98% of children with disabilities in developing countries do not attend school, around a third of the world's street children live with disabilities, and the literacy rate for adults with disabilities is as low as 3%, and 1% for women with disabilities in some countries.

# **CHAPTER THREE**

## **ANNUAL PERFORMANCE AND ACHIEVEMENTS OF THE EQUAL OPPORTUNITIES COMMISSION**

### **3.0 Introduction**

This chapter presents the Commission's performance and achievements for the period 2013/2014. It also highlights the funding and the status of the Commission's undertakings on institutional development.

### **3.1 Financial Budget of the Equal Opportunities Commission**

On establishment, the Certificate of Financial Implication gave an indicative figure of Uganda shillings three billion five million (UGX 3.5 bn). The total approved budget for the Equal Opportunities Commission in FY 2013/14 was Ushs. 3,576,482,885 (2,003,018,000 Government of Uganda) including direct donor project support of 1,573,464,885 Ugx (*DGF 1,138,464,885; Ford Foundation 435,000,000 Ugx*). The strategic plan however, gives an indicative figure of Uganda shillings forty eight billion (UGX 48 bn) which is below the budgetary allocation to the Commission. Consequently a number of activities remain unfunded. The detailed distribution of the budget by major expenditure categories is broken down as indicated in the Table below:-

**Table 3.1: Budget allocation for the Equal Opportunities Commission (2010/2011-2013/2014)**

<b>Exp. Category</b>		<b>2010/2011</b>	<b>2011/2012</b>	<b>2012/2013</b>	<b>2013/2014</b>
GoU	Wage	316,237,104	316,237,104	316,237,104	453,018,000
	Non Wage	283,762,896	283,762,896	283,762,896	1,000,000,000
	Development	-	-	-	300,000,000
	<b>Total</b>	<b>600,000,000</b>	<b>600,000,000</b>	<b>600,000,000</b>	<b>1,753,018,000</b>
Development Partners			30,000,000	1,138,464,885	1,573,464,885
<b>Total</b>		<b>600,000,000</b>	<b>630,000,000</b>	<b>1,738,464,885</b>	<b>3,576,482,885</b>

Source: EOC 2014/2015

The Commission is mobilizing more resources to bridge the funding gap through partnerships and lobbying for additional budgetary allocation from Government of Uganda.

### **3.2 Overall Recurrent and Development Budget Performance**

The budget performance with respect to releases for FY 2013/14 for both Recurrent Budget and Development Budget is shown in Table 3.2.

**Table 3.2: Recurrent and Development Budget Performance**

Budget Item	Annual Budget	Q1 Release	Q2 Release	Q3 Release	Q4 Release	Cumulative Total	Variance/ Funding Gap
Wage	453,018,000	113,254,577	113,254,577	113,254,577	113,254,577	453,018,000	0
Non-Wage	1,000,000,000	222,939,963	245,229,253	258,618,542	136,106,121	862,893,879	137,106,121
Development	300,000,000	69,285,000	62,500,000	105,715,000	62,500,000	300,000,000	0
Gross Tax	250,000,000	0	0	0	100,000,000	100,000,000	150,000,000
Total	2,003,018,000	405,479,540	420,983,830	477,588,119	411,860,698	1,715,911,879	287,106,121

Source: EOC (Finance and Administration) IFMS

Overall, the Commission realised a release of 86% of the total annual budget. The subsequent budget cuts during FY 2013/2014 affected non-wage.

### 3.3 Major Achievements and Challenges

This section presents the Commission's major achievements as well as organizational challenges during the period under review.

#### i). The Gender and Equity Certificate

While reviewing various Bills in Parliament, the Commission always paid attention to equal consideration of vulnerable groups i.e. in the recent Public Finance Management Act (2015) the Commission ensured that a section on the Gender and Equity Certificate was incorporated to operationalise the objective in the budget call circular and section 14(i) of the EOC Act (2007). The recently enacted Public Finance and Management Act 2015, requires the MoFPED to issue a certificate of compliance to budgeting for Gender, Equity, HIV/AIDS and Environment Management in consultation with The Equal Opportunities Commission (EOC). The EOC has reviewed the Budget Framework Paper for FY 2015/2016. The comments were forwarded to the Secretary to the Treasury in accordance with Section 15 (a) of the Public Finance Management Act, 2015. In addition, the Commission is reviewing the Ministerial Policy Statements of all MDAs.

#### ii). Launch of the 1<sup>st</sup> EOC 5 year Strategic Plan (2013/2014 -2017/2018).

The Equal Opportunities Commission Strategic Plan 2013/14 – 2017/18 sets out the strategic framework for the work of the Commission for the next five years. It is based on seven priority thematic areas which include Health, Education, Agriculture, Governance, Employment, Environment and Institutional Building. The plan embodies the Commission's programmatic direction in working towards the fulfillment of its constitutional mandate to address discrimination and promote equal opportunities for all persons in Uganda irrespective of gender, age, physical ability, health status or geographical location; and to promote affirmative action in favour of marginalised groups. At review, the Plan will be aligned to NDP II.

### iii). Recruitment of staff.

Ten additional technical staff were recruited. This improved the staffing level for technical staff to sixteen. Implementation of the EOC strategic plan requires adequate human resource whose acquisition is critical for achieving the goals of the plan. It is our hope at the EOC that the Government of Uganda and Development Partners will support us to realise these aspirations.

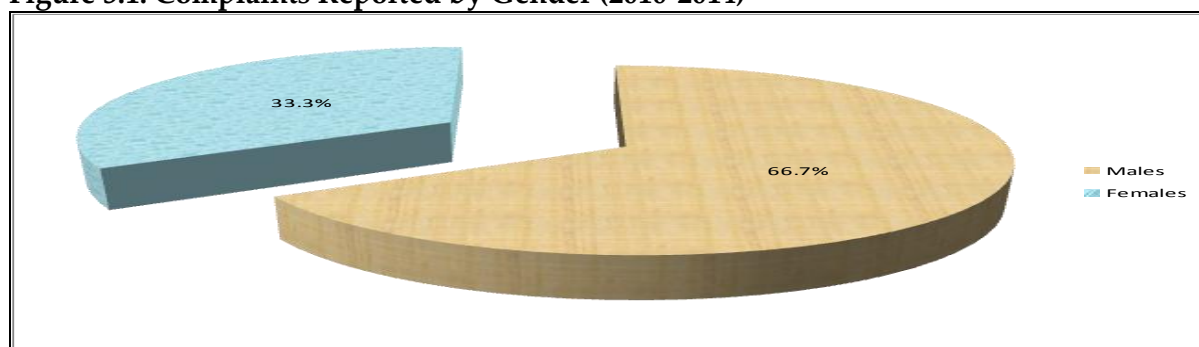
### iv). Contribution to the Vision 2040.

The EOC's contribution related to considering the youth as an asset rather than just the numbers, women as very key in the management of the environment, re-skilling of those replaced by machinery or technology and the necessity of laying emphasis on agriculture before the oil began to flow.

### v). Handling of Complaints

As mandated, the Commission receives complaints relating to denial of equal opportunities, discrimination and marginalisation. Since its inception, the Commission has received and dealt with a number of complaints regarding discrimination and marginalisation. So far, the complaints dealt with were in the areas of; employment, education and property ownership. The major grounds of discrimination remain religion, sex, disability, age and ethnicity/tribe among others. Figure 3.1 below presents complaints reported by sex;

**Figure 3.1: Complaints Reported by Gender (2010-2014)**



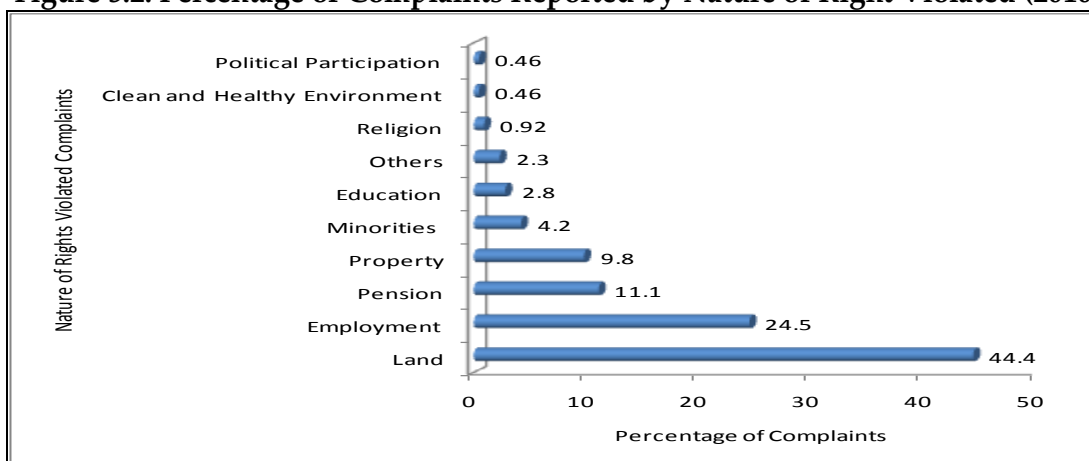
Back Ground Characteristics		Number of Complaints	Percentage (%)
Gender	Males	144	66.7
	Females	72	33.3
	Total	216	100

Source: EOC 2014

Disaggregation by sex indicates that 66.7 percent of the complaints were lodged in by males as compared to 33.3 percent females.

Majority of the complaints reported related to land (44.4%), employment (24.5%), pension (11.1%) and property (9.8%). Figure 3.2 below presents complaints reported by gender;

**Figure 3.2: Percentage of Complaints Reported by Nature of Right Violated (2010-2014)**

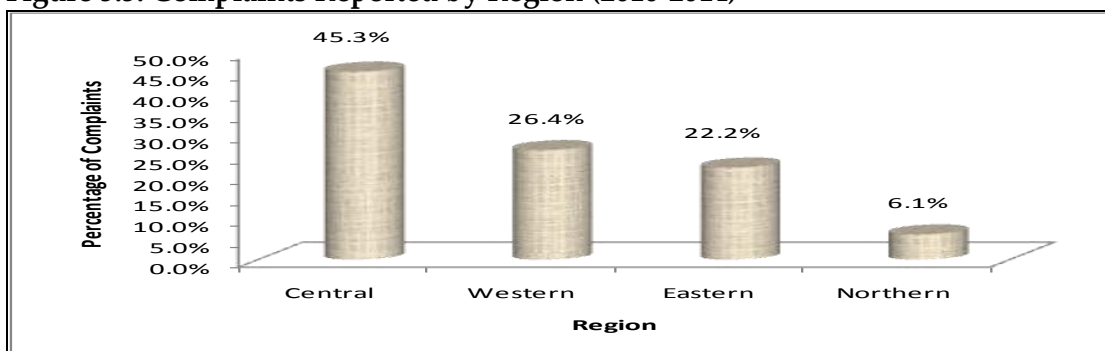


Back Ground Characteristics		No. of Complaints	(%)
Right Violated	Land	96	44.4
	Employment	53	24.5
	Pension	24	11.1
	Minorities	09	4.2
	Property	21	9.8
	Education	06	2.8
	Religion	02	0.92
	Clean & Healthy Environment	01	0.46
	Political Participation	01	0.46
	Others	04	2.3
	Total	216	100

Source: EOC 2014

At Regional level, the Central Region lodged in more complaints as compared to other Regions. Figure 3.3 below shows complaints lodged in by Region;

**Figure 3.3: Complaints Reported by Region (2010-2014)**



Back Ground Characteristics		No. of Complaints	(%)
Region	Central	98	45.3
	Western	57	26.4
	Eastern	48	22.2
	Northern	13	6.1
Total		216	100

Source: EOC 2014



Out of the 216 complaints reported to the Commission, 45.3 percent were from the Central Region. The Western Region ranked second with a share of 26.4 complaints while the Eastern Region ranked third with 22.2 percent share of the total complaints. The Northern Region registered the least percentage share of 6.1 percent. With reference made to the ongoing country wide sensitization, it is hoped that more complaints will be registered country wide.

#### **vi) Status of Complaints Reported to the Commission**

The Commission addresses submitted complaints using a four phase procedure that include; (a) Receiving and assessment of complaints to determine admissibility, (b) Conducting investigations to determine authenticity of the complaints and documents submitted. This involves field visits, (c) hearing which includes; arbitration, mediation and conciliation, conducted by Members and technical staff of the Commission (*most of the complaints are resolved at this stage*) and (d) Tribunal hearing (last resort). Table 3.3 below shows the status of complaints reported to the Commission;

**Table 3.3: Status of Complaints Reported to the Commission (2010-2014)**

<b>Status</b>	<b>No. of Complaints</b>	<b>Percentage (%)</b>
Concluded	44	20.4
Referred	31	14.4
Under Hearing	40	18.5
Under Investigation	101	46.7
<b>Total</b>	<b>216</b>	<b>100</b>

Source: EOC 2014

The Commission concluded 20.4 percent of the complaints reported and referred 14.4 percent to other state organs with follow up. 46.7% of the complaints are being investigated in preparation for hearing.

#### **vii) Review of Laws**

The Commission has reviewed the; Disability Bill, Employment Act, the Mental Health Bill and Older Person's Act. Currently the Commission is monitoring the implementation of the ESCR and CEDAW among other programs.

#### **viii) Equal Opportunities Commission Regulations (2014)**

The Equal Opportunities Commission Regulations (2014) were gazetted. The Regulations are a key tool in the operations of the Tribunal.

#### **ix) Roll out of Mandate**

The EOC rolled out its mandate to cover 23 districts directly by end of 2014. Under government of Uganda funding, the Commission is directly reaching out to 8 districts namely; Kumi, Amudat, Kamwenge, Mbarara, Tororo, Nakasongola, Rukungiri and

Koboko. Funding from Democracy Governance Facility (DGF) has enabled the Commission to directly reach out to eight districts namely; Masaka and Wakiso in the Central region; Gulu and Arua in the Northern region; Abim and Kapchorwa in the Eastern region and Kanungu and Kisoro in the Western region. On the other hand, Ford Foundation has supported EOC to reach out to Kamuli, Mayuge, Busia, Kaabong, Amuru, Bundibugyo and Bushenyi. This has led to increased demand for EOC services.

#### **x) Launch of the Tribunal (25<sup>th</sup> March, 2014)**

The Equal Opportunities Commission launched its Tribunal on 25<sup>th</sup> March, 2014. The Tribunal handles complaints of marginalisation based on sex, race, age religion, disability or any other reason created by history, tradition and custom. The launch of the Tribunal took place in Bugolobi at the Equal Opportunities Commission Offices. The Guest-of-Honour was the then Minister of Gender, Labour and Social Development, Hon. Mary Karoro Okurut who unveiled the plaque signifying the event. Other guests from different political and social organizations were also present.

**Figure 3.4: Launch of the EOC Tribunal**



Hon Mary Karoro Okurut launches the EOC Tribunal

#### **xii). Studies/Researches Conducted**

The Commission carried out;

- i. A desk review on the status of recommendations made by various studies on ethnic minorities in Uganda. The Commission made recommendations with reference to the following observations;
  - a. The status of implementation of key public services and enforcement of rights of ethnic minority groups remains generally lacking. A number of initiatives / interventions have been undertaken by the state institutions, and international as well as local non state organizations focused on the situation

of ethnic minorities in Uganda. These interventions have broadly focusing on access to rights and access to public services by ethnic minorities.

- b. International and National NGOs<sup>4</sup> have variously undertaken research and advocacy initiatives / activities, while grassroots based organizations such as Uganda Organization for Batwa Development in Uganda (UOBDU), and the African International Christian Ministry (AICM) have largely engaged in awareness raising, human rights training and service delivery, particularly in basic health, education and settlement services for ethnic minority groups.
- c. The ethnic minority groups in Uganda are usually not involved in active decision making in their societies although the legal regime, specifically the Constitution recognizes their participation at all levels of decision making. There is extensive discrimination and marginalisation of ethnic minorities in communities where they live which compound their vulnerability.
- d. It has been found that there is still poor coordination among the agencies working on issues of ethnic minorities. This has fundamentally impacted on the coverage of such interventions, and has in many instances, resulted in duplication of services, beneficiary targeting and limited advocacy voice in favour of ethnic minority rights at national and sub national levels.
- e. The government faces a challenge of fulfilling its international obligations in a multi lingual setting. This is partly due to diversity in ethnicity in Uganda. In some areas, small numbers of tribes exist amidst larger tribes, more speakers of the area language, which makes it to preserve the identity of the smaller tribes.

**xiii).** The Commission carried out a Study on the effectiveness of the representation of the marginalised groups in the districts of Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo. Through affirmative action, approval was made to ensure representation of marginalised groups. However, findings reveal that the marginalised have not benefited much from the representation. Despite their representation, there is low advocacy on issues concerning the marginalised.

#### **xiv) Conducted Monitoring and Evaluation Activities**

- a. Published and disseminated its 1<sup>st</sup> Annual Report on the State of Equal Opportunities in Uganda covering three Financial Years (2010/11; 2011/12; 2012/13).

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<sup>4</sup> such as Minority Rights Group International (MRGI), Care International Uganda (Care Uganda), Jamia Ya Kupatanisha, Centre for Conflict Resolution (CECORE), African International Christian Ministry (AICM), Adventist Development and Relief Agency (ADRA), Kasese District Development Network, National Foundation for Democracy in Uganda (NAFODU), Mbarara Development Agency (MDA), Iteso Cultural Union (ICU), Karamoja Agro-Pastoralist Development Programme (KAPDP), Masindi Pastoralist Group (MPG), Katakwi Urafiki Foundation (KUF), Human Rights Network-Uganda (HURINET-U) among others

b. A monitoring and evaluation framework for two sectors (Education and Health) has been developed.

**c. Compliance to equal opportunities and affirmative action in the delivery of primary education at school level monitored.**

The Commission carried out monitoring and evaluation on compliance to equal opportunities and affirmative action in the delivery of primary education at school level in 15 districts (*Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo*). Results revealed that over 95% of the UPE rural schools do not have functional special needs educational facilities. This has greatly affected accessibility to education among special needs children.

**d. The Youth Livelihood Programme (YLP)**

The Commission carried out monitoring and evaluation on compliance to equal opportunities and affirmative action in the Implementation of the Youth Livelihood Programme (YLP) in 7 districts of Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo. Findings revealed that generally, groups do not have the will to incorporate persons with disabilities. It's very difficult for them to constitute groups of 10-15 members in a Parish hence limiting their chances to benefit from the program. Whereas the project was designed to benefit the poor of the poor, many of these have not benefited. This is because, it requires between 300,000 to 500,000 Ugx to legally open up a group. In this regard, individuals are required to contribute some money at the initial stages. In the case of Amudat, the members must have 100,000/= for transport to Moroto to carry out any bank transaction. (EOC Monitoring Report 2014)

**e. Audit on compliance with the Local Government Act No. 7/2006**

The Commission carried out an Audit on compliance with the Local Government Act No. 7/2006 in 7 districts of Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo. Audit findings revealed that district councils presented more issues concerning special interest groups as compared to sub county council meetings. At both levels, issues concerning women, the youth and Persons with Disabilities were the most common. Concerns of older persons and ethnic minorities were the most neglected by council meetings at all levels.

**f. Access to Government Services and Programmes by the Marginalised Groups, the level of Involvement in Governance, Poverty, Vulnerability and Social Exclusion**

The Commission carried out monitoring and evaluation on Access to Government Services and Programmes by the Marginalised Groups, the level of Involvement in Governance, Poverty, Vulnerability and Social Exclusion among the Marginalised Groups in 15 districts of Kamwenge, Rukungiri, Mbarara,

Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo. Findings revealed low level of involvement of marginalised groups in service delivery and decision making. This has maintained the marginalised in a static state as far as social welfare is concerned. In addition, majority of the marginalised groups do not have access to financial services. This is due to the fact that the banking industry is dominated by the private sector whose investment drives are controlled by profit.

