

# **Mainstreaming Disability into the Poverty Reduction Processes in Uganda: The Role of the Human Rights- Based Approach to the National Development Plan**

by  
Moses Mulumba

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degree Masters of Philosophy (Rehabilitation) at the University of  
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Supervisor: Dr Tsitsi Chataika  
Co-supervisor: Ms Siphokazi Gcaza  
Faculty of Health Sciences  
Centre for Rehabilitation Studies

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## DECLARATION

I, the undersigned, hereby declare that the work contained in this thesis is my original work, and that it has not been submitted in its entirety or in part to any other University for a degree, and that all the sources used have been acknowledged by references.

Name: Mulumba, Moses

A handwritten signature in blue ink, appearing to be 'M. Mulumba', written on a light blue background.

Signed:

Date: 14/12/2010

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## **ABSTRACT**

Research evidence suggesting the link between disability and poverty has been increasing at an alarming rate in recent years. Despite this, there has been very little attention to ensuring representation and inclusion of people with disabilities in poverty reduction processes. However, disability movements and their partners have been increasing pressure to ensure that people with disabilities effectively participate in the development of national development plans targeting poverty reduction. The aim of this qualitative study was to analyze the extent to which the human rights-based approach can be used as an advocacy tool for mainstreaming disability in the national development processes targeting poverty reduction in Uganda.

The study was conducted in Kampala and Kiboga districts, and data were gathered between August and October 2009. Key informant interviews and focus group discussions were used for data collection. Eleven participants were purposively selected to participate in key informant interviews. Using these key informants, the snowballing technique was used to identify twenty people that participated in the two focus group discussions, with each having ten participants. A thematic content analysis was used to analyze data, and this involved coding and cataloguing data into emerging themes and subthemes.

The study established that despite several legal frameworks in Uganda, disability mainstreaming is still far from being achieved. Translation of policies into practice was identified as a major challenge, making it difficult for people with disabilities to be meaningfully involved in poverty reduction processes. Negative attitudes and misconception of disability by both policy makers and civil society, were also seen to be contributing to the exclusion of people with disabilities in poverty reduction processes and programmes. Lack of capacity and meaningful political representation of disabled people seem to negatively impact on effective participation, monitoring and evaluation of the poverty-reduction processes in Uganda.

The study recommends the need to strengthen capacity and advocacy work among people with disabilities and their promoters to ensure their effective participation and inclusion of disability in the national development agenda. It further recommends the need to adopt the human rights-based approach in any development initiative, ensuring disability mainstreaming in policies and the national development plan, in order to effectively address poverty reduction in Uganda. The researcher also challenges disability and development researchers to engage in more wider-scale studies in order to establish more evidence on the need to adopt the human rights-based approach to national development.

## **OPSOMMING**

Navorsingsbewyse wat dui op 'n verband tussen gestremdheid en armoede het in die afgelope jare onrusbarend toegeneem. Ten spyte hiervan is daar baie min aandag gegee om seker te maak dat gestremde mense by die armoedeverligtingsprosesse verteenwoordig en ingesluit word. Bewegings vir gestremde mense, asook dié bewegings se vennote, het egter al hoe meer druk begin uitoefen om seker te maak gestremde mense neem doeltreffend deel aan nasionale ontwikkelingsplanne wat op armoedeverligting gemik is. Die doel van hierdie kwalitatiewe studie was om te ontleed in watter mate die menseregtebenadering gebruik kan word as 'n instrument om voorspraak te maak vir die hoofklem wat gestremdheid moet ontvang in die nasionale ontwikkelingsprosesse wat op armoedeverligting in Uganda gemik is.

## **DEDICATION**

I dedicate this dissertation to my mother, Mai Nalwanga, for her unwavering support and unconditional love.

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## ACRONYMS

ACDO	-	Assistant Community Development Officer
AIDS	-	Acquired Immune Deficiency Syndrome
CAO	-	Chief Administrative Officer
CBOs	-	Community Based Organizations
CDO	-	Community Development Officer
COMBRA	-	Community Based Rehabilitation Alliance
CWD	-	Children with Disabilities
DEO	-	District Education Officer
DHO	-	District Health Officer
DPOs	-	Disabled People's Organizations
ESIP	-	Education Sector Investment Plan
FGD	-	Focus Group Discussion
HIV	-	Human Immunodeficiency Virus
KII	-	Key Informant Interview
MDGs	-	Millennium Development Goals
MoFPED	-	Ministry of Finance Planning and Economic Development
MoGLSD	-	Ministry of Gender Labour and Social Development
NAADS	-	National Agricultural Advisory Services
NDP	-	National Development Plan
NGOs	-	Non-Government Organizations
NUDIPU	-	National Union for Disabled People of Uganda
NUSAF	-	Northern Uganda Social Action Fund
OVC	-	Orphan and Vulnerable Children
PAF	-	Poverty Action Fund
PEAP	-	Poverty Eradication Action Plan
PMA	-	Plan for the Modernization of Agriculture
PRDP	-	Peace, Recovery and Development Programme
SFG	-	School Facilitation Grant
STI	-	Sexually Transmitted Infections

UBOS	-	Uganda Bureau of Statistics
UDHS	-	Uganda Demographic Health Survey
UN	-	United Nations
UNDP	-	United Nations Development Programme
UNHS	-	Uganda National Household Survey
UPDF	-	Uganda People's Defence Forces
UPE	-	Universal Primary Education
UPPAP	-	Uganda Participatory Poverty Assessment Process
USDC	-	Uganda Society for Disabled Children

## **DEFINITION OF TERMS**

### **Disability**

Disability is a complex and controversial term with no single universally accepted, unproblematic definition. The term is defined differently in various countries, and these definitions differ and change within a country with evolving legal, political and social discourses.<sup>1</sup> In this study however, Uganda's Persons with Disabilities Act 2006's definition is adopted. The Act defines a person as having a disability if he or she has a substantial functional limitation of daily life activities caused by physical, mental or sensory impairment and environmental barriers resulting in limited participation in day-to-day activities.<sup>2</sup>

### **Human Rights**

Human rights refer to the basic rights and freedoms to which all humans are entitled. These global basics include, the right to health care, food, education, housing, social assistance, water, freedom of expression and association, and a healthy environment.<sup>3</sup> Human rights set out an internationally accepted moral code by which the intrinsic humanity of every individual is recognised and protected.<sup>4</sup>

### **Disability Mainstreaming**

The concept of mainstreaming disability is not a very clear concept. The debate is on whether inclusion is an outcome of mainstreaming or whether mainstreaming results from inclusion. Mainstreaming disability into development cooperation is the process of assessing the implications for people with disabilities of any planned action, including legislation, policies and programmes in all areas, and at all levels.<sup>5</sup> It is a strategy for making people with disabilities' concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and

programmes in all political, economic and societal spheres so that they benefit equally.<sup>5</sup> The ultimate goal is to achieve disability equality.

## **Poverty**

In this study, poverty is viewed as the inability to influence processes and policies within the community, and a feeling of powerlessness, and lack of access to social services.<sup>5</sup>

## **Poverty Reduction Strategy Papers**

Poverty Reduction Strategy Papers (PRSPs), initiated by the World Bank and IMF describe a country's macroeconomic, structural and social policies and programmes to promote growth and reduce poverty, as well as associated external financing needs. PRSPs are prepared by governments through a participatory process involving civil society and development partners, including the World Bank and the International Monetary Fund.<sup>6</sup>

## **Poverty Eradication Action Plan**

This refers to Uganda's Poverty Reduction Strategy Paper (PEAP). It was developed and launched in 1997 as a framework for addressing the key poverty challenges. The PEAP in Uganda provides an over-arching framework to guide public action to eradicate poverty.<sup>7</sup> The PEAP has now been transformed into the National Development Plan (NDP).

## **CHAPTER ONE**

### **BACKGROUND AND INTRODUCTION TO THE STUDY**

#### **1.1 Introduction**

Uganda, like many countries, has put in place various legal frameworks to ensure that people with disabilities enjoy the rights enshrined in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) and its optional protocols. This Convention, which Uganda has signed and ratified in 2008, offers both a human rights and a developmental framework to move towards inclusive development. This project looked at the extent to which the human rights-based approach to development can be used as an advocacy tool for mainstreaming disability in national development processes targeting poverty reduction in Uganda. This chapter provides the background, objectives, and the overall outline, of the study. For the purposes of this study, terms ‘people with disabilities’ and ‘disabled people’ will be used interchangeably as they were all acceptable by the research participants.

#### **1.2 Background**

For a long time, disability was barely understood as a physical or mental limitation; and poverty as a condition of low income.<sup>8</sup> Unfortunately, this narrow understanding of disability has not significantly changed the situation of disabled people. Disability and poverty related challenges are not only similar, but disability and poverty are inextricably linked.<sup>8</sup> The relationship between poverty and disability is crucial for people with disabilities more than any other vulnerable groups as they are among the poorest, marginalized and disadvantaged groups.<sup>9</sup> This study explores the contribution of the human rights-based approach to development as an advocacy tool for disabled people when engaging in the poverty reduction strategy papers (PRSPs) processes in Uganda. This is because the national PRSP provides a benchmark for

the narrowing of income inequalities amongst communities. The connection between poverty and disability is complex and multilayered, with compelling evidence suggesting that, in the process of tackling poverty, there is need to focus on the human rights abuses that may drive people into chronic poverty and marginalization.<sup>9</sup>

The study is built on the theory of the human rights-based approach to development, which emanates from the international human rights standards, meant to promote and protect human rights in general. The human rights-based approach to development integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of development.<sup>10</sup> These norms and standards are embedded in the international human rights instruments. The study draws from the United Nations Declaration on the Right to Development. This Declaration recognizes that at the international level, efforts to promote and protect human rights, should be accompanied by efforts to establish a new international economic order.<sup>10</sup> It further confirms that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, which include people with disabilities.<sup>10</sup>

The study also draws from the Draft Guidelines for a Human Rights Approach to Poverty Reduction Strategies developed by the Office of the High Commissioner for Human Rights.<sup>11</sup> These Guidelines elaborate and clarify certain principles that should guide the process of formulating, implementing and monitoring a poverty reduction strategy, if it is to be consistent with a human rights approach. According to these guidelines the essential idea, underlying the adoption of a human rights approach to poverty reduction, is that policies and institutions for poverty reduction should be based explicitly on the norms and values set out in the international law of human rights.

The study investigated how disability can be mainstreamed into these PRSPs. It draws a lot from the UNCRPD, which seeks to promote, protect and ensure the full

and equal enjoyment of all human rights and fundamental freedoms by all disabled people, and to promote respect for their inherent dignity.<sup>12</sup> This convention creates general obligations under which the state parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms, for all people with disabilities without discrimination, which includes their inclusion in development plans.

This study is part of a three-year African Policy on Disability and Development (A-PODD) project involving four countries: Malawi, Uganda, Ethiopia and Sierra Leone. A-PODD, which is a qualitative research project, aims to document and analyze research evidence on the extent to which disabled people engage in national and international development policy initiatives that target poverty reduction, particularly the PRSPs. The results will be used to develop a multiple-pathways model of evidence-based-advocacy for inclusion of disability in PRSPs. A-PODD identifies the key stakeholders that participated in the PRSP formulation. The main emphasis is on gathering research evidence that informs the inclusion or exclusion of disability; and identifying promoters and inhibitors in the inclusion of disability in PRSPs in the four countries. As part of the wider project, my study is a component of capacity building in which four Master students are funded to undertake research in the four project countries, Uganda being one of them.

### **1.3 Research Problem**

A recent government report revealed that in most Ugandan communities, disabled people are poorer than non disabled people; implying that poverty, with its characteristics such as malnutrition, poor health and sanitation, isolation and powerlessness, can cause disability.<sup>8</sup> Similarly, disability can trap disabled people into poverty because of the barriers in accessing education, employment, social activities, and other communities aspects of life<sup>8</sup>.

Since the 1990s, many multi-lateral and bi-lateral agencies have adopted a human rights approach to development.<sup>13</sup> In this approach, emphasis is on ensuring that each person, including people with disabilities, should have the same rights to freedom, dignity, non- discrimination and protection from the state against abuse of these rights. These rights also include access to economic, cultural and social rights. The first avenue for addressing this problem is effective engagement and meaningful consultations with the various groups in society in the national programmes and processes targeting poverty reduction.