**g. Compliance to Equal Opportunities and Affirmative Action in the Delivery of Health Services**

The Commission carried out monitoring and evaluation on compliance to equal opportunities and affirmative action in the delivery of Health Services at Health Centres II, III, and IV in 15 districts of Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo. It was found out that the majority of Health centres IV and some Health centres III have wide doors and exits for most of the main entrances but with narrow doors for the inner units. Health centres II posed high levels of inaccessibility with unsuitable entrances and exits for persons with disability. Only a few facilities have accessible toilets, bathrooms and urinals. In a number of complaints these facilities were highly inaccessible for persons with disabilities including those that had been newly constructed. Pertaining to maternity, only one hospital was found with disability friendly delivery beds.

**xv) Education, Sensitization and Training**

- i. The Commission has used various approaches in awareness creation on equal opportunities and seminars rendered by the Commission to the public especially the vulnerable groups. It has carried out sensitization programmes in various districts on the mandate, functions and powers of the Commission. In addition, District Planners and Political Leaders have been trained on how to mainstream equal opportunities in policies, laws, plans, programs, activities, practices, traditions, cultures, usage and customs. The Commission has held public dialogues with local people in over 21 districts of Uganda to discuss issues of equal opportunities in their localities.
- ii. Held Radio talk shows to sensitize the public about topical issues on equal opportunities and services. In this regard, a number of workshops have been organised to sensitize both the public and the vulnerable groups about equal opportunities and rights. As a strategy to ensure and promote equal opportunities for the vulnerable and marginalised groups, the Commission works in collaboration and in partnership with other government bodies and authorities, ministries and None-Governmental Organizations (NGOs).
- iii. Shared topical issues relating to equal opportunities with the Parliamentarians who are members to the Sessional Committee on GLSD and the standing Committee on Equal Opportunities

- iv. The EOC has rolled out education and training activities to cover to cover 23 districts. Under government of Uganda funding, the Commission is directly reaching out to 8 districts and these are; Kumi, Amudat, Kamwenge, Mbarara, Tororo, Nakasongola, Rukungiri and Koboko. Funding from Democracy Governance Facility (DGF) has enabled the Commission to directly reach out to eight districts and these are; Masaka and Wakiso in the Central region; Gulu and Arua in the Northern region; Abim and Kapchorwa in the Eastern region and Kanungu and Kisoro in the Western region. On the other hand, Ford Foundation has supported EOC to reach out to Kamuli, Mayuge, Busia, Kaabong, Amuru, Bundibugyo and Bushenyi. This has led to increased demand for EOC services.

#### **xvi) Youth Partnership Conference**

The Commission organized a two day Youth Partnership Conference to obtain understanding of the youth concerns through their representatives before commencing the policy formulation process. The 2 day partnership conference was held on the 5th and 6th December, 2013 at Hotel Africana, Kampala. The participants were drawn from; Equal Opportunities Commission, Hostalite, Youth Development Link, GIZ, Katutandike Uganda, State House and Makerere University.

### **3.4 Challenges**

- i. The proposed Organogram that is suited for the EOC to implement its mandate is not yet approved by Ministry of Public Service.
- ii. Lack of regional offices which limit accessibility to Equal Opportunities Commission services. Basing at its secretariat in Bugolobi, the EOC is able to directly cover a total of 35 districts out of 112 districts.
- iii. Inadequate funding. At its establishment the certificate of financial implication gave the EOC 3.5 Billion UGX; however the Commission does not receive these funds. The Commission now has Strategic plan which demands 11 billion annually against 2.7 Billion allocated to the Commission to cover wage and non-wage.

# **CHAPTER FOUR**

## **STATE OF EQUAL OPPORTUNITIES IN THE EDUCATION SECTOR**

### **4.0 Introduction**

The Uganda Constitution provides for the right to education for all (Objective XVIII). Uganda is a signatory to the Convention on the Rights of the Child which gives high priority to education of children. Further, the Government is implementing the Education Strategic Investment Plan (ESIP) whose main priority is Universal Primary Education (UPE). In addition to these, Government efforts are focusing on enhancing secondary, vocational and tertiary education as well as Functional Adult Literacy (FAL).

Education is widely renowned as an engine for empowerment, economic growth and general improvements in welfare. It is one of the most influential determinants of discrimination and marginalisation. Equal access to quality education is an important indicator of compliance to equal opportunities. Consequently, education is one of the strategic sectors for reducing inequalities in the country, as it is mandated to address needs of both men and women through education and training.

This chapter presents the: policy, legal and regulatory framework of the Education Sector; the state of equal opportunities in the Education Sector and recommendations thereof.

### **4.1 Policy, Legal and Regulatory Framework**

#### **4.1.1 International Commitments**

Internationally and regionally, the Education Sector hinges on two frameworks: the Millennium Development Goals and The Dakar framework for Education For All.

##### **4.1.1.1 Millennium Development Goals (MDGs) 2000-2015**

Uganda was among the 120 countries that signed and adopted MDGs framework in her development strategies. The framework aimed at giving every child opportunity for education. Under Millennium Development Goals 2 (*Achieve Universal Primary Education*) and 3 (*Promotion of gender equality and women empowerment*) the objective was to “Ensure that, by 2015, children everywhere, boys and girls alike, will have been able to complete a full course of primary schooling” (UN 2012:16; MFPED, 2010).

##### **4.1.1.2 Education for All Goals (Dakar Framework)**

The Dakar Framework for Action identified six (6) goals for the international community to achieve by 2015, and also re-affirmed the right to education as a fundamental human right. The Six (6) EFA Goals as agreed upon by the international community are;

- (i) **Goal 1:** Expanding and improving comprehensive Early Childhood Care and Education, especially for most vulnerable and disadvantaged children;

- (ii) **Goal 2:** Ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to, and complete, free and compulsory Primary Education of good quality;
- (iii) **Goal 3:** Ensuring that the learning needs of all young people and adults are met through equitable access to appropriate learning and life – skills programs;
- (iv) **Goal 4:** Achieving a 50% improvement in levels of adult literacy by 2015, especially for women, and equitable access to basic and continuing education for all adults;
- (v) **Goal 5:** Eliminating gender disparities in Primary and Secondary Education by 2005, and achieving gender equality in education by 2015, with a focus on ensuring girls' full and equal access to and achievement in basic education of good quality; and,
- (vi) **Goal 6:** Improving all aspects of the quality of education and ensuring excellence of all so that recognized and measurable learning outcomes are achieved by all, especially in literacy, numeracy and essential life skills.

#### **4.1.2 National Policy Framework and Commitments**

The Government White Paper (1992) on Education is the basis for official policy regarding the various education programmes in the country. It is the supreme guiding document for the overall policy framework and main thrust of the Education and Sport Sector. However, the Ministry of Education, Science, Technology and Sport has various policies and strategic plans to guide the implementation of educational programmes. These are; Universal Secondary Education (USE) Policy; Special Needs Education (SNE) Policy; Non-Formal Education (NFE) Policy; Physical Education and Sports (PES) Policy. Strategic Plans include the: BTVET Strategic Plan 2010 – 2020; Secondary Education Strategic Plan (SESP) 2009 – 2018; and draft Special Needs and Inclusive Education Implementation Strategy 2012 – 2017.

The broad sector strategic policy priorities are:

- (a) To increase and improve equitable access to quality education at all levels;
- (b) To improve the quality and relevancy of education at all levels; and,
- (c) To enhance effectiveness and efficiency in education service delivery.

#### **4.1.3 The Legal and Regulatory Framework**

The Sector's Legal and Regulatory Framework is derived from the Constitution of the Republic of Uganda (1995). The Constitution guarantees citizens a right to education and provides for affirmative action for disadvantaged people in education (Article 30). It is supplemented by various laws particularly the Education Act (2008), the BTVET Act (2008), the Universities and other Tertiary Institutions Act (2001), the UNEB Act (1983), NCDC Act (2000) and Education Service Act (2002).



#### **4.1.4 Institutional Arrangements**

The Education and Sports services are delivered through the Ministry of Education, Science, Technology and Sport Headquarters (comprised of 11 departments and 8 affiliate bodies). Within the Ministry Headquarters, the adoption of the SWAp in the 1990s led to the creation of new structures to increase stakeholders' participation, promote a holistic and forward looking approach to policy and planning as well provide common reporting frameworks. Such structures include: Top Management Meetings, Education Sector Consultative Committee, Departmental and cross-cutting Working Groups (i.e. the Sector Policy and Management Working Group - the Policy Clearing House, the Monitoring and Evaluation Working Group, the Sector Budget Working Group, etc.) and annual sector reviews.

The Ministry has inter-sectoral linkage with other line-Ministries (i.e. Ministry of Finance, Planning and Economic Development - MoFPED, Ministry of Public Service – MoPS, Ministry of Local Government - MoLG, Ministry of Gender Labour and Social Development –MoGLSD) and Local Government Authorities.

In addition to the above, the private sector i.e. individual investors, Civil Society Organizations, Faith Based Organizations, NGOs (both local and international) and Communities complement the public sector in providing education and sports services in the country. All education services provided by the private sector are however regulated, monitored and supervised by the Ministry of Education, Science, Technology and Sport.

#### **4.2 Activities Implemented by the EOC under the Education Sector**

- i. A monitoring and evaluation framework for the Education Sector was developed. This framework constitutes indicators on equal opportunities which enable the Commission to annually report to the public on the state of equal opportunities in the Education Sector.
- ii. The Commission carried out monitoring and evaluation on compliance to equal opportunities and affirmative action in the delivery of primary education at school level in 15 districts of Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.
- iii. Sensitization on Equal Opportunities has been carried out in the following 36 (32.1%) districts; Soroti, Kamuli, Mayuge, Kanungu, Kapchorwa, Wakiso, Koboko, Tororo, Masaka, Kamwenge, Rukungiri, Mbarara, Dokolo, Pader, Nakasongola, Kumi, Gulu, Jinja, Mbale, Lira, Busia, Bushenyi, Sheema, Kisoro, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Kasese, Hoima, Kampala, Kween, Kayunga, Arua and Bundibugyo.

### **4.3 EOC Major Findings on Equitable Access to Education**

The Commission sampled 127 schools from 15 districts from the four major regions of Uganda (North, East, West and Central). The results of the study are presented in the sections below;

#### **4.3 Equitable Accessibility to Education**

Universal access to education is one of the ways through which every Ugandan can be given a chance to participate in national development. Equitable access to education can be accessed from both the input, output and outcome indicators. The input indicators include the resources invested to facilitate learning such as in the number and quality of teachers; physical learning environment which includes adequate class rooms, desks, and sanitation facilities. The output indicators include enrolment of pupils in schools; number of pupils completing a particular level of education; number of pupils who have mastery of the syllabus for the class in which they are in; and number of pupils who have proficient literacy and numeracy for the grades they are attending. The outcome is the proportion of children who pass in division one in a national examinations such as Primary Leaving Examinations. Marginal performance in any of the above indicators is a signal for lack of equity in education opportunities in Uganda. Herein below, the Equal Opportunities Commission presents findings from both the field monitoring and secondary analysis of data from various sources.

##### **4.3.1 Equitable Accessibility to Pre-primary Education**

Early Childhood Development (ECD) is critical in the wellbeing of a child. There is a positive link between early childhood learning and future holistic development of a child. The effect includes improvement of a child's IQ which also effect a child's life chances in adulthood; improvement in school readiness hence eliminating the potentials for early drop out of school; and development of social skills hence reducing the chances of pathological behavior problems in later life (Gorey, 2001; Currie, 2000). Thus lack of access to Early Childhood Education deprives a child of the above advantages and limits the child's future life chances. The level of school access in Uganda is measured using enrolment figures and the population figures with respect to the official school -going age at a given level of education. In the case of Uganda, children aged three to five years are expected to be in nursery school while those aged 6 to 12 years are expected to be enrolled in primary schools. Pre-school is, however, not accessible to the majority of children in rural areas because it's a new policy. Figure 4.1 below presents the Net Enrolment Rate at Pre-primary level in Uganda;

Figure 4.1: Pre-Primary School Net Enrolment Rate (NER)

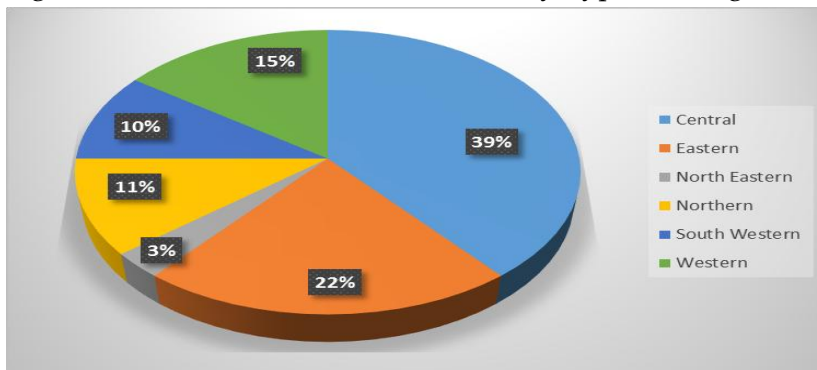


The current state of access to pre-primary education reveals that 91% of Uganda's children are not accessing nursery education. There is need for a deliberate effort to invest hugely in Early Child Education in Uganda. The government should set meaningful and deliberate targets for progressive investment in early child education.

#### 4.3.1.1 Regional Distribution of ECD Centres in Uganda

The distribution of Early Childhood Development centres is highly driven by income levels. Areas whose population earns a high income tend to attract the ECD proprietors with an assumption that the parents and guardians will afford fees. This pattern of setting up ECD centres has eliminated the majority of the rural children from benefiting in pre-school. Figure 4.2 below presents the percentage distribution of ECD centres by region;

Figure 4.2: Distribution of ECD Centres by Type and Region



MoESTS 2012/2013

A regional analysis on distribution of ECD centres shows that the central region has the highest number of ECD centres (39%), and North-East region has the lowest percentage (3%). The central region has the highest share of ECD centres due to the fact that the region has the highest number of urban centres and income generating activities. Despite the discrepancies, it is not easy for the commission to draw concrete conclusion about equitable access to ECD centres by regions; due to lack of adequate information especially the correlation between the population of children who are

aged 3-6 and the proportion of ECD centres in the region. Over all, most children in Uganda do not have opportunities for access to Early Child Education.

### 4.3.2 Equitable Access to Primary Education

#### 4.3.2.1 Regional Distribution of Primary Schools in Uganda

The distribution of primary schools has majorly been influenced by government policies and programmes. It is also affected by demand for schools which sometimes attracts private investors to start and build schools for profit. Although private investment in schools cut across both urban and rural areas, the investment in private schools is higher in urban areas than rural areas, for obvious reason: effective demand for school services. This is more especially in the Northern and Eastern Regions of Uganda who are the poorest. Table 4.1 below shows the distribution of primary schools in Uganda by Sub Region;

**Table 4.1: Percentage Distribution of Primary Schools by Sub Region**

Sub Region	Government	Private	Total	Government	Private	Total
Acholi	609	127	736	5%	2%	4%
Ankole	1,354	572	1,926	11%	10%	11%
Buganda	3,057	2,369	5,426	25%	40%	30%
Bukedi	616	268	884	5%	5%	5%
Bunyoro	641	479	1,120	5%	8%	6%
Busoga	1,147	585	1,732	9%	10%	10%
Elgon	665	216	881	5%	4%	5%
Karamoja	224	62	286	2%	1%	2%
Kigezi	759	222	981	6%	4%	5%
Lango	640	185	825	5%	3%	5%
Teso	710	232	942	6%	4%	5%
Toro	879	411	1,290	7%	7%	7%
West_Nile	902	148	1,050	7%	3%	6%
<b>Grand Total</b>	<b>12,203</b>	<b>5,876</b>	<b>18,079</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Source: EMIS 2013/2014

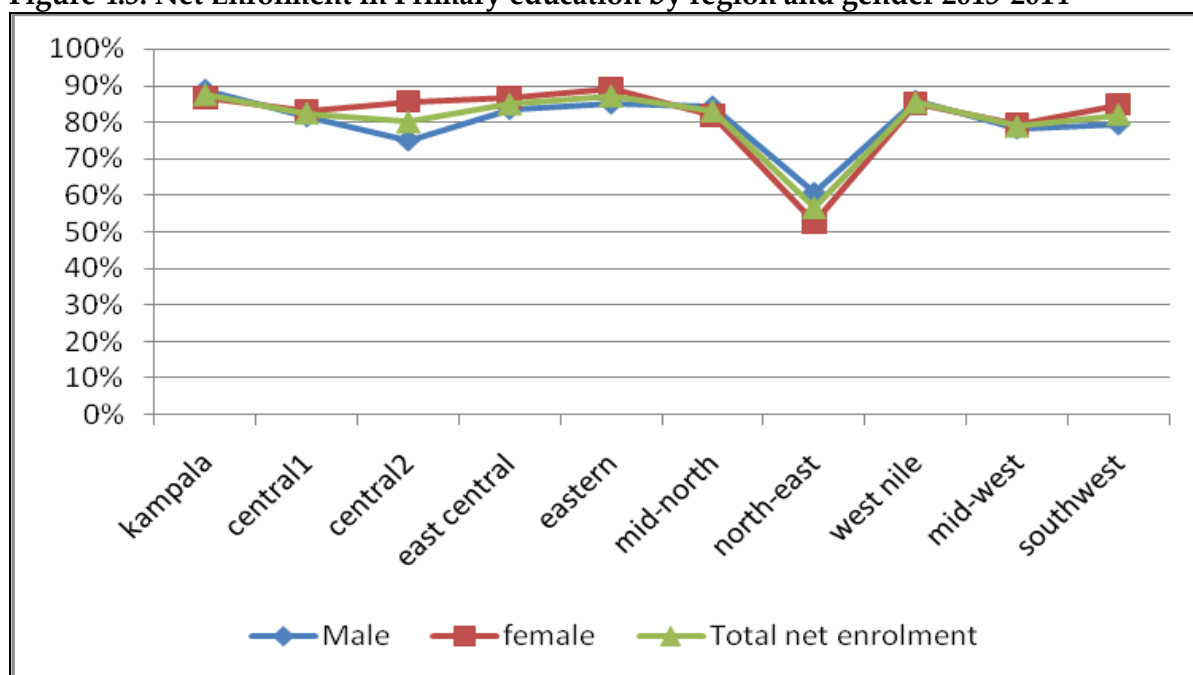
There are a total of 18,079 primary schools in Uganda of which 51% are located in Buganda, Ankole and Busoga. Karamoja, Acholi, Bukedi, Elgon, Lango, Teso and Kigezi have the least share of schools. The implication of few schools in a sub region includes, among others, long distances between pupil's homes and the schools. However, it is difficult to draw meaningful conclusion about equity since the number of schools is not disaggregated by the population of school going children.

#### 4.3.2.2 Net Enrolment- Primary School

Net enrolment rate for primary education refers to the percentage of the children aged 6-12 years old (all primary school going children) who are enrolled in the right class for their age in a given year (MoES 2010). Uganda's MDG target is 100% enrolment in

schools, however, achieving this target in 2015 remains an illusion. Thus failure to achieve 100% enrolment means there is an unequal opportunity in access to primary education for children in Uganda as shown in the Figure 4.3.

**Figure 4.3: Net Enrolment in Primary education by region and gender 2013-2014**



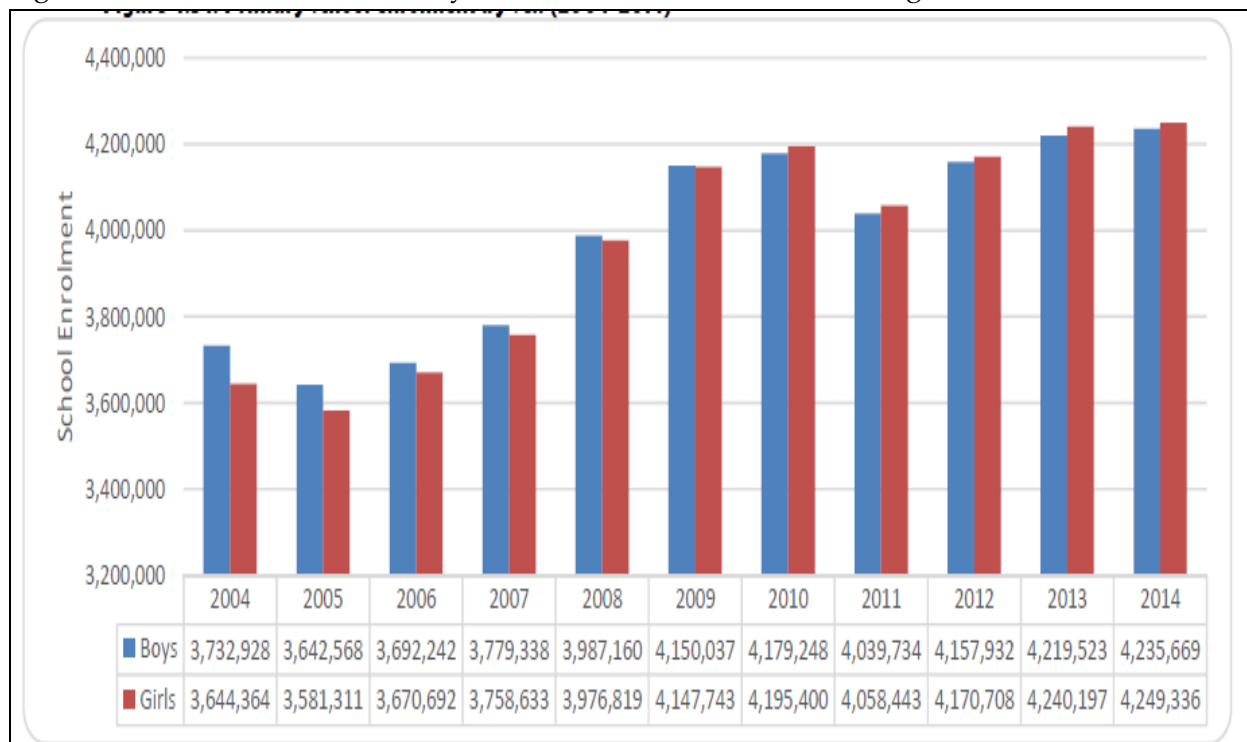
Source: EMIS 2013/2014

Although Figure 4.3 indicates that many children are never enrolled in school, the situation is worse in North-east region (Karamoja areas). Therefore, all children who have never enrolled in primary education, though in the right age of school have been denied the opportunity to enroll in school. The discrimination could emanate from factors within the environment in which the child lives or other areas. However, since Uganda signed and ratified UN CRC 1989, the state is obligated to ensure that all the rights of children including that of education is adhered to.

#### 4.3.2.3 Gender Parity

Parity is attained when the same proportion of boys and girls relative to their respective age groups enter the education system, achieve educational goals, and advance through the different cycles (UNESCO 2003). Reaching parity in enrollment is necessary, but not sufficient, for achieving equality and should be considered a “‘first stage’ measure of progress towards gender equality in education” (Subramanian n.d). Unlike other educational levels, pre-school enrolment share has favored girls in the last decade. Figure 4.4 below shows trends of gender parity at primary education level;

Figure 4.4: Trends of Gender Parity at various educational levels in Uganda



Source: MoESTS 2012/13

In 2009, Uganda attained gender parity in terms of enrolment. This has been realised almost across the classes. Participation of children from marginalised areas of the country in primary education has continued to improve. For instance, in Karamoja sub-region (NE of Uganda), enrolment in primary education improved from 110,739 (i.e. 54,926 boys; 55,813 girls) in 2000 to 135,544 (i.e. 77,256 boys; 58,288 girls) in 2014.

#### 4.3.2.4 Timeliness of Enrolment in Primary Education

Despite the government MDG target to achieve 100% enrolment in primary school by 2015, the target is illusory as mentioned earlier. This Report takes late enrolment in primary one as a denial of the child opportunity to start school at the right age which also later affects the schooling outcome of such a child. Late enrolment in school is associated with poor performance and high rate of drop out in schools (UNESCO 2013). Table 4.2 presents the percentage distribution of children who enroll in primary one by age.

**Table 4.2: Timeliness of Enrolment in Primary One**

Sub Region	Percentage of Children who start P.1 at the age of six years			Percentage of Children who start P.1 above six years			Percentage of Children who start P.1 below six years		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Acholi	39%	39%	39%	57%	56%	57%	4%	5%	4%
Ankole	40%	42%	41%	54%	52%	53%	5%	6%	6%
Buganda	47%	49%	48%	47%	43%	45%	7%	7%	7%
Bukedi	54%	57%	56%	43%	41%	42%	3%	3%	3%
Bunyoro	43%	45%	44%	53%	51%	52%	4%	5%	4%
Busoga	49%	51%	50%	46%	44%	45%	4%	5%	5%
Elgon	55%	56%	56%	42%	40%	41%	3%	3%	3%
Karamoja	34%	33%	34%	63%	64%	63%	3%	3%	3%
Kigezi	50%	52%	51%	45%	42%	44%	5%	6%	5%
Lango	37%	39%	38%	62%	59%	60%	1%	1%	1%
Teso	57%	59%	58%	41%	39%	40%	2%	2%	2%
Toro	40%	43%	41%	56%	53%	55%	4%	4%	4%
West_Nile	36%	36%	36%	59%	59%	59%	5%	5%	5%
<b>Total</b>	<b>45%</b>	<b>47%</b>	<b>46%</b>	<b>51%</b>	<b>48%</b>	<b>49%</b>	<b>4%</b>	<b>5%</b>	<b>5%</b>

Source: EMIS 2013/2014

The enrollment of children in primary education when they are older than six years cuts across all the regions of Uganda. The problem heightens in Karamoja, Lango, West-Nile and Acholi, regions, for both male and female children.

#### 4.3.2.5 Pupils With Special Needs

Special needs education is the practice of educating students with special needs in a way that addresses their individual differences and attendant needs. Ideally, this process involves the individually planned and systematically monitored arrangement of teaching procedures, adapted equipment and materials, and accessible settings. These interventions are designed to help learners with special needs achieve a higher level of personal self-sufficiency and success in school and their community, better than may be available if the student were only given access to a typical classroom education.

Common special needs include learning disabilities, communication disabilities, emotional and behavioral disorders, physical disabilities, and developmental disabilities. Students with these kinds of special needs are likely to benefit from additional educational services such as different approaches to teaching, the use of technology, a specifically adapted teaching area, or a resource room. Table 4.3 below shows enrolment of learners with special needs;

**Table 4.3: Enrolment of Special Needs Pupils in Primary Schools in Uganda**

Grade	Gender	Hearing Impaired	Visually Impaired	Mentally Impaired	Physically impaired	Autism	Multiple Handicaps	Total
P1	Male	5,275	3,126	6,185	2,729	772	494	18,581
	Female	4,229	2,619	4,718	1,958	604	415	14,543
	Total	9,504	5,745	10,903	4,687	1,376	909	33,124
P2	Male	4,033	2,832	3,812	2,318	497	354	13,846
	Female	3,916	2,627	3,263	1,844	405	330	12,385
	Total	7,949	5,459	7,075	4,162	902	684	26,231
P3	Male	4,517	3,395	3,689	2,782	590	429	15,402
	Female	4,400	3,150	3,234	2,174	513	383	13,854
	Total	8,917	6,545	6,923	4,956	1,103	812	29,256
P4	Male	4,469	3,483	3,517	2,846	614	411	15,340
	Female	4,545	3,346	2,868	2,396	515	389	14,059
	Total	9,014	6,829	6,385	5,242	1,129	800	29,399
P5	Male	3,744	3,359	2,758	2,485	462	352	13,160
	Female	3,568	3,421	2,398	2,123	439	315	12,264
	Total	7,312	6,780	5,156	4,608	901	667	25,424
P6	Male	2,668	2,785	2,019	1,938	385	278	10,073
	Female	2,543	2,775	1,749	1,565	301	259	9,192
	Total	5,211	5,560	3,768	3,503	686	537	19,265
P7	Male	1,496	1,772	1,115	1,161	195	174	5,913
	Female	1,396	1,724	996	764	135	140	5,155
	Total	2,892	3,496	2,111	1,925	330	314	11,068
National	Male	26,202	20,752	23,095	16,259	3,515	2,492	92,315
	Female	24,597	19,662	19,226	12,824	2,912	2,231	81,452
	Total	50,799	40,414	42,321	29,083	6,427	4,723	173,767
<b>%age</b>		<b>29.2%</b>	<b>23.3%</b>	<b>24.4%</b>	<b>16.7%</b>	<b>3.7%</b>	<b>2.7%</b>	<b>100.0%</b>

Source: EMIS 2013/2014

The 2013/14 results show that pupils with special learning needs totaled 173,767, with 29.2% having hearing impairments. Visual and mental impairment accounted for 23.3% and 24.4% respectively. Physical impairment accounted for 16.7%, autism 3.1% and multiple 2.7%. Results for 2013/14 also indicate that special needs pupils represented 2% of the total pupil enrolment. There was no significant difference in the distribution of SNEs in the subsequent financial years, that is, 2011/12 and 2012/13. However, for all the financial years, the Northern region had the highest proportion of pupil with special needs with the north eastern region having the lowest proportion. Despite efforts made to have special needs children enrolled, in most schools the learning environment is not favorable in terms of structural architectural designs and availability of instructional materials. The 2010/11 results show that pupils with special learning needs totaled 205,018. This implies that some of the children have dropped out of school.



During the Commission's assessment on compliance to equal opportunities in the delivery of primary education in Kamuli district, it was noted that some private schools had the will to support the learning of special needs children but with financial constraints. Below is a picture of a private school which was offering free education to one of the children with physical disability.

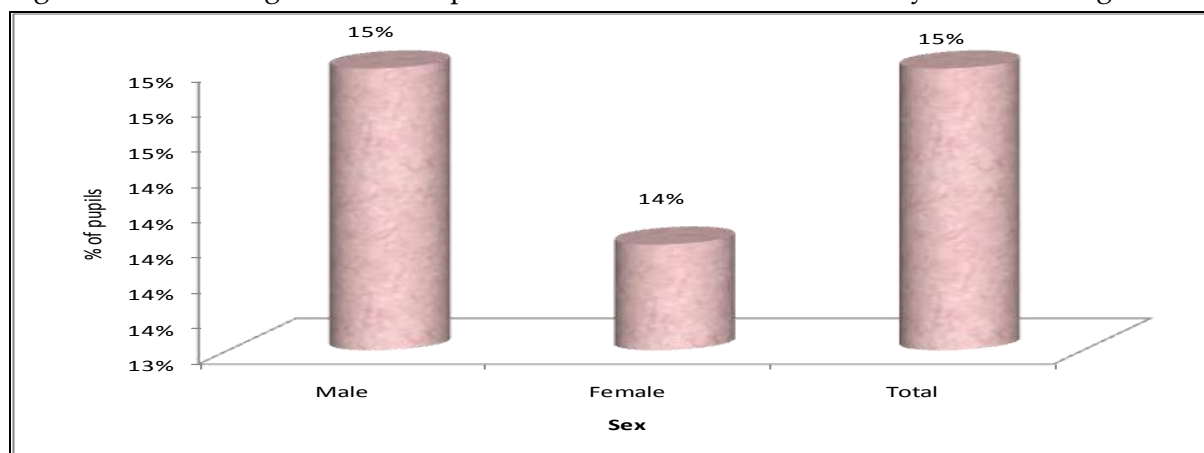


In this picture, the parents of the child with physical disability had denied him education until the school head teacher (on the left in white T-shirt) offered to offer a scholarship to the child (seated in a wheel chair). The sister (on the right in red) to the boy with disability committed herself to always carry her brother to and from school on a daily basis.

#### 4.3.2.6 Orphans in Primary Schools

At least 12.3 % of children in Uganda are orphans. 420,000 of these orphans have lost only a mother and 1,330,000 a father. However, 402,500 of these are total orphans, having lost both parents, and these are the more likely to end up in orphanages. An orphan is a child whose mother or father are dead or a child who has been abandoned permanently. In common usage, only a child who has lost both parents is called an orphan. The state of being an orphan subjects children to vulnerability and denial of access to services. However, on a positive note a number of orphans have been enrolled in school though some have been denied the chance. Figure 4.5 below shows the percentage share of orphans to total enrolment in primary schools in Uganda

Figure 4.5: Percentage Share of Orphans to Total Enrolment in Primary Schools in Uganda



Source: EMIS 2013/2014

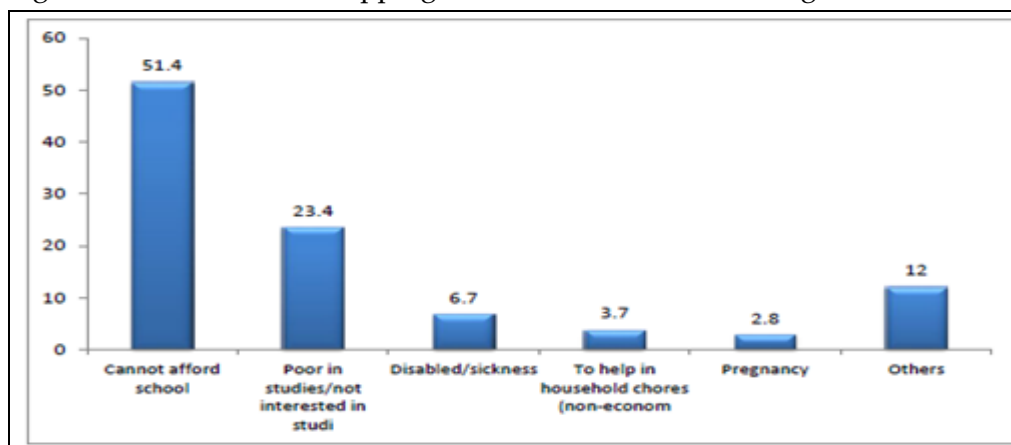
The 2010 census results show that a total of 1,350,541 pupils had lost either a parent or both and these comprised 16.1% of the entire pupil enrolment in primary schools, with

the proportion of boys slightly higher at 16.4% than that of girls (15.9%). A regional analysis indicated that the central region had the highest proportion of orphans (at 20.6%) as compared to the enrolment in all primary schools within the region, whereas the eastern region had the lowest proportion of orphaned pupils rating at 12.9%. While in 2011, a total of 1,264,553 pupils that had lost either a parent or both comprised 15.6% of the entire pupil enrolment in primary schools, with the proportion of boys slightly higher at 15.9% than that of girls (15.3%). A regional analysis indicated that the central region had the highest proportion of orphans (at 19.8%) compared to all other regions, whereas the eastern region had the lowest proportion of orphaned pupils rating at 12.4%.

#### 4.3.2.7 School Drop Out

A Report from the United Nations Educational, Scientific and Cultural Organization (UNESCO) shows that Uganda has the highest school drop-out rate for females in East Africa. The rate shoots up to claim roughly half the class before the girls finish primary school. The reasons attributed to dropping out of school for children aged 6-17 are presented in Figure 4.6 below

Figure 4.6: Reasons for Dropping out of school for Children aged 6-17 Years



Source: National Labour Force and Child Activities Survey 2011/12

The main reason attributed to school dropout was inability to afford school in terms of fees, scholastic materials and boarding fees among others.

#### 4.3.2.8 Involvement of School Going Children in Child Labour

Child labour today represents the largest single cause of child abuse across the globe. Table 4.4 below shows the Proportion and Number of Children in School and Work by Background Characteristics

**Table 4.4: Proportion and Number of Children in School and Work by Background Characteristics**

Characteristic		Total Working		Total in School	
		No.	Percentage	No.	Percentage
Sex	Male	2.213	39.6	4.919	88.1
	Female	2.127	38.0	5.013	89.7
Residence	Urban	255	17.1	1,344	90.2
	Rural	4.086	42.2	8,588	88.7
Residence	Central	1,216	51.4	2,134	90.2
	Eastern	1,275	38.0	3,050	91.0
	Northern	630	29.4	1,771	82.7
	Western	1,185	40.3	2,647	89.9
Sub Region	Kampala	35	9.5	329	85.3
	West Nile	88	12.7	587	57.5
	Karamoja	112	36.3	177	85.3
Age	6-11	1,400	24.5	5,189	90.8
	12-13	1,025	49.2	1,952	93.7
	14-17	1,916	56.7	2,792	82.6
Total		4,341	38.8	9,933	88.9

Source: National Labour Force and Child Activities Survey 2011/12

#### 4.3.2.9 Reasons for not going to school for children aged 6-17 years

There various reasons why some school age going children (6-17 years) do not go to school. Some of the reasons are associated with discrimination and marginalisation while others are associated to culture as well as ignorance. With reference made to the National Labour Force and Child Activities Survey (2011/12), a number of reasons were shared and the findings are presented in Table 4.5 below;

**Table 4.5: Reasons for not Going to School for Children Aged 6-17 Years**

Reason for never been to school	Male	Female	Total
Too young	44.6	42.7	43.8
Cannot afford school	14.9	17.2	16
Disabled/Illness	13.3	9.2	11.5
Help at Home	8.3	12.2	10
Not interested in schooling	8.1	5.6	7
Others	11.8	11.8	11.8
<b>Total</b>	<b>100</b>	<b>100</b>	<b>100</b>

Source: National Labour Force and Child Activities Survey 2011/12

Failure to enroll children in schools denies them an opportunity to learn at the right age. With reference made to the National Labour Force and Child Activities Survey (2011/12), of the children denied access to school, majority attributed the denial to age (43.8%) and inability to afford school (16%). Children denied access due to disabilities constituted 11.5% while those required to help at home were 10%.

#### 4.3.2.10 Availability of Sitting and Writing Space in School Classrooms

The environment in which a child grows determines both cognitive and physical development (Bronfenbrenner and Morris...:p. 797; Bronfenbrenner 1999:5; Bronfenbrenner 1994). Children from middle and higher income households may be discouraged by poor environments in schools, children from poor households may not see a difference between their homes and school hence no motivation to go to school. In both aspects, children are denied opportunity to attend school and learn. Therefore availability of adequate and good seats can promote learning. Table 4.6 below shows the regional distribution of primary pupils by adequate sitting and writing space;

**Table 4.6: Sub Regional Distribution of Primary Pupils by Adequate Sitting and Writing Space in Schools**

Sub Region	With Adequate Sitting and Writing Space			Enrolment			%age with Adequate Sitting and Writing Space		
	Government	Private	Total	Government	Private	Total	Government	Private	Total
Acholi	255,701	18,062	273,763	406,420	33,182	439,602	62.9%	54.4%	62.3%
Ankole	366,466	105,909	472,375	518,144	130,074	648,218	70.7%	81.4%	72.9%
Buganda	1,032,063	496,789	1,528,852	1,356,469	597,457	1,953,926	76.1%	83.2%	78.2%
Bukedi	323,766	41,649	365,415	535,600	56,249	591,849	60.4%	74.0%	61.7%
Bunyoro	238,680	62,721	301,401	343,158	88,722	431,880	69.6%	70.7%	69.8%
Busoga	494,489	116,649	611,138	783,355	146,041	929,396	63.1%	79.9%	65.8%
Elgon	299,035	38,030	337,065	455,705	48,245	503,950	65.6%	78.8%	66.9%
Karamoja	56,034	5,928	61,962	122,754	16,906	139,660	45.6%	35.1%	44.4%
Kigezi	248,748	39,402	288,150	324,187	46,254	370,441	76.7%	85.2%	77.8%
Lango	308,036	25,111	333,147	558,923	36,822	595,745	55.1%	68.2%	55.9%
Teso	280,531	27,808	308,339	512,563	42,472	555,035	54.7%	65.5%	55.6%
Toro	338,841	70,173	409,014	477,758	90,469	568,227	70.9%	77.6%	72.0%
West_Nile	406,997	23,034	430,031	695,302	36,489	731,791	58.5%	63.1%	58.8%
Total	4,649,387	1,071,265	5,720,652	7,090,338	1,369,382	8,459,720	65.6%	78.2%	67.6%

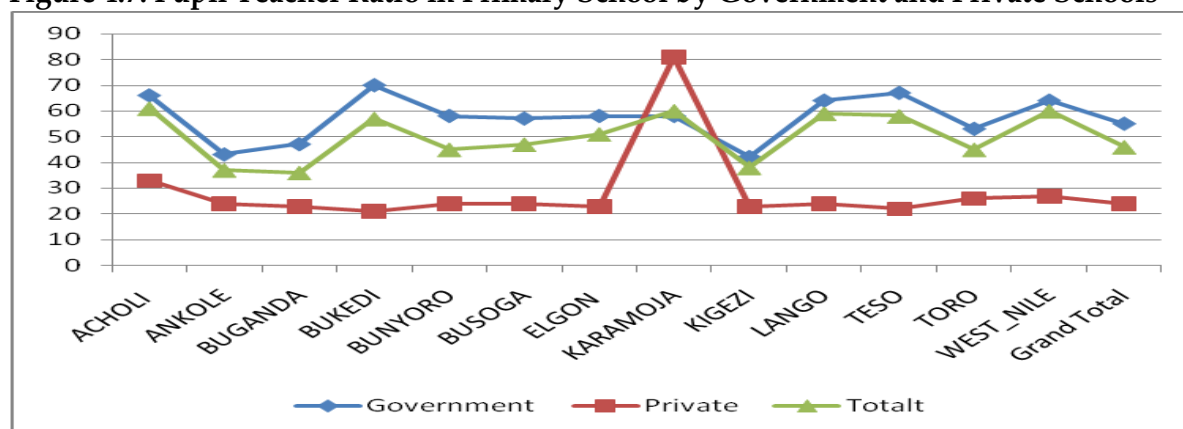
Source: EMIS 2013/2014

Fig. 4.10 shows that many schools across the regions do not have adequate sitting and writing space. However, inadequate sitting and writing space is precarious in Karamoja, Lango, Teso, West-Nile, Acholi, and Bukedi, regions. Although one could argue that this is a one point data and therefore not easy to conclude that there is unequal opportunity in terms of sitting and writing space in schools in Northern and Eastern regions, other sources of information have consistently shown that those regions exhibit poor indicators over time (UBOS, 2012; UNDP, 2007; Ministry of Finance, Planning and Economic Development, 2007; Ssewanyana *et al.*, 2004). Therefore, it is prudent to conclude that Karamoja, Northern, West-Nile and Eastern regions lack equal opportunities of provisions for sitting and writing space in their schools.