The PEAP/NDP process is one of the critical processes in Uganda where effective engagement of people with disabilities would help address their levels of poverty.<sup>10</sup> Unfortunately the disability movement did not participate in the initial PEAP process in Uganda and only took part in the second and third revisions of the PEAP.<sup>11</sup> This was because the disability movement had not made any coordinated efforts to ensure that people with disabilities were included in mainstream poverty eradication programmes. During the process of revising the PEAP 2002, the Government of Uganda invited various stakeholders, including DPOs, to participate in the process.<sup>11</sup>

As the country moves from the PEAP to the National Development Plan, the disability movement has been struggling to influence the process due to its non-consultative nature and their lack of capacity to effectively participate in the process.<sup>12</sup> The challenge therefore is that disabled people have not been meaningfully engaged in both the PEAP and the current National Development Plan processes, implying that they may not benefit much in programmes and initiatives targeted for poverty reduction in Uganda.<sup>12</sup>

#### **1.4 Motivation**

The motivation for this research follows on from my appointment as a Uganda-based research assistant for the A-PODD project. During the initial data collection, it occurred to me that most of the issues that were coming up in the data collection

were human rights issues. With my background as a human rights lawyer, I thought that using a human rights-based approach to development would be an advantage in dealing with poverty experienced by disabled people. Since I had an opportunity of pursuing a Master's programme under this project, this was timely and a good opportunity for me to explore in detail the discussion on the human rights-based approach to development; and how this can guide the poverty programmes in low-income countries like Uganda. If disabled people are not meaningfully involved in national development processes, they are unlikely to benefit from any programmes targeting poverty reduction. Also, being a human rights lawyer, this was a great opportunity for me to understand disability issues, which I previously knew nothing about. Ultimately, this study contributes significantly to the understanding of disability as a human rights issue in national development initiatives, and to the body of knowledge of disability mainstreaming.

### **1.5 Aim of the Study**

The aim of this study was to analyze the extent to which the human rights-based approach to development can be used as an advocacy tool for mainstreaming disability in the national development processes targeting poverty reduction in Uganda.

### **1.6 Main Research Question**

To what extent can the human rights-based approach be used an advocacy tool that can contribute to mainstreaming disability in the national development processes targeting poverty reduction?

#### **1.6.1 Sub-Research Questions**

1. To what extent is disability embedded in the national development processes in Uganda?

2. What are the factors that can either facilitate or inhibit the participation of people with disabilities in poverty reduction processes?
3. How can the human rights-based approach to development be used as an advocacy tool to influence the effective participation of people with disabilities in the Uganda's national development process?
4. What are the emerging key issues that can inform policy and practice in mainstreaming disability in the national poverty reduction processes, using the human rights-based approach to development?

#### **1.6.2 Research Objectives**

1. To establish the extent to which disability is embedded in the national development processes in Uganda.
2. To identify factors that either can facilitate or inhibit the participation of people with disabilities in poverty reduction strategies.
3. To establish how the human rights-based approach to development can be used as an advocacy tool to influence the effective disabled people's participation and disability mainstreaming in the Uganda's national development processes.
4. To make recommendations to policy makers, civil society, DPOs and NGOs with intension to promote the inclusion of people with disabilities using the human rights-based approach to development.

## 1.7 Significance of the Study

This study started when Uganda was in the process of developing the National Development Plan (NDP), which was adopted in April 2010. This plan provides a benchmark for narrowing of income inequalities amongst communities in Uganda.<sup>10</sup> The goal of the plan is to be achieved through legitimate provision of opportunities, social service and infrastructure, through the development of the appropriate economic cultures and through full human resource development.<sup>10</sup> This process involved the development of a five-year National Development Plan, which lays out the country's aspirations, development philosophy and strategies, which is an equivalent of the past PEAP. The 5-Year NDP is a detailed National Plan which presents overall policy objectives and development framework; key development thrusts; poverty eradication and rural development strategies proposed for the period.

The distribution of the country's resources is determined by what is incorporated into the NDP. Such plans call for the engagement of various groups in the country to input into the process. Consequently, any sector or group that is excluded in the process, risks missing out on the government's resource allocation.<sup>7</sup> The urgent need for effective involvement of DPOs, right from planning, monitoring and up to the evaluation stage of NDP process, cannot be over-emphasized if the needs of people with disabilities are to be taken into account. The human rights-based approach to development calls for meaningful engagement of all groups in society. Therefore this study is timely as it aims to document and analyze the extent to which the human rights-based approach to development can be used as an advocacy tool for mainstreaming disability in the NDP process in Uganda.

The findings of this study will be shared with the disability movement, human rights professionals, government departments (including local councils), NGOs, as well as CSOs. Other countries will also be informed through reports, papers, conferences and workshops. It is hoped that the study will provide the framework and impetus to promote the utilization of the human rights-based approach in advocating for policy

development and inclusive ways of involving of disabled people in national development processes. This is to ensure that there is disability mainstreaming in such processes.

As part of the wider A-PODD project, this study will contribute towards developing a multiple pathways model of evidence-based-advocacy for inclusion of disability in low-income countries' national development plans, particularly African States. It will also be a good tool for identifying appropriate markers to trace and evaluate the extent to which the Millennium Development Goals (MDGs) and other health-related human rights have been realized by people with disabilities in Uganda. The study will also contribute to the literature on the human rights-based approach to development and more importantly, to the visibility of people with disabilities in disability mainstreaming.

### **1.8 Outline of Chapters**

This study is divided into six chapters. Chapter one provides the background and objectives of the study.

Chapter two presents the literature review. The chapter discusses the human rights-based approach to development and its relevance to the PRSP process, the theoretical framework guiding the study. It further explores the past and the current PRSP processes in Uganda and how engaging the human rights-based approach can form an argument for including people with disabilities. The chapter reviews the local and international legal frameworks that promote the participation of disabled people in the PRSP process. A detailed account of the existing literature on the human rights-based approach to development is also provided.

Chapter 3 covers the empirical section of this study. It provides the methodological resources used in this study. These include the research design, research methods,

and data analysis study population, sample size, sample selection technique, and ethical considerations. The chapter also shows how the data were analyzed.

Chapter four presents the major findings of the study. The chapter is divided into sections, guided by the emerging themes and research objectives.

Chapter five is the discussion section. Common themes are outlined and discussed. These are interspersed with relevant literature and personal interpretations.

Chapter six summarizes the study and draws conclusions. The chapter concludes by providing recommendations and markers to trace and evaluate the extent to which the human rights-based approach can be used to include disability issues into the national development agenda. Finally, the chapter recommends areas for further research.

## **1.9 Conclusion**

This chapter outlined the purpose of this study. It also provided the background information and why it was important to carry out this study. It introduced the debate around adopting the human rights-based approach in ensuring the mainstreaming of disability in poverty reduction strategies. In the next chapter, relevant literature is reviewed.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

In reviewing literature, this chapter focuses on the human rights concept, using the global and the African contexts. The chapter presents a discussion on the human rights-based approach to development and its relevance to PRSP processes.. In doing so, the chapter looks at the past and the current PRSP processes in Uganda and how engaging the human rights-based approach can form an argument for including people with disabilities. The chapter further reviews the existing international and national legal frameworks that promote the inclusion of disabled people in national development processes, informed by the human rights-based approach.

#### **2.2 Human Rights: The International Context**

Human rights are a twentieth century phenomenon developed in response to the atrocities of World War II.<sup>4</sup> The extermination of over six million Jews, Sinti and Romani (gypsies), homosexuals, and disabled people by the German Nazi Party horrified the world.<sup>11</sup> Governments then committed themselves to establishing the United Nations, with the primary goal of bolstering international peace and preventing conflict. This was to ensure that never again would anyone be unjustly denied life, freedom, food, shelter, and nationality. The calls came from across the globe for human rights standards to protect citizens from abuses by their governments, standards against which nations could be held accountable for the treatment of those living within their borders.<sup>11</sup>

Human rights set out an internationally accepted moral code by which the intrinsic humanity of every individual is recognised and protected. They are the fundamental, universal and indivisible principles by which every human being can claim justice and

equality. As disability describes the barriers faced by disabled people to achieving equality and justice, and because they are human beings too, it is clear that disability is a human rights issue.<sup>4</sup> As with all groups who face discrimination and disadvantage, it is the recognition of that intrinsic humanity that is essential to reaching outcomes that result in the full implementation and protection of human rights.<sup>12</sup>

There are two schools of thoughts around human rights, which include the universality and cultural relativity of human rights. In the next section, focus on the universality of human rights, and then look at the cultural relativity of human rights in section 2.3; under the discussion on the African context of human rights.

According to Universalists of Human Rights, International human rights law through the International Bill of Human rights, proclaims universal moral standards.<sup>13</sup> These standards are realized through respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion, and even disability.<sup>14</sup> Therefore, talking about human rights in international law, means talking about universal human rights grounded in some conception of universal human nature.

The above approach to human rights assumes the existence of a human subject who is conscious and able to make and justify moral choices, which is a critical factor in advocating for disability rights. However, critics of this approach to human rights lie on its foundation in Western (European and North American) political history and culture.<sup>15</sup> It is contended that these cultures and norms are of vital importance for those in non-Western nations who seek to protect human rights of special groups such as those of disabled people. For instance, this conception of human rights places the protection of the independent individual at the centre, and the individual is assumed to be a self-sufficient entity which may have serious implications in an African setting where the value is placed in family and society.<sup>16</sup>

## 2.2.1 International Human Rights Legal Framework

A number of international human rights instruments have been developed, which are binding and create legal obligations on states to promote, protect and fulfill rights of people with disabilities. These international human rights instruments reinforce the principle of universality of human rights including the right to development and this principle is clear in all core United Nations human rights conventions.

The modern era of human rights law commenced with the adoption of the Universal Declaration of Human Rights (UDHR) in 1948.<sup>14</sup> Article 1 of the UDHR provides that “all people are free and equal in rights and dignity”. This provision establishes the fact that disabled people are protected by human rights law by virtue of their basic humanity.

In the last fifty years, governments have adopted a number of general and thematic human rights conventions. By ratifying these Conventions, governments have recognized international norms in new areas of justice and social policy once left to the complete discretion of domestic legislators as binding in their own legal systems.<sup>17</sup>

The Convention on the Rights of Persons with Disabilities (UNCRPD) was developed and adopted on 13 December, 2006.<sup>12</sup> Article 1 states that the purpose of this Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all people with disabilities, and to promote respect for their inherent dignity. The principles of this Convention as spelt out in article 3 include:

- Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;
- Non-discrimination;

- Full and effective participation and inclusion in society;
- Respect for difference and acceptance of disability as part of human diversity and humanity;
- Equality of opportunity;
- Accessibility;
- Equality between men and women;
- Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.<sup>12</sup>

The convention creates general obligations under which the state parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all people with disabilities without discrimination of any kind on the basis of disability.

Article 26 of the international Covenant on Civil and Political Rights provides that all persons are equal before the law and are entitled without any discrimination to the equal protection of the law.<sup>18</sup> From this perspective, the convention prohibits any discrimination and guarantees to all persons, including disabled people. On the other hand, article 11 (1) of the International Covenant on Economic, Social and Cultural Rights provides for the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.<sup>19</sup> The protection of the right to adequate standard of living for people with disabilities cannot be realized without firmly incorporating its components into poverty reduction strategy papers, since they form a basis for allocation of resources to go towards improving the lives of people with disabilities.

The Convention on the Rights of the Child is concerned with protecting children from injury and providing disabled children adequate protection.<sup>20</sup> Article 23 (1) provides that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self reliance and facilitate the child's active participation in the community. Article 23 (3) recognizes that any assistance to the child, and those responsible for his or her care, should be designed to ensure that the disabled child has effective access to education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development. This requires that a human rights approach to PRSPs should consider the needs of children with disabilities.

Another important international instrument is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by the United Nations General Assembly in December 1979, and entered into force in September 1981.<sup>21</sup> Article 2 of the Convention creates obligations on the state to, among other things, adopt the principle of equality of men and women in their national constitutions or other appropriate legislation, if not yet incorporated therein, and to ensure, through law and other appropriate means, the practical realization of the principle. Although this convention does not specifically mention disability, it calls for the elimination of discrimination against women in specified areas, such as health care, education, employment, treatment under the law, and rights in the marriage and family.<sup>21</sup>

The United Nations also has a Declaration on the Right to Development.<sup>10</sup> According to Article 1 of this Declaration, the right to development is an inalienable human right by virtue of which every person, including disabled people, are entitled to participate in, contribute to, and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized. This article further stipulates that the human right to development also implies the full realization of the right of people to self-determination. This also includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their

inalienable right to full sovereignty over all their natural wealth and resources. Article 3 creates the primary responsibility on the state for the creation of national and international conditions favorable to the realization of the right to development. Article 8 emphasizes the need for countries to undertake, at the national level, all necessary measures for the realization of the right to development and to ensure, *inter alia*, equality of opportunity for all including people with disabilities in their access to basic resources, education, health services, food, housing, employment and the fair distribution of income.<sup>10</sup>

It is important to note that the international instruments discussed above create legal obligations on states to promote, protect and fulfill rights of people with disabilities. These international human rights instruments reinforce the principle of universality of human rights including the rights of people with disabilities. Indeed if the provisions of these instruments are domesticated and implemented, it's very likely that the rights of people with disabilities may be improved.

### **2.3 The African Context**

The other approach to human rights is that of cultural relativism. Cultural relativism is the principle that one's beliefs and activities should be interpreted in terms of one's own culture.<sup>16</sup> The Cultural relativists also believe that human values, far from being universal, vary a great deal according to different cultural perspectives.<sup>22</sup> This view explains the various approaches to disability which may work well in the western world but may not work in an African setting. For instance, the idea of disability grants may not be successful because of the African concept of *ubuntu*.<sup>23</sup> For example, in South Africa, disabled people become bread winners of the family as they tend to have an income compared to the rest of the family.<sup>3</sup> Mbiti noted how an individual has little latitude outside the context of the African family and community. "The individual can only say: 'I am, because we are; and since we are, therefore I am'."<sup>23</sup> This can be perceived as a cardinal point in the understanding of the African view of humanity. The result is that disabled people may end up providing for their family

members through their disability grant, rather than using it for their disability specific needs.

The cultural relativism's argument seems to suggest that human rights can only exist by reverting back to cultural norms, not looking to external (Western, legal) documents and that each group should look to their own culture to devise and implement their own notion of human rights. The African conception of human rights is an essential aspect of African humanism sustained by religious doctrine and the principle of accountability to the ancestral shades.<sup>24</sup> The individual's success, is attributable to Africa's characteristic political and social structure. Although this approach seems to envisage the social model of disability, disabled people have remained marginalised.<sup>16</sup>

From the above discussion, it shows that there is need to strike a balance between the universal and cultural relativity of the human rights-based approach. While universal approaches, such as adopting a specific UN Convention on Disability, are welcome as positive moves towards realisation of human rights of disabled people, specific cultural settings and needs of disabled people need to be considered in using a human rights-based approach in African societies. Recognition of human rights such as disability rights, workers rights, children's rights and even political and civil rights are crucial for people to enjoy their fundamental human rights.<sup>25</sup>

The African Charter on Human and Peoples' Rights (1981)<sup>26</sup> recognises the universal nature of the need to protect the rights of disabled people. Article 18 (4) of the Charter states that disabled people have the right to special measures of protection and article 16 (1) provides that every individual shall have the right to enjoy the best attainable state of physical and mental health. The approach of the charter signals the importance of the need to balance universality and cultural relativity debate in dealing with disability issues.

A human rights-based approach to development is a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights.<sup>25</sup> Essentially, a human rights-based approach integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of development. In this regard, the integration of the human rights-based approach to disability into the national PRSP processes is critical. The applicable principles of the human rights-based approach include equality, inclusion, equity, accountability, empowerment and participation.<sup>25</sup>

## **2.4 Disability and Human Rights**

From the paragraphs above, it is indeed clear that there is a link between human rights and disability. Disability in itself describes the barriers faced by people with disabilities, to equality and justice,. Since people with disabilities are also human beings, it is axiomatic that disability is a human rights issue. As with all groups who face discrimination and disadvantage, it is the recognition of that intrinsic humanity that is essential for equality and justice outcomes and full implementation and protection of human rights.<sup>4</sup> As already noted above, human rights, by their nature are indivisible and universal. This implies that leaving people with disabilities out of mainstream systems of development perpetuates discrimination and exclusion and hence impacts on their rights.<sup>4</sup>

Hisayo and Jukka have rightly noted that the human rights-based approach to disability has its basis in the social approach to disability even though it has at least one crucial element that makes it distinct from the social approach to disability, namely the normative nature of the human rights-based approach.<sup>59</sup> According to them, contrary to the social model of disability, human rights-based approach to disability has a solid basis on the international human rights sphere. Their paper clearly states that there are several essential values that are underlying the notions of disability and human rights, namely *human dignity* of each individual, the concept of

*autonomy* or *self-determination*, *equality* of all regardless of differences and the notion of *solidarity*. They observe that through human rights-based approach to disability, evolves a possibility of empowerment of disabled people and through this, their participation in political and social life is more ensured.<sup>59</sup> This study will build on this theory but also makes a value added on focusing on the development dimensions in this human rights-based approach to disability.

Despouy, provides the legal basis for this approach when he notes that from the legal point of view, there are three dimensions to this statement: (a) the recognition that people with disabilities have specific rights; (b) respect for these and all their rights; and (c) the obligation to do what is necessary to enable people with disabilities to enjoy the effective exercise of all their human rights on an equal footing with others.<sup>60</sup> This paper directly supports the arguments of this study and what this study does again, is to expand on this legal basis from a development dimension..

## **2.5 The Ugandan Context**

Although disability is a major factor in Uganda, its statistics are not clear to date. The Disability Statistics in Uganda is one of those areas of social statistics which have been an area of concern, and it has been growing at a slow pace. The National Census of 2002 has been cited as the beginning point for disability statistics in Uganda. This census estimated that 4% of the population (1.2 million) had disabilities compared to 3.3% using the international definition.<sup>27</sup> The census indicated that the Northern Region had the highest incidence of disability (4.4%) while the Western region had the lowest (2.9%). Eastern and Central regions have rates of 3.6% and 3.1% respectively. In a more recent survey, the Uganda Bureau of Statistics indicates that it is estimated that 7% of Uganda's population had a disability<sup>28</sup>

Despite the impressive economic gains by Uganda in the last 20 years, current evidence suggests that a large number of disabled people are, and continue to be, poor.<sup>9</sup> The study by the Ministry of Finance, Planning and Economic Development

indicates that much of the current disability related legislation has not translated into real changes for different categories of disabled people at the grassroots level.<sup>9</sup>

The signing and ratification by Uganda of the various international conventions on human rights, particularly the UNCRPD in 2008, has obligations and responsibilities on the part of the Ugandan Government. There are also a number of other important and legally binding international Acts signed by Uganda that have a direct bearing on the realisation of the human rights of disabled people. These include the Convention on the Rights of the Child 1990 and the Dakar Framework for Action.<sup>29</sup>

At national level, Uganda has developed a number of policy documents in the various sectors which impact on disability. The *National Policy on Disability in Uganda* is the main policy on disability in the country.<sup>30</sup> This Policy is the first of its kind to specifically address disability issues in Uganda. The Policy seeks to contribute to the improvement of the quality of life of Disabled people through expanding the scope of intervention. It recognizes that disability issues transcend all sectors and therefore calls upon the Public sector, Ministries, Local Governments, CSOs, NGOs and other actors to use it as a framework to guide planning, resource allocation and implementation of interventions of disabled people. It indicates that Disabled people do not access services because of their exclusion in the design and implementation of interventions which has greatly contributed to their inadequate participation in the socio-economic development process. It therefore calls upon Government with other stakeholders to promote full participation of disabled people and caregivers in planning, decision-making, designing and implementing interventions for improved service delivery.<sup>30</sup>

The *National Health Policy* is also very important for disability.<sup>31</sup> The overall objective of this Policy is to reduce mortality, morbidity and the disparities in health. It therefore emphasizes access to the Minimum Health Care Package as the central strategy to this end. The policy recognizes that for development to be sustainable, health and economic growth must be mutually reinforcing. It calls upon government to update,

formulate and disseminate laws, regulations and enforcement mechanisms related to consumer protection, especially for the vulnerable groups including women, children and disabled people and stigmatization and denial due to ill health or incapacity.

Apart from the policy documents, the government of Uganda has also developed a number of laws which have provisions with implications for disability rights and development in Uganda.

Key to these pieces of legislation is *the Constitution of Republic of Uganda (1995)*.<sup>32</sup> The constitution is the supreme law of Uganda. Article 2 provides that if any other law or any custom is inconsistent with it, the constitution shall and that other law or custom shall, to the extent of the inconsistency, be void. From its preamble, the constitution sets the recognition of the dignity of people with disabilities as one of its social and economic objects. Society and the State should recognize the right of people with disabilities to respect and human dignity. One of the national objectives of the constitution is for the state to ensure fair representation of marginalized groups on all constitutional and other bodies. Specifically, objective XVI provides for the recognition of the dignity of persons with disabilities, it thus requires Society and the State to recognize the right of persons with disabilities to respect and human dignity. Under objective XXIV, the State is required to promote the development of a sign language for the deaf as one of the cultural objectives.

There are also specific articles of the constitution which address the rights of people with disabilities. For instance, Article 21 forbids discrimination against disabled people. It therefore makes it clear that a person should not be discriminated against on the grounds of, among others, disability. The article defines discrimination as giving different treatment to different persons attributable only or mainly to their respective descriptions by among other conditions disability.<sup>32</sup>

Article 32 introduces the concept of affirmative action. Thus, the state is required to take affirmative action in favour of groups marginalized on the basis of disability,

among other things, for the purpose of redressing imbalances which exist against them. The article further requires Parliament to make relevant laws, including laws for the establishment of an equal opportunities commission, for the purpose of giving full effect to the article.

The constitution also has a specific article addressing the rights of people with disabilities. Article 35 states that disabled people have a right to respect and human dignity. Furthermore, the State and society are required under the article to take appropriate measures to ensure that they realize their full mental and physical potential. The article therefore requires Parliament to enact laws appropriate for the protection of people with disabilities.<sup>32</sup>

People with disabilities are also recognized under the constitution as eligible citizens of Uganda to take part in election democracy. Under Article 59 of the constitution, Parliament is required to enact laws to provide for the facilitation of citizens with disabilities to register and vote. Article 79 recognizes people with disabilities as one of the special groups to be represented in Parliament.<sup>32</sup> Therefore the Constitution of the Republic of Uganda recognizes the rights of disabled people and provides the basis for the enactment of laws and development of policies that address their concerns. The Constitution also calls for fair representation of marginalized groups on all constitutional and other bodies which can be interpreted to include representation in government programmes such as PRSPs. This is emphasized by specific provisions under the constitution such as provisions recognizing the specific rights of people with disabilities, which include the development of sign language for the deaf community and affirmative action to redress the imbalances that exist against disabled people. In the following paragraphs, the paper reviews other pieces of legislation that have been enacted by parliament to operationalize the provisions of the constitution.

*The Children's Act of 1997* consolidates the law relating to children and makes provision for the care, protection and maintenance of children among other things.<sup>33</sup>

The Act requires the parents of children with disabilities and the State to take appropriate steps to see that those children are assessed as early as possible to ascertain the extent and nature of their disabilities; offered appropriate treatment; and afforded facilities for their rehabilitation and equal opportunities to education. This provision is important in that it allows the identification of disabilities at an early stage.

*The Local Governments Act, of 1997* is also very important for the engagement of disabled people in decision-making at the local level.<sup>34</sup> The purpose of this law is to consolidate and streamline the existing law on local governments, in line with the Constitution. It gives effect to the decentralization and devolution of functions, powers and services, provides for decentralization at all levels of local governments to ensure good governance and democratic participation in, and control of, decision making by the people; and to provide for election of local councils and for any other related matters.<sup>34</sup>

On the other hand, *The Land Act of 1998* provides for the tenure, ownership and management of land in Uganda.<sup>35</sup> Under section 27, any decision taken in respect of land held under customary tenure, whether in respect of land held individually or communally, should be in accordance with the customs, traditions and practices of the community concerned, except that a decision which denies women or children or people with disabilities access to ownership is null and void.

The National Council for Disability Act 2004 ensures that Disability Councillors monitor various government bodies in ensuring that there is disability mainstreaming any development, and that disability-related policies are implemented.<sup>36</sup>

The Equal Opportunities Act 2006 focuses on equality in employment and access to services for marginalized groups including people with disabilities. This instrument is particularly useful in creating income generating opportunities for disabled people.

Despite the above enabling policy environment for the inclusion of people with disabilities in Uganda, there seems to be very little implementation on the ground.<sup>9</sup> Unfortunately, disabled people may continue to be marginalized as a result of this little implementation. In a way, this means that having a law or policy does not mean that human rights of people with disabilities are secured. Legislation alone cannot guarantee that human rights are realized, rather, it simply provides a framework of directives with which to begin a process of exploration and redress.<sup>37</sup> With laws in place that have not been enforced, disabled people may continue to face discrimination, marginalization, and exclusion from the poverty reduction strategies.