### 4.3.2.11 Pupil Teacher Ratio in Primary Schools in Uganda

Benefits of close relationship between teacher and pupils cannot be underestimated. The benefits include timely marking of assignments and providing feed back to pupils. Most importantly the benefits can motivate pupils to attend school. On the contrary, a situation where there are many pupils to one teacher, it may be difficult for pupils to enjoy the above benefits. Uganda has strived to attain a relatively small pupil teacher ratio. Where as in 2007 the ratio was 57:1, to date it is 49:1 (UBOS 2014 statistical abstract). Figure 4.7 below shows the Pupil Teacher Ratio in Primary schools in Uganda.

**Figure 4.7: Pupil Teacher Ratio in Primary School by Government and Private Schools**



Sub Region	Government	Private	Overall
Acholi	67:1	38:1	63:1
Ankole	44:1	30:1	40:1
Buganda	48:1	27:1	39:1
Bukedi	70:1	25:1	60:1
Bunyoro	59:1	30:1	49:1
Busoga	58:1	30:1	51:1
Elgon	59:1	26:1	53:1
Karamoja	59:1	102:1	62:1
Kigezi	42:1	27:1	39:1
Lango	66:1	29:1	61:1
Teso	68:1	26:1	60:1
Toro	54:1	33:1	49:1
West Nile	65:1	34:1	62:1
Total	56:1	29:1	49:1

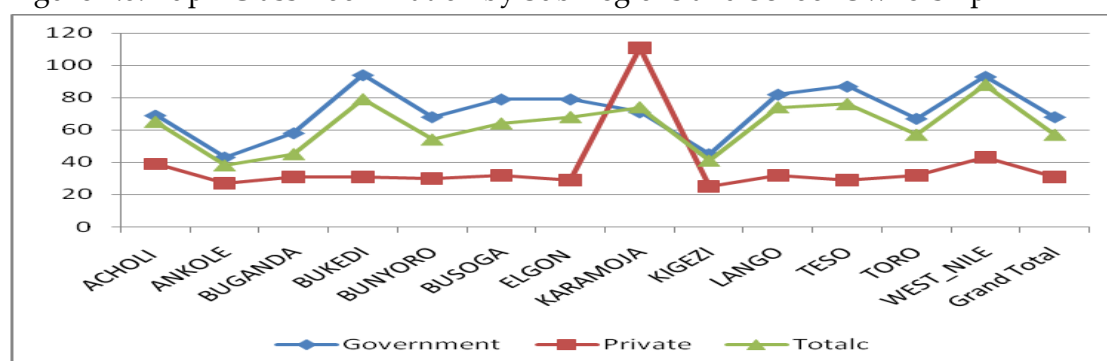
Source: EMIS 2013/2014

Like in previous indicators, Karamoja, Lango, Teso, West-Nile, Acholi and Bukedi regions have the ratio which is far above the national average of 49. The implication is that children in these regions are denied opportunity to benefit from close relationship with teachers. This also relates to classroom size as discussed below.

### 4.3.2.12 Classroom Size

Benefits of a small class size to both pupils and teachers are widely published (AEU 2004). The benefits include improvement in performance in tests and examinations, limited disciplinary problems, beneficial to disadvantaged poor and vulnerable children, positively affects the future performance of a child in advanced educational levels(AEU 2004). Trends in pupil-class room ratio have been improving as presented in Figure 4.8 below;

Figure 4.8: Pupil Class Room Ration by Sub Regions and School Ownership



Region	Pupil Classroom Ratio		
	Government	Private	Overall
Acholi	69	39	65
Ankole	43	27	38
Buganda	58	31	45
Bukedi	94	31	79
Bunyoro	68	30	54
Busoga	79	32	64
Elgon	79	29	68
Karamoja	71	111	74
Kigezi	45	25	41
Lango	82	32	74
Teso	87	29	76
Toro	67	32	57
West_Nile	93	43	88
National Average	68	31	57

Source: EMIS 2013/2014 data

The national average is 57:1, regional disaggregation indicates that average ratio of Bukedi, Karamoja, Lango, Teso, and West-Nile, regions were higher than the national average of 65 pupils per class room. Fig. 4.5 also shows that there is congestion in government school compared to private schools in all regions except for Karamoja region. A possible reason why the ratio in Karomaja is very high could be due to limited number of private schools in the region and some people's preference for private schools to government schools. The implication of this finding is that children who studied in congested class rooms do not have the same opportunity to learn as children who study in relatively medium class rooms in Uganda.

Thus children from Bukedi and other regions mentioned here are denied opportunity to benefit from small class size, which negatively affects their performance in examinations as discussed later in this chapter.

#### 4.3.2.13 Availability of Disability Friendly Classrooms

The availability and nature of school infrastructure plays a key role in the implementation of special needs education. Schools with adequate disability friendly infrastructure are likely to attract more SNE children as compared to those without. An inclusive child-friendly classroom design guarantees every child an environment that is physically safe, emotionally secure and psychologically enabling. Table 4.7 below shows the type of classrooms in selected primary schools;

**Table 4.7: Building by type**

Categories	Existing No
Permanent & disability friendly	294
Permanent but not disability friendly	574
Temporary & disability friendly	40
Temporary but not disability friendly	96
Total	1,004

Source: EOC 2014/2015

In the 127 selected primary schools there were a total of 868 permanent classrooms out of which only 34% were disability friendly. This implies that in many of our schools, persons with disabilities are denied access to education. Every structure at school should be disability friendly. The Commission is grateful to contractors who have respected constructions plans.



This is one of the newly constructed classroom blocks monitored by the Commission. It has standard ramps to enable accessibility for children with disabilities

However, due to sub standard work by some contractors, some of the ramps get washed away a few years after construction. A case in point is one of the schools monitored by the Equal Opportunities Commission in Amuru district as presented in the picture below;



This is one of the classroom blocks whose ramps had been washed away by rain in Amuru district

#### 4.3.2.14 Availability of Disability Friendly Instructional Materials

Instructional materials play a key role in determining learner performance in primary schools in Uganda. The materials make it favorable for pupils to read and learn independently. Fifteen Special Needs Education instructional materials were earmarked to establish their availability in schools. Table 4.8 below shows availability of instructional materials for special needs children in the 127 selected schools.

**Table 4.8: Availability of Disability Friendly Instructional Materials**

Item/Particulars	Number Working	Number Spoilt
i. Perkin brailers	1	0
ii. Brailers Paper	0	0
iii. Talking Calculators	0	0
iv. Braille slates & Stylus	30	0
v. Goal ball	0	0
vi. Cubes & Cube frames	0	0
vii. Tile frames	0	0
viii. Embozers	0	0
ix. Typewriter	1	0
x. Talking clocks	1	1
xi. Audiometers	0	0
xii. Computers with Jaws software	0	0
xiii. Printers	0	0
xiv. Wheel chairs	0	0
xv. Sawing machines	3	0

Source: EOC 2014/2015

Table 4.3 shows that in all schools monitored there was almost no instructional materials for special needs children. Observations that inhibit accessibility of special needs education learners were noted during the monitoring exercises carried out by the Commission and these are;

- i. Schools do not have capacity to effectively and efficiently handle special needs education complaints. In most schools, there are neither trained teachers nor instructional materials.
- ii. Pertaining to infrastructure, a number of schools have blocks that were not disability friendly. There are also a number of instances where the ramps have been washed away by running water. In addition, most of the schools do not have wide doors to allow easy accessibility for learners with wheel chairs.

#### 4.3.2.15 Access to toilets/latrines in schools

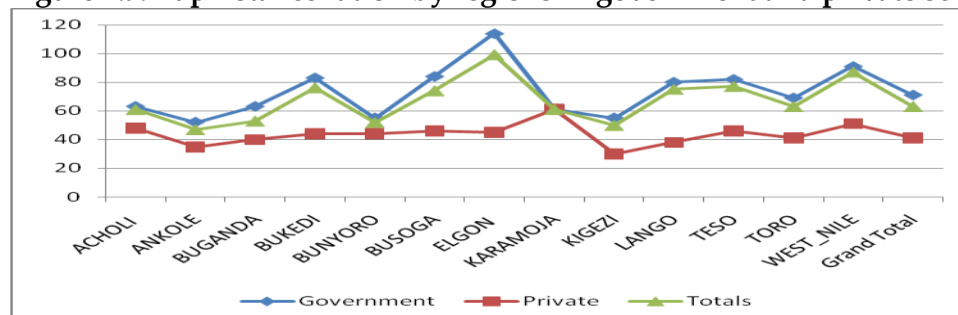
In Uganda, schools with hundreds of pupils lack safe sanitation facilities. In a recent survey in Uganda carried out by the World Health Organization, only a third of schools had adequate sanitation and separate toilets for girls. In many complaints, improving sanitation can be as simple as installing a well-designed ventilated improved pit latrine (VIP). Although building improved sanitation facilities is a crucial health intervention,



the full health benefits will not be realised without proper use and maintenance of the facilities as well as good personal and domestic hygiene.

Sanitation facilities prevent the transmission of diseases as they prevent human faecal contamination of water and soil. The lack of proper sanitation facilities is the cause of significant proportion of the world's infectious disease burden. According to the WHO, diseases due to poor water supply, sanitation, and personal and domestic hygiene cause 4.0% of all deaths and 5.7% of all disability or ill health in the world. Figure 4.9 below shows the state of pupil stance ratio by sub region;

**Figure 4.9: Pupil stance ration by regions in government and private schools**



Region	Pupil Stance Ratio		
	Government	Private	Total
Acholi	63	48	61
Ankole	52	35	47
Buganda	63	40	53
Bukedi	83	44	76
Bunyoro	55	44	52
Busoga	84	46	74
Elgon	114	45	99
Karamoja	61	61	61
Kigezi	55	30	50
Lango	80	38	75
Teso	82	46	77
Toro	69	41	63
West Nile	91	51	87
Grand Total	71	41	63

Source: EMIS 2013/2014 data

Table 4.9 below shows the availability of disability friendly sanitary facilities in selected schools;

**Table 4.9: Number of Existing Sanitary Facilities**

Category	No. Latrine blocks	No. Latrine stances	Disability friendly latrines stances	Stances with Doors	Stances with Shutters	No. of bathrooms
Teachers	132	312	50	264	186	112
Girls	158	658	94	520	396	52
Boys	154	578	86	476	350	54
Mixed Use	18	60	6	40	28	6
Total	462	1608	236	1300	960	224

Source: EOC 2014/2015

In the 127 selected schools, there were a total of 462 latrine blocks of which 34% were for female pupils, 33% for male pupils, 29% for teachers and 4% shared. Out of 1608 latrine stances, only 14.7% were disability friendly. The policy issue should be that at least two disability friendly latrine stances should be constructed and maintained in every school (one stance for females and another for males). Hence the monitoring process should consider schools with or without disability latrine stances. This information can then be aggregated at different levels i.e. sub county, district, region and national levels.

#### 4.3.2.16 District Level Performance in Primary Leaving Examinations 2011-2014

Primary Leaving Examination performance by district were examined between 2011 and 2014 and found that there were disparities among districts. Table 4.10 presents the best and poor performing districts in PLE.

**Table 4.10: District Level Performance in Primary Leaving Examinations 2011-2014**

S/N	Best 20 Performing Districts (2011-2014)		PLE Poor Performing Districts (2011-2014)	
	District	Performance Index	District	Performance Index
1	Moroto	62%	Kween	33%
2	Masaka	62%	Luuka	37%
3	Abim	63%	Bukwo	38%
4	Mukono	63%	Bulambuli	38%
5	Kanungu	64%	Buyende	41%
6	Kalangala	65%	Kaliro	41%
7	Moyo	65%	Namutumba	42%
8	Lyantonde	67%	Manafwa	42%
9	Ntungamo	67%	Bugiri	43%
10	Masindi	68%	Kayunga	44%
11	Kiruhura	69%	Kapchorwa	44%
12	Wakiso	69%	Mayuge	44%
13	Mitooma	70%	Bududa	45%
14	Rukungiri	70%	Amolator	45%
15	Sheema	70%	Kyankwanzi	45%
16	Rubirizi	71%	Kamuli	45%
17	Bushenyi	72%	Serere	46%
18	Mbarara	75%	Iganga	46%
19	Kabarole	75%	Alebtong	46%
20	Kampala	76%	Pallisa	47%

Source: UNEB

The result of pupils from poor performing districts is the inability to access education at higher levels particularly USE. In the long run, the poor performing districts will lag behind and will contribute less skilled human resource. Results show that 85 percent of the best performing districts are located in the Central and Western Regions. This implies that the two regions will have advantage over the other regions. On the other hand, districts of

Busoga sub region constitute 40 percent of the 20 poor performing districts. In addition, out of the 20 poor performing districts, 17 (85%) are located in the Eastern Region.

#### 4.4 Recommendation Matrix

S/N	Performance Gap	Likely Risk	Recommendation	Responsibility Centre
1	<p>A big percentage of children do not have opportunity to attend early childhood education (ECE).</p> <p>Regionally, children from the central have better opportunities to access ECD centres than other regions more especially the northern region.</p>	<p>Inequality of knowledge levels upon enrolment in P.1</p> <p>Regional inequality in knowledge levels.</p>	<p>Deliberate effort should be taken to provide equitable access to Early Child Education Centres.</p> <p>Meaningful targets for investment should be set to equitably provide infrastructure of ECD in all regions of Uganda.</p>	MoES and LGAs
2	Eastern and Northern region's performance in national examination is lower than the national average.	<p>Imbalances in literacy levels</p> <p>Imbalances in accessing employment that requires educational skills</p>	This requires that government provide resources that are lacking in these regions to enable pupils to excel in primary leaving examinations. Such resources include: training, recruitment, and retention of more teachers in disadvantaged areas, provision of scholastic materials and training materials, and building of infrastructure.	MoES
3	Majority of the Physical structures in schools are not disability friendly.	Persons with Disability will continually be discriminated against accessing education	<p>Every physical structure at school should be disability friendly. All classrooms should be accessed by children with disability. The old buildings should be modified to enhance access for pupils with disability.</p> <p>Two disability friendly latrine stances (one for females and another for the males) should be constructed and maintained in every school. Hence the monitoring process should consider schools with or without disability latrine stances. This information can then be aggregated at different levels i.e. sub county, district, region and national levels.</p>	MoES and LGAs

# **CHAPTER FIVE**

## **STATE OF EQUAL OPPORTUNITIES IN THE HEALTH SECTOR**

### **5.0 Introduction**

The Constitution of the Republic of Uganda provides that the State shall ensure that all Ugandans enjoy the right of access to health services. Health refers to a state of complete physical, mental and social wellbeing, not merely absence of disease (MoH). Government, through Ministry of Health has been implementing the Health Sector Strategic Investment Plan II (HSSP II). The Government of Uganda has been pursuing a deliberate strategy under the HSSP II specifically to upgrade health infrastructure, abolish user fees in public facilities, provide subsidies to the not-for-profit sector, upgrade health training and enhance drug availability.

The HSSP II aims at improving access of the population of the Minimum Health Care Package (MHCP), improving the quality of the MHCP and reducing inequalities between the various segments of the population in accessing quality services. The main thrust of the HSSP is immunization, malaria control, information education and communication (IEC), reproductive health, HIV/AIDS control and environmental health. The HSSP also emphasizes increasing physical access to health facilities and facilitating local governments to provide the same.

### **5.1 Overview of Policy, Legal and Regulatory Frameworks**

#### **5.1.1 The Policy Framework in the Health Sector**

The Ministry of Health has various policies and strategic plans to guide equitable delivery of health services to all Ugandans. These include; the National Health Policy, the National Adolescent Health Policy, the National Policy Guidelines and Service Standards for Sexual and Reproductive Health and Rights and the Reproductive Health Policy among others. The strategic plans include; the Health Sector Strategic Investment Plan (HSSIP III 2010/11 – 2014/15), and the National Development Plan (NDP) 2010/11-2014/15.

#### **5.1.2 Legal and Regulatory Framework**

The Constitution of the Republic of Uganda under Objective XX provides that the State shall take all practical measures to ensure the provision of basic medical services to the population. The Constitution is supplemented by various laws particularly the Public Health Act the Local Governments Act (Cap.243) and the Food and Drug Act among others.

The Republic of Uganda is signatory to a number of regional and international conventions geared towards ensuring equal opportunities in the access to health services among which includes; the Universal Declaration of Human Rights (*Article 25 Section 1 and 2*), the International Covenant on Economic, Social and Cultural Rights (*Article 7, 11 and 12*), the Convention on the Rights of the Child (*Article 23, 24 and 25*), the Convention on the Rights of Persons with Disabilities (*Article 10, 15, 16, 22, 23, 25, 28*), the Convention on the Elimination of All Forms of Discrimination Against Women (*Article 11 and 12*), the African Charter on Human and Peoples Rights (*Article 16 and 18*), the African Charter on the Rights and Welfare of the Child (*Article 5, 13, 14 and 20*), International Conference on Population and Development, and the Protocol to the African Charter on Human & Peoples Rights (*Articles 4 and 5*).

## **5.2 Activities Implemented by the EOC under the Health Sector**

In fulfillment of the Equal Opportunities Act, 2007, the Commission carried out the following activities in the Health Sector;

- i. Monitoring and evaluation on compliance to equal opportunities and affirmative action in the delivery of Health Services at Health Centres II, III, and IV in the districts of Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.
- ii. Development of a monitoring and evaluation framework for the Health Sector. The framework constitutes measurable equal opportunities indicators which enables the Commission to annually report to the public on the status.
- iii. Analysis on the state of equal opportunities in the Health Sector and made recommendations.

## **5.3 Physical Accessibility to Health Facilities and Services**

Physical accessibility to and within the health centres matters in the provision of health services to the different categories of people such as persons with disabilities, older persons, children, expectant mothers and those in critical state.