## **2.6 The Link between Disability and Poverty**

It is very important to consider the link between disability and poverty especially in the developing context. The existing studies emphasize that disability and poverty are closely linked (references for this; you need at least two). It is argued that on the one hand, poverty can cause disability with its characteristics like malnutrition, poor health and sanitation, isolation and powerlessness. On the other hand, disability can trap people in a life of poverty because of the barriers that people with disabilities face while taking part in education, employment, social activities, and other aspects of life.<sup>9</sup> It is further provided in this study that stigma and discrimination of people with disabilities in accessing development programmes is still a major problem, which suggests that there is a strong link between disability, vulnerability and extreme poverty. It has further been argued that poorer people have a greater statistical likelihood of becoming disabled, as those who are poor invariably live and work in unsafe and unsanitary conditions with little access to clean water, rendering them more susceptible to injuries and preventable diseases such as malaria and polio.<sup>61</sup> This is yet The mutual self-reinforcing factors that drive the disability/poverty nexus remain ill defined and under researched.<sup>61</sup>

It has further been argued that although the various connections between disability and poverty might appear to be relatively straightforward, the linkages are in fact

deceptively complicated. In addition, the hard statistical evidence on poverty and disability is also limited and very sketchy.<sup>4</sup> The researchers further point out that disability and poverty are highly contested political concepts. Furthermore, because different meanings of disability and poverty are used, and that there is insufficient care taken to recognize this, commentators are often at crossroads when debating these issues.<sup>4</sup> This makes it difficult for disability issues to be part and parcel of the poverty reduction strategy plans.

## **2.7 Poverty Reduction Strategy Papers**

Poverty Reduction Strategy Papers (PRSPs) are prepared by the member countries through a participatory process involving domestic stakeholders as well as external development partners, including the World Bank and International Monetary Fund.<sup>28</sup> Updated every three years with annual progress reports, PRSPs describe the country's macroeconomic, structural and social policies and programmes over a three year or longer horizon to promote broad-based growth and reduce poverty, as well as associated external financing needs and major sources of financing.<sup>38</sup> The papers draw on data from the United Nations Development Assistance Framework (UNDAF) and the common country assessment (CCA).<sup>13</sup>

The UN Declaration on the Right to Development calls for active, free and meaningful participation in development and fair distribution of benefits.<sup>10</sup> Therefore, the PRSP process involves the participation of all stakeholders that include civil society, policy makers and development partners.<sup>10</sup> This requires giving attention to issues of accessibility, including access to development processes, institutions, flow of information and complaints mechanisms. This also entails situating development project mechanisms in proximity to partners and beneficiaries.<sup>38</sup>

Human rights are imperative in that particular attention is given to discrimination, equality, equity and vulnerable groups.<sup>39</sup> It further argues that the vulnerable groups include women, minorities, people with disabilities, indigenous peoples and prisoners;

but that there is no universal checklist of who is most vulnerable in every given context.<sup>26</sup> Still, a universal checklist might not be applicable to different cultural contexts and different social-economic factors. In the context of Uganda, people with disabilities have been placed under vulnerable people.<sup>32</sup> Human rights-based approaches require that such questions be answered: who is vulnerable and who determines the vulnerability? The Ugandan constitution recognizes the dignity of disabled people as one of its social and economic objects, and forbids discrimination against them.<sup>32</sup> The constitution further stipulates that people with disabilities have a right to respect and human dignity and requires the State and society to take appropriate measures to ensure that they realize their full mental and physical potential (Article 35). These provisions form the bedrock for recognition of disabled people' human rights in Uganda including the need to involve the disability movement in the key government programmes such as the PRSP processes.

## **2.8 The PEAP Process in Uganda**

In Uganda, the Poverty Eradication Action Plan (PEAP) (now called National Development Plan), which was then the national PRSP was developed and launched in 1997 as a framework for addressing the key poverty challenges<sup>7</sup>. Since then, poverty levels have reduced from 56% to 31% over the period.<sup>7</sup> The PEAP in Uganda provided an over-arching framework to guide public action to eradicate poverty. It was prepared through a consultative process involving central and local Government, Parliament, Donors and Civil Society.<sup>7</sup> Under the governance pillar, where human rights are listed as one of the priority areas of government in the PEAP processes, Uganda is committed to maintaining high standards of human rights.<sup>7</sup>

According to a study on disability and poverty in Uganda, although disability is an issue that has got several implications for women and children in several communities, there are still several deep seated attitudinal challenges that need to be overcome.<sup>9</sup> This study emphasizes the need to address most of these issues collectively by ensuring that the rights of people with disabilities are safeguarded and

communities become safe environments for such people.<sup>9</sup> Accordingly, for government policy to have an impact on disabled people, it will be important that decisive steps are taken to mitigate the severe impact of a hostile environment on people with disabilities. The PEAP acknowledges that disabled people experience relative income poverty, and this implies that their quality of life is compromised. Again, because of their disability, social stigma they sometimes experience, limit them from accessing social services.<sup>7</sup>

Since the PEAP in Uganda described the barriers faced by people with disabilities in achieving equality and justice, it is obvious that disability is a human rights issue,<sup>4</sup> which ought to be recognized and included in the national poverty reduction processes. The economic rights call for access to programmes that enhance opportunities to improving disabled people' wellbeing.<sup>7</sup> The first step in achieving this is active participation in the national PRSP processes, which define the development agenda of the country.

A recent study conducted by the Ministry of Finance and Economic Development (MFED) revealed that in most of the communities in Uganda, people with disabilities are poorer than people without disabilities living in the same communities.<sup>22</sup> The report has argued that poverty can cause disability with its characteristics such as malnutrition, poor health and sanitation, isolation and powerlessness. Similarly, disability can trap people into poverty because of the barriers that people with disabilities face in accessing education, employment, social activities, and indeed all aspects of life.<sup>22</sup>

Since the 1990s, many multi-lateral and bi-lateral agencies have adopted a human rights approach to development.<sup>4</sup> In this approach, emphasis is put on ensuring that each person, including people with disabilities, is seen as having an equal right to freedom, dignity, non-discrimination and protection from the state against abuse of these rights, together with access to economic, cultural and social rights.<sup>4</sup> The first avenue for addressing this problem is effective engagement and meaningful

consultations with the various groups in society in the national programmes and processes for addressing poverty.

The PEAP process has been identified as one of the critical processes in Uganda where effective engagement of disabled people would help address poverty faced by people with disabilities.<sup>9</sup> While the PEAP process had started earlier in 1997, disabled people only became actively involved in the development of the third phase of the PEAP.<sup>40</sup> At the beginning, the disability movement did not make a co-ordinated effort to ensure that people with disabilities were included in mainstream poverty eradication programmes, until the PEAP 3 process, which took place in 2001. The Government of Uganda invited various stakeholders, including DPOs, to participate in the process by submitting position papers through the National Governmental Organization Forum, a platform for civil society organisations.<sup>40</sup> However, disability issues were not incorporated in the final PEAP revision document as the National Union of Disabled People of Uganda (NUDIPU) had presented their issues. Rather, people with disabilities were clustered among vulnerable groups without any specific programmes to target disability related issues.<sup>9</sup> NUDIPU's position paper argued that the PEAP treated issues about disabilities under the general headings of 'vulnerable groups', 'marginalized groups of society' and 'disadvantaged groups'. In most cases, this kind of grouping fails to give explicit strategies and relevant policy interventions for the intended target groups.<sup>40</sup>

## **2.9 From the PEAP to the NDP**

Uganda is shifted from the PEAP to the NDP that will stretch for 30 years; starting in 2010.<sup>10</sup> The NDP is intended to build on the achievements noted during the PEAP period, while recognizing the need to improve the approach to planning and utilizing resources.<sup>10</sup> With the view to maintain the focus on poverty reduction, the NDP process is targeting resource utilization for better economic growth; thus transforming from peasantry into modernization.<sup>10</sup> To realise this transformation, the NDP's strategy is aimed at wealth creation in order to realise the theme of "Growth,

Employment and Prosperity for Social-Economic Transformation.”<sup>10</sup> To drive the NDP vision, the Ugandan government established the National Planning Authority (NPA) whose mandate is to put in place, operationalize, oversee, manage, supervise, monitor, evaluate, and coordinate the national framework, systems and strategies for cost-effective and participatory national development planning, a department that was non-existent during the life span of the PEAP.<sup>10</sup> Then, it becomes apparent that prosperity for all should mean development that targets all (inclusive development); implying that marginalised groups cannot be left behind or outside the development processes if sustainable, long-term development is to be achieved.

A PEAP evaluation carried out by an independent board on behalf of the Ugandan government highlighted a number of challenges and what can be learnt during this transition period to NDP.<sup>41</sup> The evaluation identified institutional and governance problems which have not only impaired the implementation of PEAP, but which may also have the potential to impair the implementation of the NDP. Amongst these are:

- Role and functioning of sub-national government in key areas
- The need to get more value for money in areas where Government has made significant investment, such as education and health
- Problems of corruption and re-seeking within the government in areas of importance to national development.<sup>41</sup>

As the country shifts from the PEAP to the NDP, the disability movement has been struggling to influence the process due to its non-consultative nature and their lack of capacity to effectively participate in the process.<sup>40</sup> The challenge therefore is that DPOs have not been meaningfully engaged in the NDP process, implying that disabled people may not benefit much in the 2010-2015 programmes and initiatives targeted for poverty reduction in Uganda.<sup>9</sup> It is therefore critical for all stakeholders to view disability as a cross cutting issue and a human rights agenda by making sure that the NDP comes up with inclusive development initiatives that embrace all citizens, particularly people with disabilities so that Uganda commits itself as

signatory of the UNCRPD.<sup>9</sup> In any case, a society which is good for disabled people is a better society for all.

## **2.10 Poverty Reduction and Human Rights-based Approach to Development**

The thinking around the rights-based approach to development emanates from the international human rights standards and is meant to promote and protect human rights in general. It integrates the norms, standards and principles of the international human rights system into the plans, policies and processes of development and these norms and standards are embedded in the international human rights instruments. The UN Declaration on the Right to Development recognizes that efforts at the international level to promote and protect human rights should be accompanied by efforts to establish a new international economic order.<sup>10</sup> This Declaration confirms that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals who make up nations, including people with disabilities.<sup>10</sup>

From the perspective of poverty reduction, the Office of the High Commissioner for Human Rights has developed draft guidelines for a human rights approach to poverty reduction strategies.<sup>11</sup> Under paragraph 25, the purpose of these guidelines is to elaborate and clarify certain principles that should guide the process of formulating, implementing and monitoring a poverty reduction strategy if it is to be consistent with a human rights approach. According to these guidelines the essential idea underlying the adoption of a human rights approach is that policies and institutions for poverty reduction should be based explicitly on the norms and values set out in the international law of human rights. The guidelines suggest that the introduction of the dimension of an international legal obligation in poverty reduction, the human rights perspective, adds legitimacy to the demand for making poverty reduction the primary goal of policy-making.

As rightly pointed out by the Office of the United Nations High Commissioner for Human Rights, the rights-based approach to development has five major elements which include (i) the recognition of the express linkage within the different human rights, (ii) accountability, (iii) empowerment, (iv) participation, and (v) non-discrimination, including giving attention to vulnerable groups.<sup>42</sup> In the next section, I will continue to throw more light on what these five elements entail.

## **2.11 Key Elements for the Human Rights-Based Approach to Development**

### *2.11.1 The indivisibility, interdependence and interrelation of rights:*

The rights-based approach to development is premised on the fact of the indivisibility, interdependence and interrelation of all human rights. This implies that there should be a development frame work which recognizes the various sectors, which serve and have implications, for the internationally guaranteed rights. These sectors include health, education, housing, justice administration, personal security and political participation.<sup>42</sup>

The *indivisibility* of human rights therefore implies that no category of rights takes precedence over any other. This element notes that economic, social and cultural rights should be treated with equal priority as civil and political rights.<sup>43</sup> Interdependence of rights entails that the realization of one right depends on, or contributes to, the fulfillment of another. From a human rights-based approach to development perspective, this means that effort should be made to fulfill different types of human rights simultaneously. Within this context, the fulfillment of all human rights positively influence an individual's enjoyment of his/her right to development and the violation of any human right may have serious implications on the person's right to development.<sup>11</sup> Development policies and programmes can promote or violate human rights of people with disabilities in ways they are designed or implemented. Similarly, a programme violating one right may end up violating a number of other rights by implication.

### 2.11.2 Accountability

Human rights-based approaches focus on raising levels of accountability in the development process by identifying claim-holders and corresponding duty-holders.<sup>42</sup> This approach considers both the positive obligations of duty-holders to protect, promote and provide, and the negative obligations to abstain from violations. There are a set of obligations created on the various relevant actors including both the government and private actors.

In the case of governments, they are responsible not only for not directly violating rights, but also for ensuring the conditions which enable individuals to realize their rights as fully as possible. This is understood as an obligation to respect, protect and fulfill rights, and governments are legally responsible for complying with this range of obligations for every right in every human rights document they have ratified.