### **5.3.1 Distance to Health Care Facilities**

The average distance to a health facility in Uganda is 3 kilometers (UNHS 2012/13) and 77% of the Ugandan population lives within a 5 kilometer radius to a health facility (UNHS 2012/13). During the Commission's visits in the hard to reach areas such as Kamion in Kaabong and Bundibugyo, it was found that the only transport means is walking. In addition, a number of islands in Uganda do not have any health facility, for example in Mayuge district, out of seven islands two did not have any health facility while the rest only had Health Centre II.

### 5.3.2 Physical Accessibility within the Health Centres

All public and private health institutions/ buildings should have wide doors, ramps, rails, and signage for guided movement and accessibility by persons with different physical abilities including the users of wheelchairs. The Commission made an assessment on the physical accessibility within health centres II, III and IV in 15 districts (*Kaabong, Amudat, Amuru, Koboko, Bundibugyo, Mbarara, Bushenyi, Kamwenge, Rukungiri, Mayuge, Kamuli, Busia, Tororo, Kumi, and Nakasongola*).

The findings revealed that Health Centre IVs are fairly accessible. However, several lower level health facilities (Health Centre IIIs and IIs) are still posed with high levels of inaccessibility with unsuitable entrances and exits for persons with disability as illustrated in Figure 5.1.

**Figure 5.1: Photographs of inaccessible Health Centres**



In addition, the entrances and pathways linking to the buildings, parking and local public transit stops should all be wide enough and accessible to persons with different abilities including wheelchair users. Pathways for Health Centre IIs and Health Centre IIIs that were visited by the Commission are not linked to the buildings, parking lots and local public transit stops. In addition, majority of the health facilities do not have internal geographical guides to enable patient's access to different units with ease.

Safe and well dimensioned stair complaints, ramps and adequate rails guarantee universal accessibility to health facilities. This is more so among the users of mobility devices such as crutches and/ or calipers and wheelchairs. Some structures at Health Centres II and III lack well dimensioned stair complaints, ramps and adequate rails. In some instances, ramps have been washed away by rain.

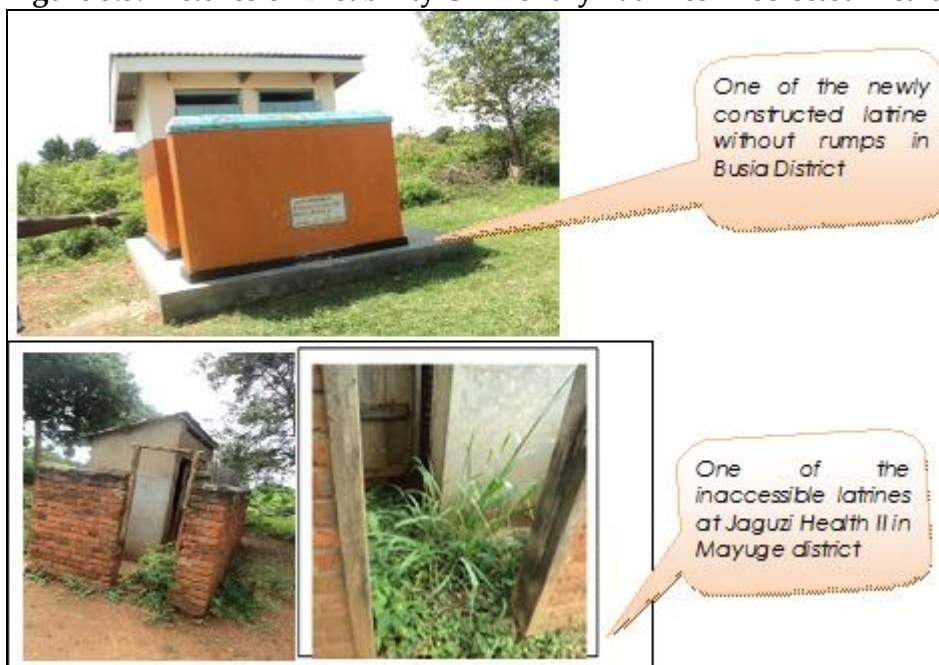
**Figure 5.2: Photo of a ramp washed away by rain in Kityerera HC IV, Mayuge District**



### **5.3.3 Accessibility to Sanitary facilities in Health Centres**

During the various assessments and audits conducted by the Commission on accessibility to health facilities in the 15 districts, it was found that very few facilities have accessible toilets, bathrooms and urinals. In some complaints even newly constructed sanitary facilities did not have provisions for ramps yet the architectural plans include them. The pictures below (Figure 5.3) present some of the complaints observed during the various visits conducted by the Commission.

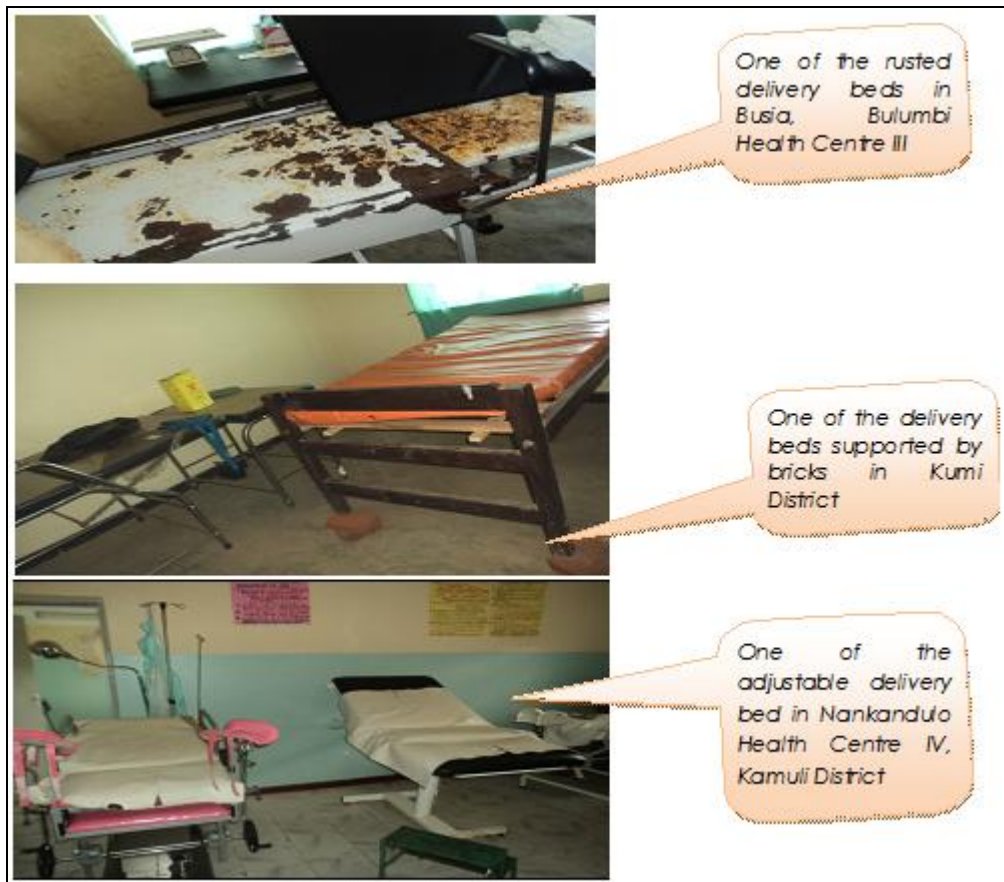
**Figure 5.3: Pictures of Disability Unfriendly Latrines in selected Health Centres**



### **5.3.4 Availability and Functionality of Medical Equipment**

The Equal Opportunities Commission established that the status of some medical equipments were below standard and dangerous to health. In the Health Centres II, III and IV assessed, only a few had disability friendly delivery beds. Most of the available delivery beds are not adjustable. The pictures below (Figure 5.4) present some of the complaints observed during the activities carried out by the Equal Opportunities Commission.

**Figure 5.4: Pictures of Disability Friendly Health Equipment in some of the Health Centres Monitored**



### **5.3.5 Availability of Human Resources in the Health Centres**

Availability of adequate skilled human resource is fundamental in equitable health service provision in the country. Ministry of Health and District Local Governments are mandated to ensure that all public health facilities have the required staffing levels filled to enable optimal functioning of the health facilities. However, during its assessments and audits, the Commission found that there is inequitable distribution of human resources in the health sector more especially in the hard to reach areas. The Health Work force at Health Centres IV, III, and II is constituted by; Medical Doctors, Clinical Officer, Nursing Officer, Mid wives, Comprehensive Nurse, Laboratory Technicians/Assistants, Dentist, Nursing assistants, Cicatrix Nurse , Stores Assistant, Health Assistants, Expert Client, Mentor Mothers, Entomologist, Records Officer/ Assistants, Watch Men, and Porters among others. During the monitoring exercise, staffing levels at each of the health facility visited was established and the findings are presented in table 4.1 below;



**Table 5.1: Staffing levels by Health Centre**

District	Health Centre	Personnel	Male	Female	Total
AMURU	Amuru H/C II	Medical Doctors	-	-	-
		Clinical Officers	-	-	-
		Nursing Officer	-	-	-
		Mid wives	-	-	-
		Nursing assistants	01	-	01
		Enrolled Midwives	-	01	01
		Health Assistants	-	-	-
		Watch Man	-	-	-
		Porters	00	-	00
AMURU	KALADIMA H/C III	Medical Doctors	-	-	0
		Clinical Officers	01	01	02
		Nursing Officer	01	01	02
		Mid wives	-	02	02
		Nursing assistants	01	01	02
		Enrolled Nurse	01	02	03
		Health Assistants	-	01	01
		Laboratory Personnel	01	01	02
		AMURU	LAMOGE H/C III	Medical Doctors	-
Clinical Officers	01			01	02
Nursing Officer	01			-	01
Mid wives	-			01	01
Nursing assistants	-			02	02
Enrolled Nurse	-			01	01
Health Assistants	-			01	01
Askari	01			01	02
Porters	01			01	02
KAABONG	KAMION H/C II	Medical Doctors	-	-	-
		Clinical Officers	-	-	-
		Nursing Officer	-	-	-
		Mid wives	-	-	-
		Nursing assistants	01	-	01
		Enrolled Midwives	-	01	01
		Health Assistants	-	-	-
		Watch Man	-	-	-
		Porters	01	-	01
KAABONG	KALAPATA H/C III	Medical Doctors	-	-	-
		Clinical Officers	-	-	-
		Senior clinical officer	01	-	01
		Nursing Officer	-	-	-
		Mid wives	-	-	-
		Nursing assistants	03	01	04
		Enrolled Nurse	-	01	01
		Health Assistants	-	-	-
		Askari	01	-	01
KAABONG	LOKOLIA	Porters	-	01	01
		Medical Doctors	-	-	-

District	Health Centre	Personnel	Male	Female	Total
	H/C III	Clinical Officers	01	-	01
		Nursing Officer			
		Mid wives	-	01	01
		Nursing assistants	02	01	03
		Records Assistant	01	-	01
		Enrolled Nurse	-	-	-
		Health Assistants	-	-	
		Laboratory Assistant	01	-	01
		Watch Man	-	-	-
		Porters	-	-	-
Mayuge	Jaguzi H/C II	Comprehensive Nurse	00	01	01
		Nursing Assistant	01	01	02
Mayuge	Kityerera H/C IV	Medical Doctors	0	0	0
		Senior Clinical Officers			
		Senior Nursing Officer		01	01
		Clinical Officer	01	02	03
		Comprehensive Nurse	00	02	02
		Nursing Officer	00	01	
		Health Inspector	01	00	01
		Mid wives			
		Enrolled Mid wives	00	02	02
		Nursing assistants	00	02	
		Records Officer/ Assistant	01	00	01
		Health Educator	01	00	01
		Enrolled Nurse	02	00	
		Health Assistants			
		Laboratory Techn/Asst	02	01	03
		Stores Assistant	00	01	01
Watch Man	02	00	02		
Potter	01	02	03		
Mayuge	Mayuge H/C III	Senior Clinical Officers	01	00	01
		Clinical Officers	01	00	01
		Nursing Officer	01	00	01
		Nurses	00	03	03
		Mid wives	00	02	02
		Nursing assistants	01	02	03
		Health Assistants	01	00	01
		Laboratory Assistant	01	00	01
		Watch Man	02	00	02
		Porters	02	00	02
Kamuli	Namuningi H/C II	Enrolled Mid wives	00	02	02
		Nursing Assistant	00	01	01
		Security Officer	02	00	02
		Office Cleaner	01	00	01
Kamuli	Butansi H/C III	Senior Clinical Officers	00	01	01
		Clinical Officers	00	01	01

District	Health Centre	Personnel	Male	Female	Total
		Nursing Officer	00	01	01
		Mid wives	00	03	03
		Enrolled Nurse	01	01	02
		Nursing assistants	01	01	02
		Laboratory Assistant	02	01	03
		Watch Man	02	00	02
		Porters	01	00	01
		Records Officer/ Asst	00	01	01
Kamuli	Nankandwo H/C IV	Medical Doctors	02	00	02
		Clinical Officer	04	00	04
		Nursing Officer	00	02	02
		Mid wives	00	02	02
		Comprehensive Nurse	02	01	03
		Laboratory Techn/Asst	03	01	04
		Dentist	01	00	01
		Nursing assistants	01	01	02
		Cicatrix Nurse	02	00	02
		Stores Assistant	01	00	01
		Health Assistants	01	00	01
		Expert Client	01	01	02
		Mentor Mothers	00	04	04
		Entomologist	01	00	01
		Records Officer/ Asst	01	00	01
		Watch Man	02	02	04
Busia	Mawero H/C II	Comprehensive Nurse	00	01	01
		Nursing assistants	01	00	
Busia	Buwembe H/C II	Comprehensive Nurse	00	01	01
		Nursing assistants	01	00	01
		Vaccinator	01	00	01
		Cleaner	01	00	01
		Watch Man	01	00	01
Busia	Bulumbi H/C III	Senior Clinical Officers	01	00	01
		Clinical Officer	00	01	01
		Nursing Officer	00	01	01
		Enrolled Mid wives	00	01	01
		Nursing assistants	00	02	02
		Enrolled Nurse	00	03	03
		Health Assistants	01	00	01
		Laboratory Techn/Asst	01	01	02
		Watch Man	00	00	00
Porters	01	00	00		
Bushenyi	Bushenyi H/C IV	Medical Doctors	02	00	02
		Clinical Officer	04	00	04
		Nursing Officer	00	02	02
		Mid wives	00	02	02
		Comprehensive Nurse	02	01	03

District	Health Centre	Personnel	Male	Female	Total	
		Laboratory Techn/Asst	03	01	04	
		Dentist	01	00	01	
		Nursing assistants	01	01	02	
		Cicatrix Nurse	02	00	02	
		Stores Assistant	01	00	01	
		Health Assistants	01	00	01	
		Expert Client	01	01	02	
		Mentor Mothers	00	04	04	
		Entomologist	01	00	01	
		Records Officer/ Asst	01	00	01	
		Watch Man	02	02	04	
		Kyeizoba H/C III	Senior Clinical Officers	01	00	01
			Clinical Officers	01	00	01
	Nursing Officer		01	00	01	
	Nurses		00	03	03	
	Mid wives		00	02	02	
	Nursing assistants		01	02	03	
	Health Assistants		01	00	01	
	Laboratory Assistant		01	00	01	
	Watch Man		02	00	02	
	Porters		02	00	02	
	Kabushaho H/C III	Senior Clinical Officers	00	01	01	
		Clinical Officers	00	01	01	
		Nursing Officer	00	01	01	
		Mid wives	00	03	03	
		Enrolled Nurse	01	01	02	
		Nursing assistants	01	01	02	
		Laboratory Assistant	02	01	03	
		Watch Man	02	00	02	
		Porters	01	00	01	
		Records Officer/ Asst	00	01	01	
	Bundibugyo	Bundibugyo H/C IV	Medical Doctors	1	1	2
			Senior Clinical Officers			
Senior Nursing Officer				01	01	
Clinical Officer			01	02	03	
Comprehensive Nurse			00	02	02	
Nursing Officer			00	01		
Health Inspector			01	00	01	
Mid wives						
Enrolled Mid wives			00	02	02	
Nursing assistants			00	02		
Records Officer/ Assistant			01	00	01	
Health Educator			01	00	01	
Enrolled Nurse			02	00		
Health Assistants						
Laboratory Techn/Asst	02	01	03			

District	Health Centre	Personnel	Male	Female	Total
		Stores Assistant	00	01	01
		Watch Man	02	00	02
		Potter	01	02	03
	Bubukwanga H/C III	Senior Clinical Officers	01	00	01
		Clinical Officer	00	01	01
		Nursing Officer	00	01	01
		Enrolled Mid wives	00	01	01
		Nursing assistants	00	02	02
		Enrolled Nurse	00	03	03
		Health Assistants	01	00	01
		Laboratory Techn/Asst	01	01	02
		Watch Man	00	00	00
		Porters	01	00	00
		Bubandi H/C III	Senior Clinical Officers	00	01
	Clinical Officers		00	01	01
	Nursing Officer		00	01	01
	Mid wives		00	03	03
	Enrolled Nurse		01	01	02
	Nursing assistants		01	01	02
	Laboratory Assistant		02	01	03
	Watch Man		02	00	02
	Porters		01	00	01
	Records Officer/ Asst	00	01	01	

Source: EOC 2014

It was found out that the majority of health facilities were operating below the approved staff ceiling. Consequently, complaints were raised pertaining to the heavy work load. In addition, patients have to wait for longer hours to be attended to. There were a number of instances where patients report at 8:00am in the morning but leave the facility at 2:00pm or even beyond.

### 5.3.6 Availability of Specialized Health Services for Special Interest Groups

The marginalised/interest groups not only constitute the majority of Uganda's Population (over 78%) but also dominate Uganda's poor (POPSEC 2013). These groups include; youth, older persons, women, People Living with HIV/AIDS, persons with disabilities (PWD), children, and ethnic minorities.

Some health facilities have created unit services for the youths such as youth corners/clinics, youth days as well as outreach training activities. However, in a number of health facilities, there is no arrangement to address the needs of the youth. In such facilities, youth are handled inclusively which has reduced their access to health services due to lack of privacy and the long waiting hours. According to the Service Provision Assessment Survey (2007), only 5% of health facilities in Uganda offered youth-friendly HIV counseling and testing services and this was mainly at hospitals, health

centre IVs and facilities in Kampala. Although more than three-quarters (77%) of these facilities had a trained provider for youth friendly services, only 13% had guidelines or followed the protocols in delivery of youth friendly services.

On a negative note, only Health Centre IVs offer specialized treatment to older persons. Whereas older persons need medicines to take care of their old age associated with low immunity, health facilities do not receive some of the medicine that would help them. In several instances, older persons are given prescriptions of medicines which they cannot afford to buy nor easily find.

All health facilities have specialized services for women. Common services in all facilities included; maternal health services, community outreach services especially through the Village Health Trainers, health education, and family planning services. These efforts have enhanced the willingness of mothers to utilize maternal health services among others more especially in the hard to reach areas.

Majority of health centres III and IV are well equipped with drugs for persons living with HIV/AIDs. In addition majority of these health centres have gazetted days ranging from 1-2days in a week specifically to address concerns of persons living with HIV/AIDs with exception of Karamoja sub-region. The community had a positive attitude towards accessing HIV/AIDs services. However, there are no HIV/AIDs services offered at Health centre II facilities. This remains a challenge more especially for Ugandans residing in hard to reach areas.

#### 5.4 Recommendations

S/N	Performance Gap	Recommended Action	Responsibility Centre
i.	Lack/Inadequate wheel chairs in health facilities	Carry out a needs assessment in all health facilities and develop an implementation plan based on the findings	Ministry of Health and District Local Governments
ii.	Lack of maternity beds that are responsive to the needs of PWDS		
iii.	Lack of old age drugs	Review the drug purchase and distribution list. The distribution of drugs for old age related illness should be made available at least up to Health Centre IIIs	Ministry of Health, National Medical Stores, District Local Governments
iv.	Lack of trained staff in sign language which makes diagnosis of some	The Ministry of Health in Collaboration with UDIPU should make arrangements for on job training with basics of sign	Ministry of Health

S/N	Performance Gap	Recommended Action	Responsibility Centre
	PWDS hard	language.	
v.	Sub standard ramps	The District Engineers should be re-addressed on standards of public ramps	Ministry of Health District Local Governments
vi.	Lack of sign posts for entrances and path ways linking to the buildings and parkings	The administration of health centres should budget and implement placement of sign posts for entrances and path ways linking buildings to parkings	Ministry of Health District Local Governments
vii.	Discrimination in accessibility to some units of the health facilities particularly among PWDs	The District Engineers should be re-addressed on standards of public entrances and exits  The ministry of Health should share the latest versions of approved plans with relevant bodies including the Equal Opportunities Commission for review to ensure their compliance to equal opportunities.	Ministry of Health District Local Governments
viii.	Absenteeism of staff amidst low staffing levels	The District should enhance supervision of health facilities and take action where necessary	Ministry of Health, Ministry of Public Service, District Local Governments
ix.	Lack of specialized health services for some special interest groups more especially the youth and older persons	Administrators of Health Facilities should be encouraged to offer specialized services to special interest groups	Ministry of Health, Ministry of Public Service, District Local Governments
x.	Poor designs of toilets that are not suitable for PWDs	The District Engineers should be re-addressed on standards of public toilets  The ministry of Health should share the latest versions of approved plans with relevant bodies including the Equal Opportunities Commission for review to ensure their compliance to equal opportunities.	Ministry of Health, District Local Governments

# **CHAPTER SIX**

## **STATE OF EQUAL OPPORTUNITIES IN GOVERNANCE**

### **6.0 Introduction**

In the National Objectives and Directive Principles of State Policy in the Constitution of the Republic of Uganda (1995), objective X states that, "The State shall take all necessary steps to involve the people in the formulation and implementation of development plans and programmes which affect them." Further, in objective XI (i) it says, "The State shall 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." For the marginalised groups, the above objectives enshrine the right to participation in public affairs and development activities so as to ensure that their right to inclusion is respected and promoted.

The right to participation is a fundamental tenet of democratic governance that determines how decisions that affect the interests of an individual and the community at large are taken into consideration. Everyone should be given a chance to express their will and to make choices without duress or interference. The directives in the national Constitution identify rights and obligations across the socio-political spectrum. Both the State and the citizens are duty-bound to ensure that these rights and obligations are respected and promoted.

The Local Governments Act provides for decentralization and devolution of powers, functions and services. It also provides for decentralization at all levels of local governments to ensure good governance, democratic participation and control of decision making by the people.

### **6.1 Activities implemented by the EOC in Governance**

- i. The Commission carried out an Audit on compliance with the Local Government Act Cap. 243 in relation to participation and involvement in governance processes in the districts of Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.
- ii. The Commission also carried out a study on the effectiveness of the representation of the Marginalised Groups, in relation to affirmative action as provided for in the Local Government Act Cap. 243, in the districts of Kamwenge, Rukungiri, Mbarara, Nakasongola, Kumi, Koboko, Tororo, Amudat, Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.



- iii. The Commission carried out a desk review on the status of implementation of the recommendations made by various studies on ethnic minorities in Uganda<sup>5</sup>. The key observations made include the following;
  - a. The status of implementation of key public services and enforcement of rights of ethnic minority groups remains generally lacking. A number of initiatives / interventions have been undertaken and others are underway by the state institutions, and international as well as local non state organizations focused on the situation of ethnic minorities in Uganda. These interventions have broadly focused on access to rights and access to public services by ethnic minorities.
  - b. International and National NGOs have variously undertaken research and advocacy initiatives / activities, while grassroots based organizations such as Uganda Organization for Batwa Development in Uganda (UOBDU), and the African International Christian Ministry (AICM) have largely engaged in awareness raising, human rights training and service delivery, particularly in basic health, education and settlement services for ethnic minority groups.
  - c. The ethnic minority groups in Uganda are usually not involved in active decision making in their societies although the legal regime, specifically the Constitution recognizes their participation at all levels of decision making. There is extensive discrimination and marginalisation of ethnic minorities in their communities which compound their vulnerability.
  - d. It has been found that there is still poor coordination among the agencies working on issues of ethnic minority groups. This has fundamentally impacted on the coverage of such interventions, and has in many instances, resulted in duplication of services, beneficiary targeting and limited advocacy voice in favour of ethnic minority rights at national and sub national levels.
  - e. There is still a challenge of fulfilling the international obligations in a multi lingual setting. This is partly due to diversity in ethnicity in Uganda. In some areas, small numbers of tribes exist amidst larger tribes with their own language which makes it impossible to preserve the linguistic identity of the small tribes.

## **6.2 Compliance with the Local Government Act Cap. 243 in Relation to Participation and Involvement in Governance Processes**

The Commission carried out an Audit on compliance with the Local Government Act Cap.243 in relation to participation and involvement in governance processes. Involvement, participation and mainstreaming of special interest groups issues in social

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<sup>5</sup> REF: Desk Review on the Status of Implementation of the Recommendations Made by Various Studies on Ethnic Minorities in Uganda (EOC, May 2014).

economic service delivery is instrumental in the achievement of the national development goals. These groups are; Youth, Older Persons, Women, Persons with Disabilities (PWD), and Children. These interest groups not only constitute the majority of Uganda's Population (over 78%) but also dominate Uganda's poor (POPSEC 2013). This section presents findings of the Commission.

### 6.2.1 Presentation of Issues Concerning Special Interest Groups in Council Meetings

Table 6.1 below presents the percentage distribution of local governments that presented issues concerning special interest groups in councils meetings held between January 2013 and March 2014.

**Table 6.1: Percentage distribution of local governments that presented issues concerning special interest groups in councils meetings held between January 2013 and March 2014**

Issue Presented	Sub County Council	District Council
Youth	35.7%	39%
Women	28.6%	41.1%
Older Persons	14.3%	22.6%
Persons With Disabilities	37.9%	40.1%
Ethnic Minorities	7.1%	14.3%

Source: EOC 2014

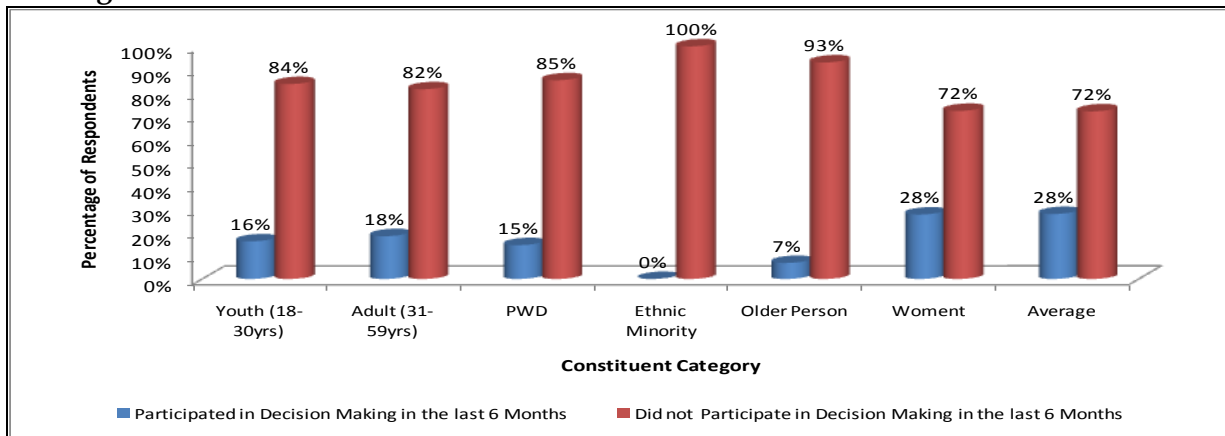
Audit findings revealed that district councils presented more issues concerning special interest groups as compared to sub county council meetings. At both levels, issues concerning women, the youth and Persons with Disabilities were the most common. Concerns of older persons and ethnic minorities were the most neglected by council meetings at all levels. This is partly attributed to lack of representation. The major issues presented include the following;

- i. Tasking all contractors to ensure that all constructions comply with accessibility standards.
- ii. Involving Persons With Disabilities in all community development programs
- iii. Enhanced youths participation in NAADs programme

### 6.2.2 Involvement of Marginalised Groups in Decision Making

Involvement in decision making refers to different mechanisms for the marginalised groups to express opinions and ideally exert influence regarding political, economic, management or other social decisions. Participatory decision-making can take place along any realm of human social activity, including economic, political, management and cultural. Effective Involvement of the marginalised in decision making requires transparency. The marginalised groups who are the most affected by decisions should have the most say while those that are least affected should have the least say. During the Audit exercise, the level of involvement in making decisions among the marginalised was ascertained and the findings are presented in Figure 6.1 below;

**Figure 6.1: Percentage Distribution of Representatives on their Involvement in Decision Making**



Source: EOC 2014

Under decision making, only 28 percent of the representatives had been involved in making decisions that concern their respective constituencies. There was no involvement at all among the ethnic minorities. Among the other constituents, the levels of involvement in decision making were low as well.

### 6.2.3 Participation of Special Interest Groups Representatives in the Functions of the DEC

During the audit, an assessment was made to establish the level of participation of representatives of special interest groups in the functions of the District Executive Committees as spelt out in the Local Government Act Cap.243 and the findings are presented in Table 6.2 below;

**Table 6.2: Percentage distribution on the level of Participation of Special Interest Groups Representatives in the Functions of the District Executive Committee**

Functions of the District Executive Committee	Youth	Women	PWDs
i. Initiating and formulating policies for approval by the council	46%	49%	37.6%
ii. Overseeing the implementation of the Government and the council's policies and monitoring and coordinating activities of nongovernmental organizations in the district	48%	50.3%	39%
iii. Monitoring the implementation of council programmes and taking remedial action where necessary	41%	44%	35%
iv. Recommending to the council persons to be appointed as members of the district service commission, local government public accounts committee, district tender board, district land board or any other boards, commissions or committees that may be created;	7.1%	14.3%	14%
v. Receiving and solving problems or disputes forwarded from lower local government councils	11%	19%	14.3%
vi. Evaluating the performance of the council against the approved work plans and programmes at the end of each financial year	55%	42.9%	35.7%
vii. Carry out other duties on behalf of the council as may be authorized by the law.	42.9%	50%	35.7%
<b>Average</b>	<b>36%</b>	<b>38.50%</b>	<b>30.19%</b>

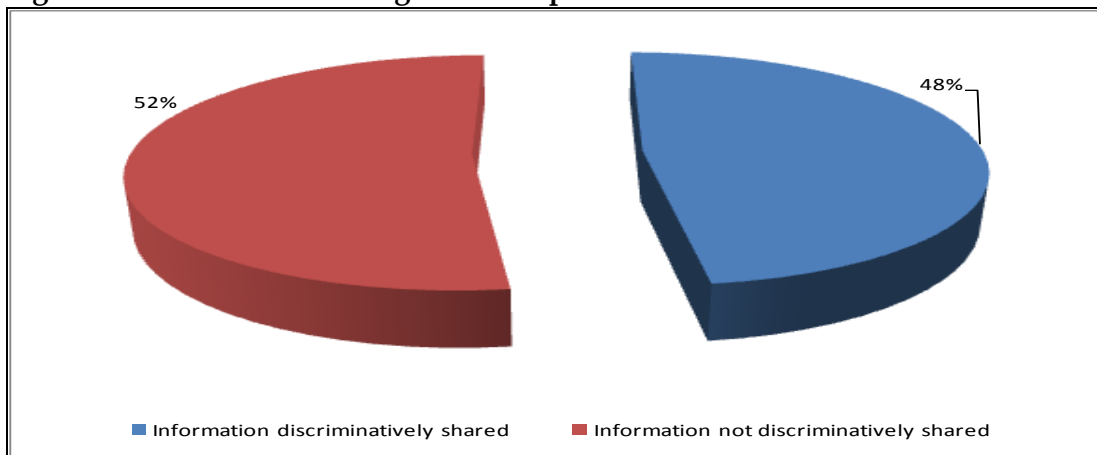
Source: EOC 2014

The Commission audited 7 functions to derive the participation Index by attaching weights in respect to the scales given by respondents to each function. The total responses to the best scale (*On a scale of 1-4, where 1 is strongly disagree & 4 is strongly agree*). Overall, participation by women ranked highest of the three marginalised groups. Older Persons and Ethnic Minorities were not specifically represented.

#### 6.2.4 Fairness in Sharing of Development Information

Among the targets of the Equal Opportunities Commission is the realization of a society wherein information is shared without discrimination. During the audit, an assessment was made to establish whether development information is discriminatively shared and the findings are presented in Figure 6.2 below;

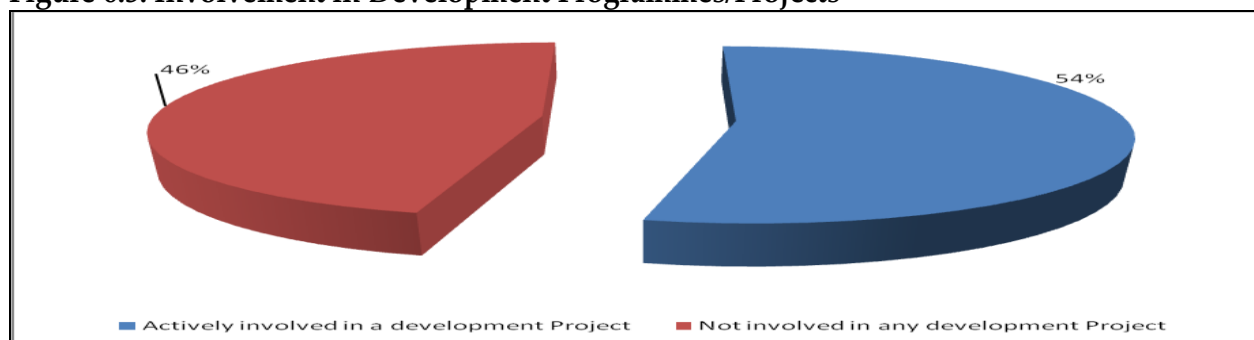
**Figure 6.2: Fairness in Sharing of Development Information**



Source: EOC 2014

Findings revealed that 48 percent of the respondents believed that information on development projects and programmes is discriminatively shared. However, on a positive note, for every 100 respondents interviewed, at least 54 were involved in a development project/programme as illustrated in Figure 6.3 below;

**Figure 6.3: Involvement in Development Programmes/Projects**



Background Characteristic		% Involved in a development Programme
Constituent Category	Youth (18-30yrs)	39%
	Adult (31-59yrs)	35%
	PWD	5%
	Ethnic Minority	10%
	Older Person	11%
	Total	100%
Sex	Male	58%
	Female	42%
	Total	100%
Age Group	18 to 30	47%
	31-59	42%
	60+	11%
	Total	100%
Disability	Has Disability	22%
	No Disability	78%
	Total	100%

Source: EOC 2014

In summary, audit findings revealed that in all the local governments three categories of marginalised groups have representatives and these include; the youth, women and persons with disabilities. The transfer of powers, functions and services from the central government to local councils and the subsequent involvement of their representatives has empowered the marginalised groups.

### **6.3 Effectiveness of the Representation of the Marginalised Groups, in Relation to Affirmative Action as Provided for in the Local Government Act Cap. 243**

The Commission carried out a study on the effectiveness of the representation of the Marginalised Groups, in relation to affirmative action as provided for in the Local Government Act Cap. 243. This sub section presents the extent to which the representation of marginalised groups (Women, Youth, PWDs and Older Persons) has impacted on their social well being and empowerment. The sub section gives the

proportion of the marginalised who know their respective representatives and the effectiveness of the representatives in addressing the needs of those they represent.

### 6.3.1 Knowledge of the Marginalised Groups of their Representatives

During the study, respondents of the various constituent categories were asked whether they knew their respective representatives at national, district and sub county level. The findings are presented in Table 6.3 below;

**Table 6.3: Knowledge of marginalised groups on their respective representatives**

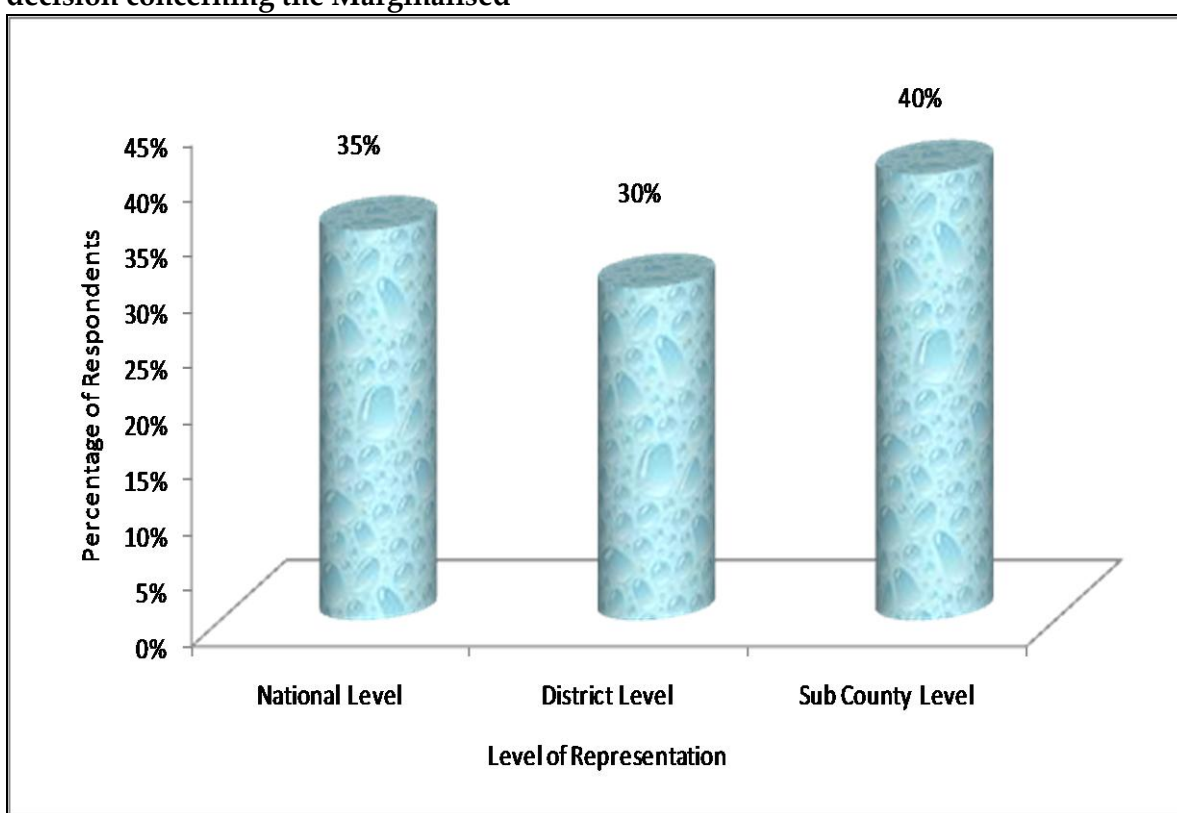
Level of Representation	District	Respondents that know their Representatives				Respondents that did not know their Representatives			
		Youth (18-30yrs)	Women	PWD	Total	Youth (18-30yrs)	Women	PWD	Total
National Level	Amuru	8	10	2	20	82	68	8	158
	Bundibugyo	4	14	4	22	62	68	14	144
	Bushenyi	8	20	4	32	74	74	8	156
	Busia	6	36		42	70	60	14	144
	Kaabong	4	8	6	18	28	34	8	70
	Kamuli	54	86		140	14	30	4	48
	Mayuge	2	20		22	36	70	18	124
	<b>Total</b>	<b>86</b>	<b>194</b>	<b>16</b>	<b>296</b>	<b>366</b>	<b>404</b>	<b>72</b>	<b>842</b>
	<b>%</b>	<b>19%</b>	<b>32%</b>	<b>18%</b>	<b>26%</b>	<b>81%</b>	<b>68%</b>	<b>82%</b>	<b>74%</b>
District Level	Amuru	22	12	4	38	68	66	6	140
	Bundibugyo	36	30	6	72	30	52	12	94
	Bushenyi	10	28	6	44	72	66	6	144
	Busia	30	38	4	72	46	58	10	114
	Kaabong	14	22	6	42	18	20	8	46
	Kamuli	38	50	2	90	30	66	2	98
	Mayuge	4	24	8	36	34	66	10	110
	<b>Total</b>	<b>154</b>	<b>204</b>	<b>36</b>	<b>394</b>	<b>298</b>	<b>394</b>	<b>52</b>	<b>744</b>
	<b>%</b>	<b>34%</b>	<b>34%</b>	<b>41%</b>	<b>35%</b>	<b>66%</b>	<b>66%</b>	<b>59%</b>	<b>65%</b>
Sub County Level	Amuru	24	10	6	40	66	68	4	138
	Bundibugyo	38	34	4	76	28	48	14	90
	Bushenyi	28	40	6	74	54	54	6	114
	Busia	28	22	2	52	48	74	12	134
	Kaabong	16	20	6	42	16	22	8	46
	Kamuli	32	52		84	36	64	4	104
	Mayuge	18	42	10	70	20	48	8	76
	<b>Total</b>	<b>184</b>	<b>220</b>	<b>34</b>	<b>438</b>	<b>268</b>	<b>378</b>	<b>54</b>	<b>700</b>
	<b>%</b>	<b>41%</b>	<b>37%</b>	<b>39%</b>	<b>38%</b>	<b>59%</b>	<b>63%</b>	<b>61%</b>	<b>62%</b>

Source: EOC 2014

Results show that the majority of the marginalised people do not know their respective representatives. Of the total respondents, only 26% knew their representatives at National Level. 35% knew their representatives at district level, while 38 % knew their respective representatives at sub-county. Ignorance of the special interest groups on who represents them is an indication of non effectiveness since it becomes very hard for them to submit their concerns to the right representatives.