The obligation to *respect* implies that a state can not violate the right directly. A government violates its responsibility to respect human rights when if it is immediately responsible for making provisions, it instead arbitrarily decides not to make the provision. In terms of formulating PRSPs that take into account disability rights, the obligation on government would be to set development goals that adequately provide for the needs of people with disabilities such as health, education, housing, water and sanitation, and access to micro finance services. The government's failure to make such provisions would imply that it is held accountable for the violation of the human right to development for disabled people.

The obligation to *protect* means that a State has to prevent violations of rights by non-state actors and offer some sort of redress that people know about and can access, if a violation does occur. Under this obligation, the government is required to provide adequate laws, policies, institutions, administrative procedures and practices, and mechanisms of redress and accountability that can deliver on entitlements,

respond to denial and violations, and ensure accountability from non-state actors on the violations. In terms of formulating PRSPs, this implies that the state needs to devise mechanisms, as part of the development agenda, to make it illegal to for private actors to violate the rights of people with disabilities. This would call for introduction of mechanisms in the PRSPs that ensure the equalization of opportunities in sectors, and, in particular, the education, health and employment sectors.

The obligation to *fulfill the right* means a state has to take all appropriate measures including, but not limited to, legislative, administrative, budgetary and judicial towards fulfillment of the right, including the obligation to promote the right in question. A state could be found to be in violation of the right to development if it failed to incrementally allocate sufficient resources to meet the needs of the disabled people. This obligation is critical for the implementation of the outcome of the PRSP processes. It means that the government has to take actual steps to ensure that what is stated in its development agenda is implemented, to enable all citizens to enjoy their right to development.

The accountability element calls for the translation of universal standards into locally determined benchmarks for measuring progress and enhancing accountability. For all human rights, States must have both the political will and the means to ensure their realization, and they must put in place mechanisms and take steps to ensure that the obligations to promote, protect and fulfill are met.

Draft guidelines for a human rights approach to poverty reduction strategies, advises that unless rights and obligations are supported by a system of accountability, they may become little more than window-dressing.<sup>11</sup> Accordingly, the human rights-based approach to poverty reduction emphasizes obligations and requires that all duty-holders, including States and intergovernmental organizations, be held to account for their conduct in relation to international human rights. While duty-holders must determine for themselves which mechanisms of accountability are most

appropriate in their particular case, all mechanisms must be accessible, transparent and effective.<sup>11</sup>

In Uganda, just like the defunct PEAP document, the NDP indicates that Human rights are monitored by the Uganda Human Rights Commission, together with various national and international civil society organizations and the media.<sup>7</sup> These are the mechanisms which are put in place to hold the government accountable for its obligations.

### *2.11.3 Participation*

The international human rights framework upholds every person's and all peoples' entitlement to participate in any civil, economic, social, cultural and political processes in which decisions or actions will be taken that affect their life.<sup>25</sup> This is of vital importance in the realm of poverty reduction. Development practitioners agree that the most vulnerable and marginalized groups are frequently missed by poverty reduction efforts, and yet the human rights-based approach to development requires the participation of the most vulnerable and marginalized who are often very hard to identify and involve.<sup>25</sup> This is attributed to a number of factors; and these include the difficulty in defining who is actually considered poor in a given context; the challenges in ensuring that organizations truly represent their constituencies' views; and to the difficulties involved in reaching the target population, especially the vulnerable such as the people with disabilities.<sup>44</sup>

A number of factors lead to disabled people being left out of meaningful participation in national development processes. Part of this could be because of discrimination and stigma this group experiences in society, including other factors such as difficulties in access, engaging in meetings and fruitless representation in political positions. This explains why, in many cases, disabled people contribute very little to local and national development agendas. Hence the UNDP calls for supporting efforts to bring marginalized groups such as disabled people and women into the

policy process, from needs assessment to policy design to impact monitoring.<sup>45</sup> Full participation means that citizens should be empowered to be agents of poverty reduction, not passive recipients. Participation adds transparency to the policy process, increasing awareness as to the commitments a government makes and those that it does not, and thereby empowering citizens to hold their government accountable.<sup>43</sup> The participation required in this case must be active, free and meaningful. This means that mere formal or ceremonial contacts with beneficiaries are not sufficient to constitute participation. Rights-based approaches give due attention to issues of accessibility, including access to development processes, institutions, information and redress or complaints mechanisms. They employ process-based development methodologies and techniques, rather than externally conceived 'quick fix' and imported technical models.<sup>42</sup>

The UN Guidelines also emphasize the importance of active and informed participation by the poor in the formulation, implementation and monitoring of poverty reduction strategies.<sup>11</sup> According to these guidelines, the international human rights normative framework includes the right to take part in the conduct of public affairs which it highlight as a crucial and complex human right that is inextricably linked to fundamental democratic principles. The guidelines, however, caution that effective participation by the poor requires more than a functioning democracy. Instead, they call for specific mechanisms and detailed arrangements at different levels of decision-making that help to overcome the impediments that the poor, and marginalized groups in face, in playing an effective part in the life of the community.<sup>11</sup>

In Uganda, the NDP mentions that more information is needed on the extent to which people with disabilities are able to meet their specific needs such as access to equipment, and the extent to which specific disabilities are currently preventing economic participation or reducing people's productivity.<sup>10</sup>

#### *2.11.4 Empowerment*

The element of empowerment in the human rights-based approach to development for disabled people would aim at empowering them to make their own choices in the development processes, advocate for themselves, and exercise control over their lives. It is generally acceptable that any effective poverty reduction strategy is not possible without empowering the poor themselves. The UN Guidelines makes it clear that the most fundamental way in which empowerment occurs is through the introduction of the concept of rights itself.<sup>25</sup>

As per UN Guidelines, the introduction of rights concept into the context of policy-making, the rationale of poverty reduction no longer derives merely from the fact that the poor have needs, but that they also have rights and entitlements that give rise to legal obligations on the part of government.<sup>25</sup> Poverty reduction then becomes more than charity; more than a moral obligation, but is translated into a legal obligation.<sup>11</sup> Also, human rights-based approaches give preference to strategies for empowerment over charitable responses; meaning that the focus is on beneficiaries as the owners of rights and the directors of development, emphasizing that the person becomes the driver of development processes through civil society advocacy. This gives people the power, capacities, capabilities and access needed to change their own lives, improve their own communities and influence their own destinies.<sup>42</sup>

Empowerment is also a very important factor and precondition for the poor to make their participation effective. The UN Guidelines indicate that this empowerment will depend on the realization of a minimum degree of economic security without which the poor are unlikely to be able to resist established structures that perpetuate their poverty. The empowerment can be realized through capacity-building activities, which are essential in empowering the poor, and also through human rights education that plays an effective role in this process (Para 86).<sup>11</sup> Empowerment also calls for simultaneous efforts to promote a range of other human rights as noted in element one. If the poor are to be empowered to participate meaningfully in the

conduct of public affairs, they must be free to organize without restriction (right of association), to meet without impediment (right of assembly), to say what they want to, without intimidation (freedom of expression) and to know the relevant facts (right to information) (Para 87).<sup>11</sup>

In the outdated PEAP 3 document, limited empowerment is covered as one of the three main aspects of poverty.<sup>7</sup> Empowerment is defined in the previous PEAP as all processes where women and men take control and ownership of their lives. Furthermore, the document identifies three following core elements of empowerment: (i) agency or the ability to define one's goals and act upon them; (ii) gender awareness and self-esteem, and (iii) self-confidence.<sup>7</sup> The PEAP 3 document notes that living in societies where vulnerable groups are subordinated and subject to different kinds of oppression, often leads to a naturalization of the prevailing power relations. The tragedy is that the powerless see their own powerlessness as natural or justified, and people with disabilities are no exception to the learned helplessness situation in Uganda. In Uganda local community members have described vulnerability as powerlessness to mitigate negative household and individual shocks.<sup>7</sup> Government also recognizes that vulnerability varies with gender, age, ethnicity, occupation and social status.<sup>7</sup> This implies that any steps taken by Government, through various social policies and programmes for disadvantaged groups such as disabled people are central to poverty reduction initiatives.

#### *2.11.5 Equality and Non-Discrimination*

The human rights-based approach to development demands that policies, programmes and practices should not, intentionally or unintentionally, reinforce social, political or economic inequalities.<sup>46</sup> On the contrary, they should consciously aim at promoting equality and nondiscrimination. Under international human rights law, discrimination on whatever ground is prohibited without exception. This is based on the fact that human rights are universal, should be same for everyone, everywhere and where such violations exist; they must be detected and corrected.<sup>14</sup>

Universality and non-discrimination means that all individuals, regardless of personal attributes such as disability must be provided with access to the processes and benefits of development assistance and public goods and policies. Programming cannot be directed only at those who are easiest to reach. This means that the human rights-based approach to development processes must involve special efforts to identify vulnerable and marginalized groups.<sup>43</sup>

Discrimination can take many forms. It may be explicitly codified in law and/or official policy, such as a law establishing school segregation for people of different capabilities.<sup>59</sup> Or it may be implicit; meaning that it can be found in practice and behaviour such as where people with disabilities cannot access buildings to schools, microfinance facilities; or by making conditionalities or criteria for access to development programmes which disabled people cannot meet. In dealing with issues of discrimination, particular attention needs to be given to the vulnerable groups, and these include disabled people. Thus, the question that should be answered by any stakeholder is: 'who is vulnerable?' Development data needs to be disaggregated, as far as possible, by race, religion, ethnicity, language, sex and other categories of human rights concern. Express safeguards should be incorporated in development instruments to protect against threats to the rights and well-being of disabled people. All development decisions, policies and initiatives, while seeking to empower local participants, are also expressly required to guard against simply reinforcing existing power imbalances.<sup>42</sup>

In some cases, poverty has been cited as resulting in discrimination, obstacles and exclusion in satisfying the basic necessities of life; in the use and development of individual's physical and human potential, capacities and creativity; in seizing the opportunities and choices for fashioning a fulfilling and dignified life; in the realization of one's aspirations; and from participating in the formulation and decision-making stages of the social, political and economic transformation process.<sup>47</sup> This means that poverty is not only connected with low income, but also with discrimination on grounds such as one's disability, the sense of exclusion, powerlessness, low self-

esteem and the feeling to be ashamed when appearing in public, all lead to exclusion and thus driving marginalized groups into chronic poverty.<sup>46</sup>

To redress the above concerns, the UN Guidelines advocate for the twin principles of equality and non-discrimination as the most fundamental elements of international human rights law. It follows that the international human rights normative framework has a particular preoccupation with individuals and groups who are vulnerable, marginal, disadvantaged or socially excluded. Thus, the human rights approach to poverty reduction requires that laws and institutions that foster discrimination against specific individuals and groups be eliminated and more resources devoted to areas of activity with the greatest potential to benefit the poor (Para 9).<sup>11</sup> The rules propose that, recognition of the principles of equality and non-discrimination, which is a central premise of the human rights approach, helps to highlight the fact that a great deal of poverty originates from discriminatory practices – both overt and covert – at the international, national and local levels. This recognition calls for the reorientation of poverty reduction strategies from a tendency to focus on narrow economic issues towards a broader strategy that also addresses socio-cultural and political-legal institutions that sustain the structures of discrimination(Para 19).<sup>11</sup>

As the poor are among the most vulnerable groups in every society, a good PRSP process must engage in non-discriminatory practices. Given that most common discriminatory practices deny poor people equal access to fundamental services and human rights such as the rights to food, education, health or justice, the respective State obligations, targets, indicators and strategies have to be informed by diverse stakeholders, including disabled people, who are usually among the poorest of the poor.<sup>25</sup>

Although they are entitled to every human right, disabled people often face serious discrimination based on attitudes, perceptions, misunderstandings, and lack of awareness. For example, the misconception that disabled people cannot be productive members of the workforce may lead employers to discriminate against job

applicants who have disabilities, even if they are perfectly qualified to perform the work. Or it might mean that buildings where jobs are located are not constructed in a way that people with mobility impairments can access them. Such limitations can affect other population groups as well. For example, in some societies, attitudes toward women prohibit them from owning property or participating in public life. Cultural dynamics then comes into play when engaging in poverty reduction strategies, thus making it difficult at times to universalize the international human rights.

## **2.12 Linking Disability and Human Rights to the Millennium Development Goals**

In September 2000, the Millennium Declaration was adopted by the world leaders as a new global commitment to reduce extreme poverty and achieve human development and human rights. The Millennium Development Goals (MDGs) are a set of eight time-bound, quantifiable goals focused on human development and since their adoption in 2001, the MDGs have risen to the top of the development agenda.<sup>45</sup> On the other hand, human rights have risen in prominence within development policy and programming. This is evident in the fact that a sizable number of bilateral and multilateral aid agencies have adopted human rights policies for their programming over the past ten years; and conferences and virtual discussions on human rights and development are increasingly common.

From the perspective of disability, the MDGs have been criticized for not clearly identifying disability and the importance of making it visible.<sup>48</sup> The eight goals ought to observe disability as a major factor for their achievement. The Secretariat of the African Decade for Persons with Disabilities has, for instance, emphasized the importance of recognizing people with disabilities and their families if MDG 1 (eradication of extreme poverty and hunger) is to be achieved.<sup>45</sup>

Similarly, universal primary education (MDG2), the only absolute goal (100%), must address the problems that result in 98% of disabled children in developing countries

not being in school.<sup>45</sup> Gender equality and the empowerment of women (MDG3) cannot be realized without confronting the double discrimination and disadvantage that disabled girls and women encounter. A reduction in child mortality (MDG4) must combat the under-five mortality of disabled children, which can be as high as 80%.<sup>45</sup> The improvement in maternal health (MDG5) will only be achieved by addressing the disabling impairments associated with pregnancy and childbirth, affecting up to 20 million women a year. To combat HIV and AIDS, malaria and other diseases (MDG6), we will need to account for the fact that disabled people are particularly vulnerable to these diseases, which is also a major cause of disabling impairments. This goes to show that disability has wide implications for the realization of MDGs. It is from this understanding that the adoption of the human rights-based approach to development comes to play in bridging this gap, as it recognizes disability as a very important aspect.

## **2.13 Conclusion**

What is clear from this literature review section is the direct coloration in poverty, human rights, disability and the poverty reduction strategies. Despite disability being a cross cutting issue, it seems not to attract the called for attention in the Uganda's national development agenda. Certainly, the NDP is the main policy document that guides programmes for reducing poverty in Uganda. If poverty is to be reduced among disabled people, who are often in abject poverty, they need to be part of the development agenda that targets poverty reduction. Otherwise, the achievement of the MDGs may never be achieved.

## **CHAPTER THREE**

### **METHODOLOGY**

#### **3.0 Introduction**

The aim of this study was to analyze the extent to which the human rights-based approach to development can be used as an advocacy tool for mainstreaming disability in the national development processes in Uganda. To show how this study was conducted, this chapter outlines the methodological resources used to address the above aim and the research objectives outlined below. Thus, research design, study sample, data collection and data analysis techniques, and ethical considerations are presented in this chapter.

#### **3.2.2 Research Objectives**

1. To establish the extent to which disability is embedded in the national development processes in Uganda.
2. To identify factors that either can facilitate or inhibit the participation of people with disabilities in poverty reduction strategies.
3. To establish how the human rights-based approach to development can be used as an advocacy tool to influence the effective disabled people's participation and disability mainstreaming in the Uganda's NDP process
4. To make recommendations to policy makers, civil society and DPOs, which promote the inclusion of people with disabilities using the human rights-based approach to development.

### **3.3 Research Design**

This study employed the qualitative research design. Qualitative research design is a scientific method which aims to explore issues with participants and obtain their thoughts and insights of the subject under investigation.<sup>51</sup> The main intention was to obtain data that would support the use of the human rights-based approach for advocacy on the participation of DPOs in PRSP processes, without influencing the research participants. Consequently, the qualitative research design proved to be the best method to achieve the objectives of the study.

### **3.4 Research Setting and Context**

The research was conducted in two locations; that is Kampala, the capital of Uganda, and Kiboga district. [Uganda](#) is divided into one hundred eleven [districts](#) across four administrative regions. Most districts such as Kampala and Kiboga are named after their main commercial and administrative towns. Each district is further divided into sub-districts, counties, sub-counties, parishes and villages. Kampala, was chosen since it hosts main offices of government departments, INGOs, CSOs, DPOs, NGOs and that work for, and with, people with disabilities. Kiboga district was chosen in order to bring the voices of grassroots representation, in rural areas, into the study. Below is a map of Uganda showing the two research sites:



with disabilities. English, Swahili and *Luganda* are the predominant languages spoken in the streets of Kampala. Physical access is a very huge challenge for people with disabilities in Kampala, due to inaccessible buildings, roads and transport.

Kiboga district is in the central region of Uganda, which is about 120km from Kampala by road. The district covers a total area of about 4,045 Sq.km of which 3,892 Sq km is land while 120.12sq.km is wetland. The district is comprised of 13 sub counties, 1 town council, 83 parishes and 243 villages. Administration in the district is geared at mobilizing the community for development purposes aimed at poverty eradication. Kiboga district relies mostly on farming as the major source of employment and main source of income. Agriculture constitutes 80% of the total labour force and the remainder engage in livestock farming.

### **3.5 Sample Size and Sampling Techniques**

A purposive sample of 31 people was selected to take part in the study from DPOs, CSOs, government departments, INGOs, local and district council leaders, district networks of disabled people, and individuals. These were people who had the knowledge of the PEAP/NDP process and most of them had participated in the actual PEAP process in Uganda. The sample included both disabled and non-disabled people, with both men and women taking part to ensure a representative sample (see Appendix 7). Purposive sampling was chosen because of its characteristics that enhance the selection of information-rich informants, who can provide insight and understanding into the study.<sup>51</sup> Using the snowballing sampling technique, more participants were identified and these participated in the subsequent focus group and key informant discussions. Snowball sampling involved asking key informants to assist identifying other potential respondents with in-depth understanding of the PRSP process in Uganda.<sup>51</sup> Snowball sampling's strength is in the ability for the researcher to utilize the existing pool of respondents in order to reach out to their social networks, who may not have been reached out using other sampling methods.<sup>51</sup> However, the limitation of this sampling method is that 'birds of the same feather flock together'; meaning that it is highly likely

that existing respondents might be sharing similar views with their social networks. This results in limited or biased views on the researched phenomenon. That is why it was crucial to validate the information, using other data collection methods and existing documentary evidence.

Eleven key informants were identified to participate in the KIIs, while twenty respondents participated in two focus group discussions; thus, one in Kampala, and another one in the Kiboga district. It was difficult to determine the sample size but the researcher was guided by the responses from participants, which determined the point of data saturation. The researcher ascertained the need to have a second FDG in Kiboga because of issues that were raised in the Kampala FGD. Data saturation point was reached at the second FGD. The point of saturation is when the same issues are repeated from one respondent to another, with no other insights feeding into the research.

### **3.6 Research Methodology**

This study was conducted using a qualitative research design. Qualitative inquiry focuses on how individuals and groups view and understand the world and construct meaning out of their experiences, and it is essentially narrative-oriented.<sup>49</sup> Furthermore, qualitative research provides a vehicle for collecting and analyzing information based on the participants' views and the way in which they make sense of the world.<sup>49</sup> This serves to reinstate people at the centre of the research agenda and therefore fits well with the nature of this study. Qualitative research requires use of different techniques and epistemological assumptions, and careful selection of the appropriate qualitative methods is important.<sup>50</sup>

Like any research methodology, qualitative methods have their own limitations. Whilst they can examine social processes at work in particular contexts in considerable depth, some argue that qualitative data is fluid, and the analysis of such data can be subjective.<sup>51</sup> In any case, no research methodology is perfect; every

methodology is bound to have limitations. What is crucial is to acknowledge such limitations and find ways of minimising them. Despite the above limitations, qualitative research was the best methodology for this study due to:

- The dynamic nature of the interview and group discussion processes, which engage respondents more actively than is possible in more structured surveys.<sup>51</sup>
- The opportunity to probe and enabling to reach beyond initial responses and rationales.<sup>52</sup>
- The opportunity to observe, record and interpret non-verbal communication (i.e., body language, voice intonation) as part of a respondent's feedback, which is valuable during interviews or discussions, and during analysis.<sup>51</sup>
- The opportunity to use personal experience and the ability to be reflective of the whole process.<sup>53</sup>

### **3.7 Research Methods**

The study engaged in two data collection methods namely, Key Informant Interviews (KIIs), and Focus Group Discussions (FGDs).

#### **3.7.1 Key Informants Interviews**

Key informant interviews (KIIs) are qualitative in-depth interviews with people who have first-hand information about the investigated issue.<sup>51</sup> Although interview guides are used, the actual questions are framed during the interviews using subtle probing techniques.<sup>51</sup> In this study, the key informants used had primary information on the involvement of disabled people in the PRSP processes in Uganda. Given that information comes directly from knowledgeable people, KIIs often provide data and insight that cannot be obtained with other method.<sup>51</sup> Key informants may offer

confidential information that would not be revealed in other settings. They may tell of incidents, local happenings, or conditions that explain implementation problems. The other advantage of key informant interviews is that they can explore new ideas and issues that had not been anticipated in planning the study but that are relevant to its purpose.<sup>49</sup> One of the common weaknesses about KIIs, especially when interviewers are not familiar with the local conditions, is to select informants on the basis of their social and economic standing.<sup>51</sup> To avoid this in this study, NUDIPU was very helpful in the selection of the informants.

#### *3.7.1.1 Procedure*

Prior going to the field, an interview guide of eight questions was designed guided by the research questions and study objectives (See: Appendix 5). The questions designed were meant to be supplemented by the use of subtle probing techniques during the interviews.

Before the interview, the researcher made appointments liaised with the key informants in order to agree on the time and venue, bearing in mind that the place had to be accessible, comfortable and quiet. On the day of the interview, the researcher introduced himself and explained the aim of the study to participants. All processes were explained in *Luganda* language, where necessary for clarity purposes, especially for the interview done in Kiboga district. The interviewees were assured of confidentiality and informed that they had a right to withdraw from the study at any time, if they felt uncomfortable, without any explanation or consequences. In each instance the researcher asked for permission to tape-record the interviews. Each interview was between 45 to 90 minutes long, depending on the amount of information gathered. The interviewer probed, where necessary, to elicit more information from the interviewees. Where necessary, *Luganda* language was used for clarification purposes in Kiboga district. Field notes were taken as backup, in case anything happened to the tapes. Interview transcripts were returned to the interviewees for verification purposes.

### **3.7.2 Focus Groups Discussions**

A Focus Group Discussion (FDG) is a qualitative data collection method that usually consists of around six to ten people, who may be acquainted with each other or may be strangers, brought together to discuss a particular topic or set of topics.<sup>54</sup> Careful consideration needs to be paid to the composition of a focus group. This includes how many focus groups need to be convened to cover an issue adequately, and which combination of individuals in each focus group will work best.<sup>55</sup> One of the advantages of FDGs is that they do not discriminate against people who cannot read or write and they can encourage participation from people reluctant to be interviewed on their own or who feel they have nothing to say.<sup>54</sup>

FGDs usually last around one to two hours, although this is certainly not fixed. The data is shaped and refined through the group interaction. Hearing from other participants stimulates further thought, encouraging people to reflect on their own views or behavior, hence triggering further discussion. The facilitator can probe for more information, including clarification on issues he or she has not understood.

There are documented limitations of FGDs that have to be taken into account. They may be disagreements and irrelevant discussion which distract from the main focus.<sup>36</sup> Also, some participants may find a focus group situation intimidating and participants may feel under pressure to agree with the dominant view. The moderator has to be skilled enough to handle a FDG. He or she must lead the discussion and ensure that all the predetermined objectives of the interview are met, while making sure that no personal bias affects the course of the interview.<sup>54</sup>

#### *3.7.2.1 Procedure*

Eight questions were generated based on the emerging issues from the KIIs (See: Appendix 6). The intention was to triangulate the data and increase validity. In this study, the researcher identified a quiet and accessible venue. A day before the FDG,

the researcher emailed, phoned, or sent a text to the participants to remind them of the meeting. Once the participants arrived, the researcher introduced himself to the group members, and explained the aim of the study to the focus group members. The researcher made it clear that participants had the right to withdraw from the discussions at any time, without any explanations or consequences, should they feel uncomfortable.

The researcher also asked for permission to tape record the discussions. FGDs discussions lasted up to one and half hours and KIIs lasted for one hour. The Kampala FDG was conducted in English, because the respondents were literate and comfortable with English. However, in the Kiboga district the FDG was conducted in *Luganda*, one of the main local languages in Uganda. I asked the participants the mode of language they would be comfortable with, prior to starting the interviews, in order to ensure that all participants are given opportunities to share their views, and they all preferred *Luganda*.

### **3.8 Data Validity**

In this study, I engaged in Guba and Lincoln's<sup>37</sup> four criteria of evaluating the validity of qualitative research. These are credibility, transferability, dependability and conformability of research results.<sup>56</sup>

#### **3.8.1 Credibility**

Credibility is about establishing that the results are credible or believable from the perspective of the participant in the research.<sup>56</sup> The purpose of qualitative research is to understand the phenomena of interest from the participant's eyes, since he/she is the only one who can legitimately judge the credibility of the results.<sup>38</sup> However, when the same issues start coming from different participants (saturation), this may be a benchmark for credibility of results.