Respondents that knew their respective representatives were also asked to report whether their representatives had ever advocated for any decisions concerning Youth/PWD/Women/Older Person's in the last one year. The findings are presented in Figure 6.4 below;

**Figure 6.4: Percentage distribution of respondents whose representatives advocated for a decision concerning the Marginalised**



Source: EOC 2014

### **6.3.2 Effectiveness of the representatives of the special interest groups**

In an effort to establish the effectiveness of representation among the marginalised, six areas were assessed. Table 6.4 below presents the Commission's findings;

**Table 6.4: Effectiveness of the representatives of the special interest groups**

Field of Assessment	Effectiveness Index by District							
	Amuru	Bundibugyo	Bushenyi	Busia	Kaabong	Kamuli	Mayuge	Average
i. Openness and accessibility of representatives of the marginalised	23%	28%	32%	33%	25%	39%	38%	31%
ii. Reporting and advocating for issues that concern the marginalised,	21%	33%	28%	32%	23%	31%	34%	29%
iii. Effectiveness of representatives in informing the marginalised about developments	24%	32%	20%	32%	20%	21%	29%	25%
iv. Presentation of interests of the marginalised,	21%	28%	21%	18%	26%	20%	27%	23%
v. Availability of opportunities among the marginalised to adequately express views and concerns directly to their representative, regardless of party of affiliation,	21%	26%	20%	29%	13%	18%	28%	22%
vi. Effectiveness in debating issues concerning the marginalised	19%	25%	18%	23%	13%	24%	26%	21%
Overall Average	21%	29%	23%	28%	20%	26%	30%	25%

Source: EOC 2014

The Effectiveness of Representation Index was derived by attaching weights in respect to the scales given by respondents to each assessment area. The total responses to the best scale (of 1-5, where 5 = very high/very good, 4 = high/good, 3 = medium, 2 = low/poor, and 1 = very low/very poor). The overall effectiveness of representation index of the marginalised groups was 25 percent.

### **6.3.3 Level of involvement and participation of marginalised groups in socio economic development**

The level of involvement and participation of marginalised groups in social economic development is instrumental as far as improving their social well being is concerned. In addition, realization of the various targets under the millennium development goals is dependent on how much effort is concentrated on the special interest groups given the fact that they are the most vulnerable. During the study, assessment was made to establish respondents; knowledge on development information, modalities of getting access to development information, fairness when sharing development information and involvement in development programmes/projects.



### 6.3.4 Knowledge of the Marginalised Groups on Development Programmes

Respondents were asked whether they knew of any development programme in their locality or district. The findings are presented in Table 6.5 below;

**Table 6.5: Percentage distribution of respondents by knowledge no development programmes**

Constituent Category	Know a development programme		Do not Know any development programme	
	Frequency	Percentage	Frequency	Percentage
Urban	30	54%	24	46%
Peri-Urban	66	29%	162	71%
Rural	278	37%	472	63%
Total	374	36%	658	64%
Youth (18-30yrs)	214	47%	242	53%
Women (31-59yrs)	82	33%	168	67%
PWD	24	27%	64	73%
Older Person	54	23%	184	78%
Total	374	36%	658	64%
Male	162	37%	272	63%
Female	212	35%	386	65%
Total	374	36%	658	64%

Source: EOC 2014

Out of 1,032 respondents interviewed, only 36 percent had knowledge on development programmes under their respective constituents. Respondents that had no access to information on government programmes constituted 64 percent. The most known development projects/programmes in their order of popularity starting with the most popular included the following; NAADS, SACCOS, NUSAF, CDD Programme, Youth Fund, PRDPS, NUSAF II and Rural Electrification.

### 6.3.5 The Effect of Representation

The effect of representation was assessed using two dimensions and these included; increased social economic development and increased recognition in society. Table 6.6 below shows the Commission's findings;

**Table 6.6: Percentage distribution of respondents by their opinion on the impact of representation**

District	% of respondents who believed there was increased involvement in social economic development due to representation	%of respondents who believed there was increased recognition in society
Amuru	1%	3%
Bundibugyo	16%	16%
Bushenyi	33%	38%
Busia	19%	20%
Kaabong	13%	13%
Kamuli	7%	3%
Mayuge	60%	62%
Total	20%	21%

Source: EOC 2014

The study findings reveal that very few respondents (20%) believed there was increased involvement in social economic development due to representation. There were variations between districts with Mayuge and Bushenyi ranking highest at 28% and 33% respectively. In addition, only 21% of the marginalised appreciated the fact that their recognition in society had improved due to representation.

#### 6.4 Recommendations

Performance Gap	Risk of the Performance Gap	Recommended Action	Responsibility Centre
i. Limited involvement of representatives of marginalised groups in the initiation and formulation of Local Government policies	The generated policies will lack ownership from the marginalised and their representatives may choose not to sensitize their constituents on such policies. In addition, the limited involvement may result into omission of pertinent issues that concern the lives of the marginalised and hence non compliance to equal opportunities	Representatives of the marginalised groups should be equipped with basic skills on mainstreaming issues of the marginalised in local government policies	District Local Councils, Sub County Local Councils
ii. Limited opportunity to raise concerns of the marginalised groups during council meetings	Ineffective representation of the marginalised groups. Consequently, realization of the national development goals among the marginalised will lag behind.	Gazette specific meetings to discuss concerns of the marginalised.	District Local Councils, Sub County Local Councils,
iii. Deliberate non consideration of discussions on issues that affect the marginalised groups	Loss of interest from actively participating in council meetings. Consequently, representatives of the marginalised will resort to sitting in council meetings without making any contribution.	Sensitization and empowerment of subcommittees to enable them critically analyze and assess issues of the marginalised.	District Councils, Relevant Fraternity Councils and the EOC
iv. Coarsed support of resolutions in favour of the most vibrant council members	Support of resolutions which are not responsive to the needs of special interest groups. This will lead to marginalisation and ineffectiveness of representation.	Emphasize respect for dignity and integrity to let the representatives of the marginalised freely vote during council meetings.	District Local Councils, Sub County Local Councils,
v. Inadequate involvement of the representatives of special interest groups in overseeing the implementation of the various	Inability to effectively and efficiently correct Policies, programs, projects, actions and activities during reviews. In addition, it will not be easy to assess impact of the various interventions on the	Participatively Involve Representatives of Marginalised groups in the implementation of the various Policies, programs, projects, actions and activities	District Local Councils, Sub County Local Councils,

<b>Performance Gap</b>	<b>Risk of the Performance Gap</b>	<b>Recommended Action</b>	<b>Responsibility Centre</b>
Policies, programs, projects, actions and activities within the district.	marginalised groups.	within the district.	
vi. Limited accessibility to representatives by the marginalised	Inadequate reporting and advocating for issues that concern the marginalised	Representatives of the marginalised should be re-oriented on how best they can ensure that their constituents access them. In addition, the respective constituents should be sensitized on the roles of their representatives rather than asking for favors.	Representatives of the marginalised groups
vii. Limited opportunities among the marginalised to adequately express views and concerns directly to their representative, regardless of party of affiliation,	Inadequate reporting and advocating for issues that concern the marginalised	The representatives of the marginalised should come up with regular programs in which they can inform their constituents on developments among other relevant information	Representatives of the marginalised groups
viii. Ineffectiveness of representatives in informing the marginalised about developments			

# **CHAPTER SEVEN**

## **STATE OF EQUAL OPPORTUNITIES IN THE EMPLOYMENT SECTOR**

### **7.0 Introduction**

Equitable employment creation is significant to the national socio-economic development process. It is at the core of the transformation of Uganda from a poor agrarian economy to a modern, prosperous and skilled society. The main asset that the marginalised have is their labour and if appropriately harnessed it can be transformed into sustainable and productive employment as well as better quality of life. Equitable sustainable employment is the main source of livelihoods and self-fulfillment for most women and men.

Human capital quality is essential for employability, higher incomes and sustainable economic growth. Likewise, a well-nurtured, skilled and productive labour force contributes towards a dynamic economy and cohesive society and better quality of life. The only way to survive, generate value and prosper today and in the future is to become more innovative and productive. Participation in economic activity helps an individual to improve his or her life. Lack of access to decent and remunerative employment, lowers self-esteem; leads to denial of basic needs of the individual and the family thus perpetuating the vicious circle of poverty. The most direct impact of unemployment, low skill, low productivity and poor working conditions on the economy is the loss in terms of output of goods and services. The consequences of unemployment and underemployment could be seriously damaging as a potential source of industrial unrest, instability and increased crime rate.

In light of the above, the Government of Uganda allocated 256 billion to implement the Youth Livelihood Program for a period of five years as a strategy to address the youth unemployment challenge.

### **7.1 Policy and Legal Framework on Employment**

The Youth Livelihood Programme is informed and premised on a number of relevant National and International legal and policy frameworks as follows:

#### **7.1.1 Policy Framework on Employment**

The YLP is responsive to Uganda's Vision 2040 statement, "A Transformed Uganda Society from a Peasant to a Modern and Prosperous country within 30 years" and the theme of the National Development Plan (2010/11-2014/15), "Growth, Employment and Social-Economic Transformation for Prosperity". The Programme is in line with the Social Development Investment Plan (SDIP) II of the Ministry of Gender Labour and Social

Development (MGLSD) that aims at promoting employment among marginalised groups for social transformation, as well as the National Youth Policy that recognizes productive employment as a measure of ensuring effective participation of the youth in economic growth and development. The YLP is also guided by the Millennium Development Goals that commit Member States to vigorously promote human development as the key to sustaining social and economic progress in all countries.

The YLP in addition, is guided by the National Employment Policy, the National Gender Policy, Decentralization Policy, the Uganda National Culture Policy, Basic Education Policy for Disadvantaged Groups, the Programme for Modernization of Agriculture (PMA), the National Child Labour Policy and National Policy for Persons with Disability.

### **7.1.2 Legal Framework on Employment**

Uganda as a member state of the United Nations (UN), African Union (AU), and the Commonwealth, is obliged to implement youth programmes as stipulated in the UN Actions on Youth, the African Youth Charter, and Commonwealth Action Plan for Youth. Uganda is also a signatory to the Universal Declaration of Human Rights, 1948, which guarantees everyone the right to social security in the event of unemployment or lack of livelihood in circumstances beyond his/her control. At the regional level, Uganda has endorsed the Livingstone Call to Action, 2006, which obliges African states to put in place costed plans for the implementation of direct income support programmes especially to marginalised groups.

Article 32 of the Constitution of the Republic of Uganda states that the state shall take affirmative action in favour of groups marginalised on the basis of age and any other reason created for purposes of redressing imbalances which exist against them.

### **7.2 Activities Carried out to promote equal opportunity and treatment in employment**

- i. The Commission carried out monitoring and evaluation on compliance to equal opportunities and affirmative action in the Implementation of the Youth Livelihood Programme (YLP) in the districts of Mayuge, Kamuli, Kaabong, Amuru, Busia, Bushenyi and Bundibugyo.
- ii. The Commission made an assessment of the Community Based Rehabilitation Programme and the Special Grant for persons with disabilities in Kayunga district.

### **7.3 Compliance to Equal Opportunities in the Implementation of the Youth Livelihood Project**

Government of Uganda, through the Ministry of Gender Labour and Social Development is implementing a Youth Livelihood Programme across the country as a strategic and sustainable intervention to enable the youth to effectively participate in

National development and improve their quality of life. The Programme focuses on 3 components, namely; Skills Development, Livelihood Support and Institutional Support. The YLP prioritizes entrepreneurship and business management skills, personal finance management, life skills, and mindset change as integral parts of the Livelihood Support and Skills Support components.

In fulfillment of its mandate, the Commission conducted a monitoring and evaluation exercise to establish the level of compliance to equal opportunities in the implementation of the Youth Livelihood Program (YLP) in Uganda. The areas of focus included; constitution of groups, transparency, effectiveness and efficiency, sustainability and relevancy to youth empowerment.

### **7.3.1 Target Beneficiaries**

During the assessment, the Commission aimed at establishing whether the intended beneficiary categories were the actual ones gaining from the intervention. The target beneficiaries include the following;

- i. Dropouts from school and training institutions
- ii. Youth living in slums, city streets, high risk and impoverished communities
- iii. Youth that have not had the opportunity to attend formal education
- iv. Single parent youth
- v. Youth with disability
- vi. Youth Living with HIV/AIDS
- vii. Youth who have completed secondary school
- viii. Graduates of Tertiary Institutions (including University).

### **7.3.2 Composition of Groups**

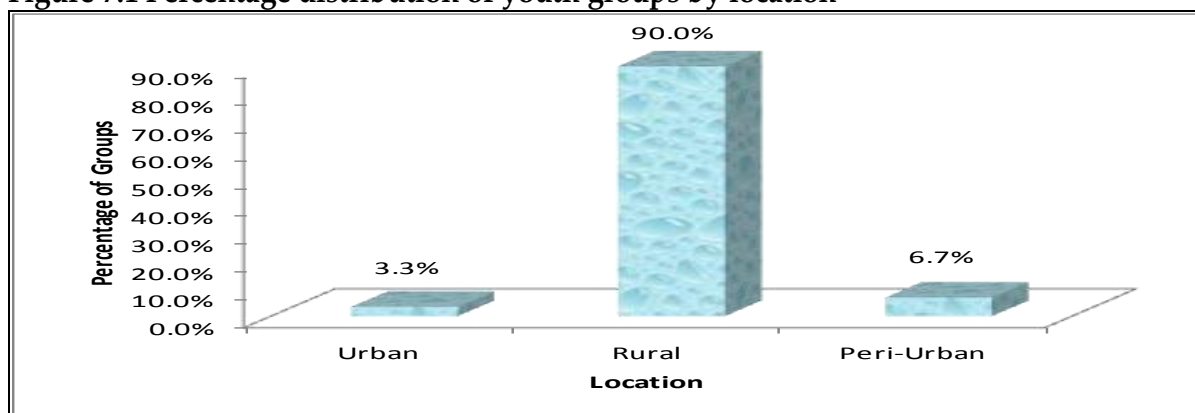
The composition of the groups as per the YLP Guidelines is as follows;

- i. Youth age bracket (18-30 years).
- ii. Bona fide residents of the location (village) under which the Project is being approved.
- iii. Youth transparently selected in a community participatory process based on the selection criteria set by the Programme.
- iv. Each group is to be constituted by 10 to 15 Members
- v. At least a third of the members must be female

### **7.3.3 Location**

Location of the groups (*whose activities were monitored by the Commission*) was categorized into three categories that included; rural, peri-urban and urban. Figure 7.1 below shows the percentage distribution of youth groups by location;

**Figure 7.1 Percentage distribution of youth groups by location**



Source: EOC 2014

Overall, 30 youth groups were monitored out of which majority (90 percent) were located in rural areas. Groups located in urban and peri-urban constituted the least share of 10 percent.

### 7.3.4 Group Constitution

Constitution of youth groups was monitored with reference to the guidelines. The areas of focus were; age, sex, education level and employment status. The disability status and religion were added as other dimensions relating to equal opportunities.

#### 7.3.4.1 Age

All the groups monitored were constituted by youth aged 18-30 years. Table 7.1 below presents the distribution of group members by age;

**Table 7.1: Distribution of group members by age**

District	Sub County	Age of Group Members in Complete Years													Total
		18	19	20	21	22	23	24	25	26	27	28	29	30	
Bushenyi	kyamuhunga		1	1		1	2	5	2	1	2	2	5	1	23
	Kyeizooba	1	2	4	6	4	4	7	12	7	12	8	7		74
Busia	Dabani	2	1	9	3	1	6	2	3	4	3	7	1	1	43
	Lunyo		1	7	7	4	3	4	2	3	2	7	2		42
Kamuli	Namasagali		1	3	1	3	1	9	2	4	6	6	2	3	41
	Namwendwa	1	4	2	2	8	3	6	6	3	8	12	4	3	62
Mayuge	Buwaaya		3	3	2	4	7	6	6	5	1	1	2		40
	Kityerera	8	5	9	4	5	4	7	4	4	3	5	4		62
Grand Total		12	18	38	25	30	30	46	37	31	37	48	27	8	403
%		3%	4%	9%	6%	7%	7%	11%	9%	8%	9%	12%	7%	2%	100%

Source: EOC 2014

### 7.3.4.2 Sex of Respondents

During the monitoring exercise, sex of all the members in the various groups was recorded and the findings are presented in Table 7.2 below;

**Table 7.2: Percentage Distribution of Group Members by Sex**

District	Sub County	Male	Female
Bushenyi	Kyamuhunga	57%	43%
	Kyeizooba	46%	54%
Busia	Dabani	56%	44%
	Lunyo	57%	43%
Kamuli	Namasagali	56%	44%
	Namwenda	60%	40%
Mayuge	Buwaaya	58%	43%
	Kityerera	50%	50%
<b>Grand Total</b>		<b>55%</b>	<b>45%</b>

Source: EOC 2014

Overall, there were more males taking part in the youth livelihood program as compared to females. Out of 403 youth, 221 were male as against 182 females. The males were more than females by a margin of 10 percent. In Kyeizooba Sub County however, there were more females than males while in Kityerera, the number of males benefiting from the program was equal to that of females.

### 7.3.4.3 Religion

During the monitoring exercise, religion of all the members in the various groups was recorded and the findings are presented in Table 7.3 below;

**Table 7.3: Percentage distribution of group members by religion**

District	Religion						Grand Total
	Protestant	Catholic	Moslem	Born Again	Advent	Others	
Bushenyi	61%	27%	8%	3%	1%	0%	100%
Busia	57%	32%	5%	6%	0%	0%	100%
Kamuli	63%	12%	13%	12%	1%	1%	100%
Mayuge	26%	27%	40%	7%	0%	0%	100%
Average	52%	24%	16%	7%	1%	0%	100%

Source: EOC 2014

Results reveal that majority of the beneficiaries were protestants with an average share of 52 percent while Catholics and Muslims constituted 24 and 16 percent respectively. Born Again (7%) and Seventh Day Adventist (1%) constituted the least share.