In this study, I revisited my field notes that I had kept from the beginning to see how the data has been developing. Furthermore, I used extensive quotations from field notes and transcripts of interviews. I also made comparisons with data from KIs, FGDs and literature for triangulation purposes. I also did 'member check', that is; going back to the research participants to verify data in order to validate, correct or add more information.<sup>57</sup> I also shared with my research participants excerpts of my interpretation of their data in order to increase validity and credibility since they were in a position to confirm or disapprove my interpretations.<sup>56</sup>

### **3.8.2 Transferability**

Transferability refers to the level to which the results can be generalized or transferred to other contexts or settings.<sup>56</sup> Guba and Lincoln<sup>37</sup> argue that transferability is primarily the responsibility of the one doing the generalizing. The qualitative researcher can enhance transferability by thoroughly describing the research context and his or her positionality.<sup>51</sup> The individual wishing to 'transfer' the results to a different environment or circumstance should be responsible for making the decision of how sensible the transfer is.<sup>57</sup> This is the reason why I made an effort to clearly explain the research process so that whoever wants to use the results from this study in any context, can do so with an understanding of how the results came into being.

### **3.8.3 Dependability**

Dependability requires the researcher to describe the changes that take place in the setting, and how these changes impacted on the way he/she approached the study.<sup>56</sup> The argument here is that it is difficult to obtain the same results when observing a social phenomenon due to psycho-social and environmental factors.<sup>57</sup> In this study, I constantly monitored the environment in which the study was taking place in order to document any changes taking place. This involved studying aspects such as the interests of the particular respondents, and taking into account the bias that may come from the data they give. I constantly monitored the response, reaction, and

body language of participants to ensure that they were still comfortable going on with the interview. I would also ask participants if they wanted rest breaks, particularly those with disabilities. This helped to create a good rapport with the participants and enabled me to outsource more information while participants were at ease.

### **3.8.4 Conformability**

Conformability involves the extent to which the results could be established by others.<sup>56</sup> There are several ways of increasing confirmability. In this study, data was collected until a point of data saturation was reached. I documented the collected data for checking and rechecking throughout the study. At the end of the data collection procedure, I conducted a data audit to examine the data collected and analysis procedures and made judgments on the possibilities of bias.

### **3.9 Data Analysis**

All relevant documents and transcripts were read until I was familiar with the emerging issues. A thematic content analysis was carried out by identifying common trends and rating them in terms of their relevance to the aims and objectives of the study.<sup>53</sup> These themes were then explained to give meaning to research findings, supported by relevant literature. Issues of validity and confirmability were taken into account during the data analysis, by checking and re-checking with participants in order for them to confirm, or disapprove of, my interpretations.

### **3.10 Ethical considerations**

Prior to commencing the study, permission was sought from the Stellenbosch University ethical committee. I also applied for ethical clearance from the Ministry in charge of Disability in Uganda, which is the Ministry of Gender, Labour, and Social Development. To get ethical clearance, I worked closely with NUDIPU to ensure that there is adherence to ethical issues, while dealing with DPOs and individual disabled people. Participants were given information sheets and consent forms to fill in once

they agreed to participate in the study. The nature of disability and literacy levels were taken into consideration for all participants. *Luganda* language was used in collaboration with English where necessary, to make sure that participants were clear with the information on the consent forms. The participants were assured of their right to withdraw from the study at any time without giving a reason, and without any consequences. Anonymity and confidentiality were ensured in order to protect participants' identity. Participants were assured that information will only be used for research purposes.

### **3.11 Dissemination**

The results were disseminated to various government departments, NGOs, CSOs and DPOs, particularly the National Union of Disabled People of Uganda (NUDIPU), an umbrella body for all the DPOs in Uganda, so that they can follow-up on suggested recommendations to various stakeholders. As part of the broader A-PODD's dissemination strategy, we collaborated with NUDIPU, and organized a feedback workshop where we invited people at grassroots level and government departments, including the National Planning Authority in charge of the NDP. We also invited the local media to cover the event and publicize the results. The theme of the workshop was: *Making the National Development Plan (NDP) Inclusive: Opportunities and Challenges for the Disability Movement in Uganda*. Participants were given a summary of the research findings, as part of the dissemination strategy. I attended national, regional, and international workshops and conferences as part of the dissemination strategy, so that the study results reach a wider audience. Publication is also being used as a dissemination strategy. Currently, a book chapter has been submitted to the editors, and further journal articles will be developed from the findings.

### **3.12 Conclusion**

This chapter provides the details on how the study was conducted. It outlines the research setting, methodology, data collection methods, ethical considerations and analysis employed to address the objectives of the study. It also outlines the dissemination strategies. The next chapter reports the research findings collected, using the data collection methods discussed in this chapter.

## **CHAPTER FOUR**

### **MAJOR FINDINGS OF THE STUDY**

#### **4.1 Introduction**

This chapter presents the major findings of the study under two major themes: inclusion of people with disabilities in national development processes and factors facilitating or inhibiting the inclusion of disability in the national development plan. These themes are presented using data collected from KIIs and FGDs. These themes are presented under various sub-themes, developed from a human rights perspective.

In presenting the data from the interviews, I have anonymised my participants in order to respect their privacy. I have used the acronym KII to mean key informant interview and these are numbered one to eleven (KII 1 – KII – 11). Each number represents a respondent. For two FGDs, I have used the acronym FGD and these are numbered one and two (FGD I - FGD II). I further used letters A to J to identify the individuals in the groups (FGD 1 (A) – FDG II (J)).

##### **4.1.1 Themes and sub-themes**

The themes and sub-themes that emerged from the research findings are presented in the table below, and they flow systematically.

**Table 1: Themes and Subthemes**

<b>Themes</b>	<b>Subthemes</b>
Inclusion of people with disabilities in National Development Processes	<ul style="list-style-type: none"> <li>• Inclusion of people with disabilities in the actual PEAP/NDP process</li> <li>• Inclusion of people with disabilities in the implementation of PEAP/NDP related programmes in the sectors of education, health and agriculture.</li> </ul>
Factors facilitating or inhibiting the inclusion of people with disabilities in the PRSPs	<ul style="list-style-type: none"> <li>• The perceptions and definition of disability;</li> <li>• The impact of representation of people with disabilities;</li> <li>• Impact of the Department for Disability and Elderly Affairs;</li> <li>• Research evidence utilization;</li> <li>• The impact of policy and legislation;</li> <li>• The role of development partners;</li> <li>• Limited allocation of resources; and</li> <li>• The current approach of mainstreaming disability.</li> </ul>

## **4.2 Inclusion of People with Disabilities in National Development Processes**

The findings below are based on the extent to which disabled people have been included in the national development processes in Uganda. The data collected from both the KIIs and the FGDs are presented under two sub themes: inclusion in the actual PEAP/NDP process and inclusion in the implementation of PEAP/NDP related programmes in the critical sectors of education, health and agriculture.

### **4.2.1 Inclusion of People with Disabilities in the actual PEAP/NDP process**

The research findings revealed that CSOs were not directly involved in the PEAP 1997 generation process. One of the civil society activists indicated that:

When the PEAP process started in this country, civil society was not counted on and it was blocked from any involvement in the process. CSOs tried to influence the process, through writing letters, position papers and even presented issues to the technical groups involved in the process *but all this did not materialize much (emphasis added) (KII - 2)*

Another key informant from a government sector's commented on the need to revise the PEAP 1997:

What happened is that after about 3 years, it was realized that, we must have a plan that is not only poverty focused from the perspective of good technical experts, academicians, and policy makers, but we must have a plan that is poverty focused also from the perspective of the poor (KII – 3).

The above excerpt justifies the need to capture the voices of civil society, particularly those who are most affected by poverty. Again, the quote emphasizes the need of striking a balance between the voices of policy-makers, researchers, technocrats, and the people who are supposed to benefit from poverty-reduction programmes. What is also emerging is the importance of striking a balance between social and economic aspects of poverty when generating PRSPs. This realization paved the way for a more participatory PEAP revision process, thus including the voices of the poor:

So, then, in the next PEAP, we started something on the participatory poverty assessments... the idea from the poverty assessment was to try and make sure that the voices of the poor influence the PRSP process. In a sense, that is how the process sort of moved. The second PRSP was based on these experiences of poor people, technicians; and it was a broad plan. (KII – 3)

Another key informant commented on the involvement of civil society and the role of development partners in supporting CSOs:

In January 2000, CSOs were able to organize a consultative meeting with government and World Bank officials. At this meeting, over 45 CSOs attended, and a Civil Society Task Force was formed with a mandate to organize an all-inclusive consultation process involving as many sections of the Uganda civil society as possible. Funders like the World Bank picked interest in funding CSOs and a basket pool of resources was put in place to

ensure coordination of CSO activities. The CSO representatives worked hard in ensuring that they engaged at the grass roots through engaging with the local people to collect their views. (KII – 4)

Although the engagement of CSOs at this stage was visible, the findings indicated that the disability movement was not involved in the PEAP process until second PEAP revision process in 2004. It was at this stage that disabled people were invited under the umbrella of the NGO Forum. Despite this invitation, disabled people felt that they did not get much out of this process:

... what we got out of this process was that disability was mentioned in the subsequent PEAP document. But it was mentioned in scant terms or there was very scant information on it. For example, they put disability under vulnerable groups but then when they were covering vulnerable, they talked more about children a bit more than they talked about disability. (KII 4).

The involvement of civil society in the PEAP 2 process seemed to have yielded results in other areas apart from disability as there were other competing issues

And actually that PEAP 2 is what led to the formulation of the vulnerable children policy. But to the side of disability, it didn't amount to anything. (KII – 4)

In some of the interviews, it emerged that treating disability as part of the bigger issues that need to be included in the process, without specifically mentioning it, also affected the inclusion of some critical aspects of disability. According to this view, during the processes of CSOs consultation, a number of disability issues seem to have got lost. As a result, were not included in the final documents submitted to government for consideration. One of the respondents in FDG - 2 recalled that:

There were discussions within the sector groups of government. You know there was Education, Health, Water and Sanitation, Agriculture, local

government, all those sectors. And we even came up with a position paper on the issues that should be included to benefit people with disabilities in that PRSP. But unfortunately, I would say, the gatekeeper - the person who was presenting issues of civil society ... did not mention anything about disability when we were submitting in the final paper-, you know we had what you call consultative group, meetings, and that consultative group involved CSOs, government sectors and donors from the international community. So, that was a big meeting and we missed out when our issues were not mentioned (FDG-2(A)).

The above quotation suggest that treating disability as part of the bigger issues without making specific reference to it affects the inclusion of critical aspects of disability. Despite civil society being meaningfully involved in the process, disability issues seem not to have attracted the deserved attention, and hence the feeling that DPO's efforts were not rewarded. Although several people seem to argue that disability is actually a cross cutting issue in all the vital sectors, the concept of affirmative action ought not to be lost. This becomes very critical in addressing the historical imbalances disability has had. As such disability will continue to be forgotten with this generalised approach to its inclusion.

Despite protests, disability issues did not manage to filter into the PEAP 2:

We went up into arms to say, No, no, no, this is not the way, this is not acceptable, but umm, eventually there was very little improvement (FDG -2 (A)).

What is coming out here is that voices of People with disabilities could not to draw enough attention to ensure that disability was part of the final PEAP document most sectors. However, one of the FGDs informants viewed the process of shifting from PEAP to NDP as more consultative, and it provided DPOs with more opportunities to engage the government and raise awareness, despite the fact that disability issues are left out in the final document:

The process had a lot of consultations. There were consultations within the civil society sector, there were consultations within government and there were even consultations at the international level. And in all those, People with disabilities had an opportunity. In some cases, DPOs under the CSO umbrella have been given an opportunity to even engage at the highest level in the Ministry of Finance, the highest technical level available... This means that even when negotiations for inclusion in the NDP process do not materialize, there are opportunities for engaging with the technical people in the relevant ministries which is a process of awareness raising on the issues at hand. (FGD 1 – (B))

The above statement reveals that the NDP process provided a platform for effective engagement of the disability movement in national policy processes. Despite lack of significant gains in the engagement, this process was also seen as another form of raising awareness in various government ministries. Also, the disability movement's failure to influence the past PEAP processes provided the movement with the opportunity to review their advocacy role, and to draw lessons from their previous 'mistakes'. A key respondent expressed that:

In each review of the PEAP process in Uganda there is something that the disability movement learnt. It is important though to learn how to engage and present issues and why the movement has lost out in the past. The past experience has indicated that it is the presentation that has been responsible for issues of disability not being incorporated. The technocrats want to know the costs, what is the economic cost if people with disabilities are not planned for ... If they are involved in the development plan; they want to know if there is any gain. Does it have an impact on GDP, And I will tell you what we are doing right now, is in that direction. (KII – 3)

Although the disability movement failed to meaningfully influence the PEAP 2004, there are important lessons they have drawn from the process. Of importance is the way they should package and present their information to order to convince relevant

stakeholders to consider issues of disability. There seems to be a strong feeling that, unlike in the past PEAP processes, the NDP provided more opportunities for the disability movement engagement, as indicated by one key informant:

To avoid presenting disability issues from different voices, there is a committee that was formed, probably last year which is supposed to engage with the national planning authority on those issues of NDP... A position paper was again developed and presented to the PEAP secretariat. And even to the consultative group, we had one voice... Even towards the end of the process, some money was got from the National Planning Authority, we organized a one-day workshop, people came - most of the disabled people in the Disability Movement came and they spent a full day giving in their views about that thing (KII – 2).