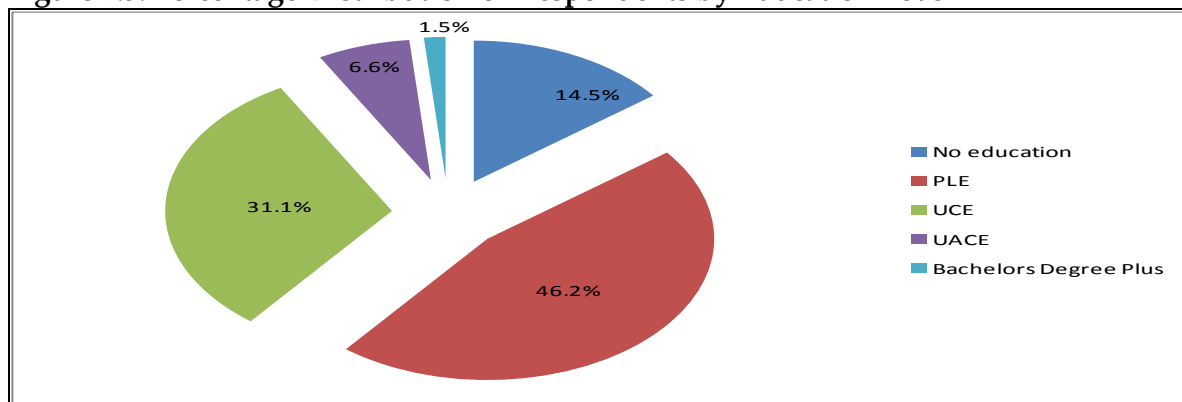
### 7.3.4.4 Education Level

Education level is another avenue that society uses to discriminate and marginalize others from accessing government programs and services. Those that are educated tend to have access to more opportunities than those who lack education. The



collected data gives the education level of all members of the various groups monitored. Figure 7.3 below presents the findings;

**Figure 7.3: Percentage Distribution of Respondents by Education Level**



Source: EOC 2014

Out of 403 members of the various groups, 46.2 percent had completed primary seven and these constituted the majority followed by those that completed Uganda Certificate of Education whose share was 31.1 percent. 14.5 percent had no formal education while only 6.6 percent had completed Uganda Advanced Certificate of Education. This implies most groups were dominated by members with low education level.

#### **7.3.4.5 Employment Status**

The youth livelihood program was meant for those without formal employment as a strategy to reduce on the growing unemployment rates among the young generation. Table 7.4 below presents the distribution of group members by their other source of income;

**Table 7.4: Distribution of group members by their other source of income;**

Other Income Source	Bushenyi	Busia	Kamuli	Mayuge	Total
Gvt/ NGO Job	9	12	1	7	29
Carpenter	3	1		1	5
Peasant Farmer	48	43	62	67	220
Casual Labor	4		1		5
None	5	18	11	3	37
Boda Boda Riders	5	6			11
Taxi Driver			1	1	2
Small Business	14	11	17	16	58
Brick making	3	5			8
Metal Works	2	2	7		11
House Helper	3	2	4	5	14
Others	3				3
Grand Total	97	100	104	100	403

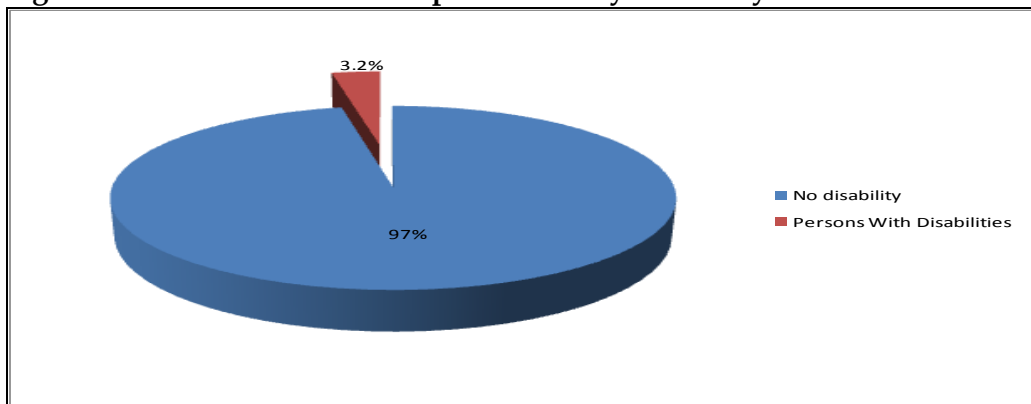
Source: EOC 2014

Majority of the beneficiaries were peasant farmers (55%) followed by those owning small businesses (14%). However, despite the fact that the program targets the unemployed, some of the group members were in formal employment.

#### 7.3.4.6 Persons with Disabilities

During the monitoring exercise, an assessment was made to ascertain the level of participation among persons with disabilities. Figure 7.4 below shows the distribution of members by disability status;

**Figure 7.4: Distribution of Group Members by Disability Status**



Source: EOC 2014

Out of 403 group members, 97 percent had no disability while 3.2 percent had a disability. However, during the monitoring exercise, there was a lot of unwillingness for youth without disabilities to work with those that had disabilities. Consequently, there is need for more sensitization among youth on the social, economic, political and cultural importance of non discrimination.

#### 7.3.5 Involvement of Members in Management of Program Activities

As a strategy to realise effectiveness and efficiency of the program, the various groups are mandated to form three committees that includes; the project management committee, Procurement Committee and the Social Accountability Committee. Table 7.5 below presents the level of female and male involvement in the management of project activities.

**Table 7.5: Female and male involvement in the management of project activities.**

Management Position	Male	Female	Total
Chairperson Youth Program Management Committee (YPMC)	22	8	30
Treasurer YPMC	15	15	30
Secretary YPMC	20	10	30
V/Chairperson YPMC	9	21	30
Member YPMC	43	33	76
Chairperson Youth Procurement Committee (YPC)	18	12	30
Secretary YPC	18	12	30
Member YPC	33	35	68
Member Social Accountability Committee	43	36	79
Grand Total	221	182	403

Source: EOC 2014

### **7.3.6 Programme Implementation**

Implementation of the first phase of the youth livelihood program started in FY 2014/2015 with the main objective of employment creation. This section presents the implementation stage of the various groups monitored, nature of technical support given to the groups, resources allocated, transparency and accessibility to the YLP, effectiveness of the YLP in addressing the youth unemployment, efficiency of the program, sustainability, relevancy of the program and the reimbursement plan.

#### **7.3.6.1 Implementation Status**

All youth groups are expected to undergo nine major stages and these include; obtaining Project Interest Forms (PIF) from the Sub-county, submitting the Project Interest Form (PIF) to the Sub-county, Production analysis, Marketing analysis, Profitability analysis, sustainability analysis, Project Approval, Receiving Funds and the Implementation Stage.

On a positive note, all groups in the districts of; Busia, Kamuli, Mayuge, and Bushenyi had received funds. Out of the 31 groups monitored, 26 groups had started implementation and only 5 groups were yet to carry out implementation. On the other hand, Kaabong, Amuru and Bundibugyo were programmed in the second phase of the program and at the time of the monitoring exercise, the three districts had received funds to execute initial activities such as training sub county leaders among others.

#### **7.3.6.2 Capacity Building**

All the groups monitored had been supported by the office of the community development officer through giving them; basic start-up tool kits, Entrepreneurship and Business skills, Life skills training, Vocational skills training, Productive assets and Financial Resources

#### **7.3.6.3 Resource Allocation**

Various groups were allocated funds based on their submissions. The amount of funds allocated ranged from 3,000,000 Ugx to 12,000,000 Ugx. Table 7.6 below presents the amount of funds allocated by parish.

**Table 7.6: Amount of funds allocated to youth groups by parish**

S/N	District	Sub County	Parish	Released Funds
1	Bushenyi	Kyamuhunga	Nshumi	6,000,000
			Kibazi	4,000,000
		Kyeizooba	Kitwe	3,681,829
			Bwera	5,320,000
			Buyanja	4,200,000
			Kararo	3,000,000
			Ntungamo	3,000,000
			Buyanja	4,200,000
		<b>Sub Total</b>		
2	Busia	Lunyo	Lunyo	8,000,000
			Narwire	9,000,000
			Lunyo	8,378,815
			Bukalenzi	7,000,000
		Dabani	Buyengo	5,000,000
			Busia	10,000,000
			Mangwe	10,000,000
		<b>Sub Total</b>		
3	Kamuli	Namwendwa	Namwendwa	6,470,000
			Kivu	5,070,000
			Kidiki	5,326,000
			Bulogo	6,500,000
			Namwenda Parish	6,000,000
		Namasagali	Kasozi	4,360,000
			Bwiiza	8,350,000
			Namasagali	8,750,000
		<b>Sub Total</b>		
4	Mayuge	Kityerera	Kitovu	12,500,000
			Kityerera	6,940,000
			Wandegeya	6,150,000
			Ndaiga	6,000,000
				11,160,000
		Buwaaya	Buwaiswa	7,850,000
			Isikiro	6,680,000
			Kabayingire	6,754,000
		<b>Sub Total</b>		
<b>Grand Total</b>			<b>205,640,644</b>	

Source: Youth Groups

Overall, the 31 groups monitored had received 205,640,644 Ugx. The average amount of funds released per group valid from one district to another. Busia had the highest average share of 8,196,974 Ugx followed by Mayuge whose share was 8,004,250. Kamuli and Bushenyi had the least average share of 6,353,250 Ugx and 4,175,229 Ugx respectively.

### 7.3.5 Transparency, Effectiveness, Efficiency, Sustainability and Relevancy of the YLP

During the exercise, a total of 6 core project performance aspects were monitored. These included; Transparency and accessibility of the youth livelihood programme, Possibility of the very poor youth to benefit from the programme, Effectiveness of the YLP in addressing the youth unemployment, Efficiency of the YLP (Value for Money), Sustainability of the youth Projects and Relevancy of the youth livelihood fund. Table 7.7 below presents performance of the six core areas of the youth livelihood program;

**Table 7.7: Performance of the six core areas of the youth livelihood program**

Core performance areas of the youth livelihood program	Performance Index
i. Transparency and accessibility of the youth livelihood programme	89%
ii. Possibility of the very poor youth to benefit from the programme	58%
iii. Effectiveness of the YLP in addressing the youth unemployment?	78%
iv. Efficiency of the YLP (Value for Money)	83%
v. Sustainability of the youth Projects	81%
vi. Relevancy of the fund	89%

Source: EOC 2014

The performance Index was derived by attaching weights in respect to the scales given by youth groups to each core area. The total responses to the best scale (On a scale of 1-5, where 5 = very high/very good, 4 = high/good, 3 = medium, 2 = low/poor, and 1 = very low/very poor) was multiplied by 4, second best scale was multiplied by 3, the third best was multiplied by 2, fourth best was multiplied by 1 while the rest were weighted by zero. The actual weight was summed up and expressed as a ratio of the expected maximum weight attained by multiplying the highest weight with the number of respondent.

The overall performance index was 80 percent. Possibility of the very poor youth to benefit from the programme was the lowest and this was attributed to the high cost of officially opening up a constitutionally recognized group.

#### 7.3.5.1 Transparency and accessibility of the youth livelihood programme

The youth livelihood program was designed to operate in such a way that it is easy for others to see what actions are being performed. The 31 groups monitored ranked transparency and accessibility of the youth livelihood project at 89 percent. However, groups whose application did not go through indicated that the procedures used lacked transparency which made accessibility to the program hard. In some instances, influence of the council could not be over powered.

#### 7.3.5.2 Involvement of the poor

The youth livelihood project was designed to up light and benefit the poor. However, during the monitoring exercise, findings revealed that it was very hard for the very poor to benefit from the program. This was attributed to the high cost of opening and

registering groups. It was noted that on average groups spent between 300,000 Ugx and 700,000 Ugx to accomplish all the processes of group registration. Consequently, the various groups held initial meetings in which resources to meet the registration costs were mobilized. Those that could not make the agreed contribution were eventually eliminated from the groups and majority of these included the very poor who are the primary target of the program.

#### **7.3.5.3 Effectiveness of the YLP in addressing the youth unemployment**

Youth that were benefiting were optimistic that the program will help in addressing the youth unemployment only if the various groups are able to pay back the grant in time to benefit other youth. During the various discussions, it was noted that majority of the youth had confidence that the money will not be paid back. This needs to be addressed otherwise it can be a dangerous ground of causing laziness and non commitment.

#### **7.3.5.4 Efficiency of the YLP (Value for Money)**

The youth expressed their gratitude for the fund whose efficiency was appreciated with a performance rating of 83 percent. However, in some of the groups monitored, the businesses set up were far much below the fund given. In other instances, not more than three members had knowledge on the details of what was going on in the group. There were a few stage managed projects most of which had been in place for two years and above. It is important for the Ministry of Gender Labour and Social Development to Investigate tendencies of kick backs at sub county level.

#### **7.3.5.5 Sustainability of the youth livelihood Projects**

Over 80 percent of the beneficiaries were positive that the initiated ventures will be sustained even without additional grants. Whereas UBOS surveys indicate that over 70 percent of the small businesses started in Uganda collapse after one year, the youth reported that they have been oriented and guided by the technical officers and that they will be able to overcome obstacles that fail young businesses.

#### **7.3.5.6 Relevancy of the fund**

Relevancy of the fund was ranked at 89 percent due to the fact that unemployment remains one of the big challenges among youth and it is believed that the youth livelihood program will make instrumental contribution to its reduction.

#### **7.3.6 Re-imburement plan**

All the 31 groups monitored had a re-imburement plan.

#### **7.3.7 Observations and Challenges**

A number of observations and challenges that can negatively affect the success of the youth livelihood program were noted during the monitoring exercise.

### **7.3.7.1 Observations**

- i. A number of groups were left out due to the inadequate budget. This has created a social gap between the groups that are benefiting and those which are not benefiting. One of the beneficiaries in Kamuli Namwendwa Sub County reported that, *"those that never benefited may wage war against those that have benefited"*.
- ii. Majority of the groups monitored expressed their unwillingness to include persons with disabilities in their groups. In some instances, PWDs expressed concern for being discriminated and they were advised to form their own groups. However, the advice given to them was unforthcoming since it's hard to mobilize at least 10 PWDs within one parish.
- iii. It is very hard for the very poor youth to participate in the Youth Livelihood project. This is because all groups needed to mobilize money amongst the initial members to expedite the registration process. On average, each group needed 300,000-700,000 Ugx to complete the registration process. Individuals that could not make any contribution were eliminated from the groups while those that were maintained are dormant.
- iv. Some stage managed business plans were approved. For instance there were a number of functional metal works that were approved yet they have been in existence for over 2 years.
- v. Inclusion of employed youth in some of the groups yet the project was meant for unemployed youth. During discussions, some CDO's noted that this was due to pressure from various authorities.
- vi. Registration and approval of groups that have benefited from previous projects was very common and this limited access by new entrants.
- vii. Unclear re-imburement plan with majority of the youth determined not to pay the funds back
- viii. Domination of group activities by the Chairperson, Treasurer and the Secretary. In worse situations, only one person dominates activities and authority within the group.

### **7.3.7.2 Challenges and Constraints**

The challenges and constraints reported are categorized into two; (i) those affecting the beneficiaries (youth) and (ii) those affecting the implementers.

#### **Challenges and Constraints affecting the Youth**

- i. Abrupt and frequent calls to report to the sub county offices. This has increased the costs incurred by the groups more especially those who stay very far away from the sub county headquarters.
- ii. Long hours of engagement when called upon by the sub county officials. In most instances one spends the whole day at the sub county when called upon.
- iii. Tendencies of some officials asking for a token of appreciation.

## Challenges and Constraints Affecting the Implementers at District Level

- i. Political interference which sometimes contradicts the program guidelines.
- ii. Limited resource envelope which has limited the number of groups benefiting to only one per parish.
- iii. Lack of transparency and commitment among some group youth members.
- iv. Miss appropriation of funds

### 7.4 Recommendation Action Matrix

S/N	Performance Issue	Recommended Action	Responsibility Centre
i.	Limited involvement of PWDs in the Youth Livelihood Program	At least 3 Percent of the total budget should be earmarked to Youth With Disabilities.	MoGLSD, LGs
ii.	Approval of stage managed youth business proposals	The Community development officers should regularly monitor approved groups and report any inconsistencies identified	LGs
iii.	Inclusion of employed youth in some of the groups yet the project was meant for un employed youth	Employed youth should be denied access so that those who are unemployed are given chance	LGs
iv.	Registration and approval of groups that have benefited from other projects	Youth that have benefited from previous projects should not be given priority such that other youth can also benefit.	LGs
v.	Unclear re-imburement plan with majority of the youth determined not to pay the funds back	Involve leaders to encourage group to be committed to refunding the loans such that other youth that were left out can also subsequently benefit	LGs
vi.	Domination of group activities by the Chairperson, Treasurer and the Secretary	Group leaders should be tasked to produce evidence of participation by all group members	LGs
vii.	Irregular review of group performance at district level	Districts should organize their own Annual Performance Reviews on the Youth Livelihood Program	LGs



# **CHAPTER EIGHT**

## **CONCLUSIONS AND RECOMMENDATIONS**

### **8.1 Introduction**

This Chapter gives the conclusions and recommendations drawn from the state of equal opportunities in each of the four sectors reported on.

### **8.2 Conclusion**

The Constitution of the Republic of Uganda and other relevant laws provide for the promotion and protection of the rights of marginalised groups and vulnerable people. It is commendable that the government and other stakeholders have made some effort to attain equalization of opportunities and affirmative action for the marginalised. Nevertheless, a lot remains to be done to improve access to services and opportunities for the vulnerable and marginalised. Therefore, the recommendations made in this Report should feed into the policies, programmes, plans, activities, practices and usages of both public and private entities for the purpose of improving the situation of the marginalised and vulnerable people.<sup>6</sup>

### **8.3 General Recommendations**

- i. Government of Uganda should come up with a minimum wage. A minimum wage is the lowest monetary value which may be paid to a worker at a particular point in time. Being the lowest monetary value, a minimum wage provides a basic social protection floor to help safeguard incomes and living conditions of workers and their families who are considered most vulnerable in the labour market.
- ii. The Ministry of Local Government should consider filling up vacant posts in the areas of Health and Education to improve on the staffing levels especially where the performance is below 40%.
- iii. There is need to build future capacity of the District Councilors and Technical staff on the HRBA. This will enable them to appreciate equal opportunities and affirmative action, especially in the lower local government structures.
- iv. There is need to enhance women empowerment by encouraging them to compete for responsibilities at senior level.
- v. The Office of the Prime Minister should enhance close monitoring of all government projects and programmes to improve project performance and service delivery in the long run.
- vi. UBOS should take lead in building capacity at both Central and Local Government for production of disaggregated statistics that could guide planning at all levels.

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<sup>6</sup> Ref. Section 15 (4)(b) EOC Act, 2007

- vii. UBOS statistics should be able to indicate hard to reach areas to guide other responsible MDAs (Finance & Public Service) in providing incentives to specific categories i.e. Health workers and Teachers to enhance service delivery.
- viii. Government should intensify the implementation of poverty eradication programs in rural areas and urban areas with special attention to ethnic minority groups like the Batwa, Beheet, Basongora etc.
- ix. The Uganda Bureau of Statistics in collaboration with all line ministries, Departments and Agencies should guide Harmonized desegregation of indicators by Regions. It has been noted that beyond the five traditional regions in Uganda (Northern, Eastern, Southern, Central, and Western) some ministries report using customized breakdowns. This makes comparison of data from different sectors difficult.
- x. Sectors should come up with commitment plans with clear targets to provide equal access to services in all the regions of the Country. This can be done through affirmative action.
- xi. Sectors should identify the neediest categories or regions in relation to their mandate such that more resources are allocated were the neediest are located.
- xii. The Ministry of Gender Labour and Social Development should roll out the SAGE programme to all districts in the country. Currently, the SAGE programme is being implemented in 15 districts out of 112 districts that constitute the county. The SAGE program was communicated in 2009 as an initiative by Government of Uganda together with donors to start paying money to the older persons and vulnerable families in 15 districts. Each older person was to be given 25,000 shillings per month. The estimated population for older persons is 1,481,600 (male 664,200; female 817,400) which translates into 4.2 percent of the National Total Population. At a rate of 25,000 shillings per month per older person government needs 444.48 billion Uganda Shillings annually.

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