However, having one voice had its own challenges due the diverse needs of people with disabilities:

Although the disability movement tries to have one voice, the fact that people with disabilities have different needs sometimes makes things difficult to deal with and this had been a good lesson from the past engagement in policy processes with government. (KII - 2)

What this means is that disabled people are a heterogeneous group with specific needs, which have to be taken into account in any national development processes. Some informants noted that participation in the NDP process was not easy as there were cases where CSOs consultation meetings took place without taking into account the access needs of people with disabilities. Furthermore, most informants agreed that such meetings are poorly funded such that it becomes difficult to generate any data that makes meaningful impact to the NDP process. DPOs also tried to effectively engage people at grassroots level to inform the policy processes:

At the local level, DPOs have been supported by a number of development partners to train and inform the local leadership on how to best engage People with disabilities

in government development programmes ... for instance councilors with disabilities in the various districts have been trained on how to engage or participate in planning and budgeting for local government. Through such processes, they are able to feed into the major policy processes of government. During the PEAP consultations, the DPOs had independent consultations; engaging grassroots people from different regions, to try and collect views. These were collected from the country sides and contributed to the CSOs report. (FGD 1 B)

This actual indicates that the development partners have a big role to play in ensuring that people with disabilities engage in the PRSP process.

Some informants noted the need to go beyond political representation to technical representation if disability issues were to be genuinely included in national development documents.

Disability is a cross-cutting issue in the NDP, but disability issues are thrown out during the drafting stage. Actually, in the new NDP, that has been the approach. We have achieved political representation, but now we need technical representation very seriously on these government departments. Because i have carefully gone through many processes, and I have realised that it is very easy to leave out disability (FGD 1).

During these consultations, very good issues come out, but after that, other several processes continue – editing, reviewing, and these people who just listen to us a discussion, they don't get to conceptualise disability well. So while they are editing, some of the issues that they don't understand are the ones they delete, review, rephrase, and in the process, disability ends up getting lost. You just end up having a document with a mere mention of disability but with no concrete actions (FGD 1).

What is emerging is that the PRSP process should be regarded as an ongoing process, not just a once off event. Also People with disabilities have to fight from within rather than outside the government sectors so that they understand the technical side of issues, and how things work within those departments. Fighting from within entails being part of the NDP technical team.

#### **4.2.2 Inclusion of People with Disabilities in the Implementation of the PEAP/NDP Related Programmes**

Findings below are based on the actual inclusion of people with disabilities in the government programmes developed to implement the PRSP in Uganda. It emerged that if disability is not mainstreamed in PRPS, programmes that are implemented do not deliberately target People with disabilities, particularly in poverty eradication programmes from critical sectors such as health, agriculture and education. One of the key informants working with a district union of People with disabilities noted:

The local government targets everybody as opposed to specific groups such as People with disabilities. This affects access by People with disabilities since government doesn't consider the specific needs of People with disabilities. There are many gaps even where the policy is intended to target everybody. (KII – 8)

It shows that careful planning is necessary in any poverty reduction strategy programmes if there are to benefit people with disabilities. Again, children with disabilities were reported to be facing challenges, even under the universal primary education (UPE) programme being implemented by the government:

When you look at UPE, it is a challenge. We went down to People with disabilities to inform them to take their children to schools. But we are challenged with deaf children and the blind because we don't have any unit for specific disabilities in the district. ... (FGD -3 (A))

Again, another challenge was that most of these initiatives are funded by donors and they lack continuity when donor funds run dry as indicated by one of the FDG members in Kiboga:

There was this project which ended last year from a DPO funded by Denmark, it's called Disabled People Organization Denmark (DPOD). ... It was based on

capacity-building, advocacy, networking with other NGOs. ...they had encouraged the teachers to get trained ... those who trained to teach these children with specific disabilities like the blind and the deaf, (FGD -2 (E))

It goes to show how disability-related programmes are left to donors without government assistance. Disability issues seem not to be part of government plans, but have to be taken care of by donor agencies.

Another informant felt that people with disabilities miss out on poverty reduction programmes that do not target the chronic poor:

...in this sort of arrangement, most programmes tend to work with the active poor and not the poorest and these miss out on the programmes and the majority of the People with disabilities fall within the category of the poorest that are not very active. (KII – 8)

It means that poor people are not a homogenous group, but they are degrees of poverty, and this also shows the relationship between disability and poverty (KII – 4)

Although the UPE programme has good intentions, it is clear that there are other factors such as poverty that negatively impact on the inclusion of children with disabilities as indicated below:

...by the virtue of their condition, they are among the poorest in society and even when there are economic initiatives, they find themselves falling out ... In fact, there are some People with disabilities who lack clothing, and at the same time, they lack food, they lack utensils to use at home; they cannot send their children to schools even if there is UPE [Universal Primary Education] because they cannot pay maybe for school uniform. Not only that, even if they say you come dressing in a dress, some of them are not able to buy an exercise book or a pen. So, we want to see how they can be assisted. (KII – 1)

By implication, provision of UPE without looking at other socio-economic factor has negative effects on the children with disabilities and their families.

Poor health is one of the major contributing factors to poverty in most communities in Uganda. However, accessing health centres is still a huge challenge to people with disabilities. Data collected from the Kiboga FGD indicated some of the major challenges:

The challenge in the hospitals is that People with disabilities have not got provisions to cater for them. For instance a pregnant PWD would find it very hard to deliver from the health centers given the high beds in place. In fact they have sometimes got insulted by health workers who question why a PWD would in the first place engage in sexual activity to the extent of getting pregnant. This sort of discriminatory tendencies have driven us away from health centers. As leaders of People with disabilities, we have raised this issue to the health centers but our calls have not been responded to. (FGD 3 (A))

It indicates that the barriers within health sector such as poor physical accessibility and negative attitudes still make it difficult for People with disabilities to benefit from these programmes.

In both KIIs and FDGs conducted in Kiboga, agriculture came out as one of the principle sectors where people with disabilities could actually benefit. However, one key informant indicated that negative attitudes, and insensitivity to disability issues, reduce disabled people's opportunities to participate in society at the same level as their non-disabled counterparts:

They have been encouraging the issue of mainstreaming where they are saying that disability is a cross-cutting issue. ... it is a challenge where, for instance with NAADS, people have to form groups. ...if that village has no committed PWD leader, these other government NAADS co-ordinators, they don't bother about People with disabilities. ..there is that contribution, the membership fee....some People with disabilities are not in a position to contribute because some are poor. So they don't

contribute, so they are not members in NAADS programmes.....they pick six people from each parish in a financial year. So you find you can get a parish which is having four groups of twenty.. But in each financial year, they want only six to benefit from the NAADS programmes. Again it is the group members who sit and select only six, and People with disabilities fall out. (KII – 8)

The implications of this finding is that the discussion on mainstreaming disability needs to take into consideration the practical implications on disability when a broad approach is adopted in implementing the projects under the national development plan.

Furthermore, the nature of the design and the requirements of these programmes automatically exclude people with disabilities further, as another respondent in FDG 2 highlighted below:

Under the technical demonstrations site, they normally give three items. So when these people are selecting, they consider the capacity of an individual who can handle all the three things. So what they consider when they are selecting is the rich. Are you having land where you can put a poultry farm? You plant an acre of maize if they give you seeds, improve the seeds, it is an acre. You can't go below an acre. Then you have land where you put the other animal or the pigs or the goats, if at all you have chosen that. And if they are to give you coffee, it should be an acre, not less than that [laughter]. So getting a PWD who is having an acre of land, it is very difficult and it is not there at all. So that is a challenge. (FGD 2(G))

In a way, the implementations of government's agricultural programmes are inconsiderate to people with disabilities. As a result, they end up being left out of such programmes.

The section has indicated that there were some gaps in directly engaging CSOs in the initial PEAP process; however this seems to be improving. With the adoption of

the human rights-based approach towards implementing government programmes, will indeed foster the state of people with disabilities in Uganda.

### **4.3 Factors facilitating or inhibiting the inclusion of People with Disabilities in the PRSPs**

The study established a number of factors which can either inhibit or facilitate the involvement of people with disabilities in the poverty reduction strategies in Uganda. This section will present the findings of this study on the major factors presented in sub-themes including: the perceptions and definition of disability; the nature of representation of People with disabilities in Uganda; the impact of the Ministry in charge of disability; research evidence utilization; the role of development partners; the allocation of resources towards disability and the approach on mainstreaming disability issues. It should be noted that some of these factors can actually be perceived as both facilitators and inhibitors, depending on the other circumstances in which they are considered as indicated in the next section. Hence the presentation brings together issues of factors that can either facilitate or inhibit disability mainstreaming.

#### **4.3.1 Perceptions and definition of disability**

The definition of disability still poses challenges, which is attributed to the fact that there is no universally accepted definition. One of the respondents during key informant interviews stated that:

... to define disability is not as easy because of the dynamic of society we live in and because of the different cultural settings. So in some instances, you find that when you are classifying disability, they may say this type should not be included, this should be included and so on. (KII – 1)

This respondent seemed to suggest that probably if there was a training on what disability means, it would be of help to change people's perceptions. He further states:

... you know the problem is that we don't have anywhere where we train people with disabilities on disability consciousness. Somebody disabled by the virtue of having an impairment and not necessarily that he was trained to become disabled. So that is a bit weak. (KII – 1)

Negative perceptions towards people with disabilities were reported to be prevalent, and were posed as a challenge:

The way people define disability, the way people refer to people with disabilities – that at community level is still an issue to think about very very critical. I keep telling these people that one of the things that we must do is to deal with this issue of the concept – to deal with people's own understanding, how do they refer to people with disabilities. I mean, kinds of things '*valembe*' [*English word*], '*chimuka*' [*English word*] – all these terms mean that you, you, and not the environment, but you are the problem. (KII – 3)

Some of these perceptions imply that people with disabilities are not worthy, and this may lead to learned helplessness and low self-esteem.

It emerged that legislation and policies alone cannot change people's perceptions. Rather, some informants indicated the need to change societal attitudes towards people with disabilities:

Sometimes they think that by making it illegal and it is known that it is wrong to refer to me like this, or take me like this, that will end. My argument is that the social dynamic that informs my calling somebody '*chigala*' [deaf] is what I should fight. I should be more involved in demystifying that and showing the capacity of a disabled person, and to saying that, may be you can't walk, but that doesn't mean that you can't talk, you can't see, etc. Because the moment

some people see you not walking, they think that even your eyes are lame, they think your breathing is lame; your intelligence is lame, etc. (KII -3)

It was clear that the cultural beliefs towards people with disabilities play a role creating negativity of the community towards people with disabilities.

#### **4.3.2 The Impact of Representation of People with Disabilities**

The study established that the quality of political representation can either facilitate or inhibit the involvement of people with disabilities in poverty reduction strategy initiatives. One key informant wondered why the political representation is not making visible impact:

... I am going back to the issue of representation, in Uganda has representation of People with disabilities of over 47 000 and it still seems to be not working out so well at grassroots level. What is the problem? (KII – 4)

One key informant, commenting on political representation, felt that this representation is just an issue of numbers, with minimal impact on the lives of People with disabilities:

If you look at representation, there are just numbers, there are too many. Organs that purport to represent DPOs, there is a disability person on each committee in every local council, These tiers of government will always say, 'oh we have a disabled person representative, but if you look at the total amount of People with disabilities and where they are represented, you will actually think that they we are transforming.. (KII – 5)

It can therefore be noted that the big number of political representation does not necessarily mean that there is meaning political representation of disabled people. Another key informant felt that representation in critical forums, such as parliament, is

not effective because representatives for people with disabilities are few in number and this reduces their impact:

These MPs may have the capacity but they are only 5 out of the 300+, this makes their issues lost. They don't have much influence with the approach of democracy, the majority end up making the decisions. Their representation is just a reminder that there is a category of People with disabilities. (KII – 5)

However, KII -5 also acknowledged their contribution in parliament, although she felt that they have little influence with regards to implementation. According to her, they have also done work influencing the legislation but they can't implement as it is outside their mandate.

Another participant in a FDG felt that even the impact of this small number is further undermined by the political affiliations of the representatives. There was a feeling that the representatives tend to be more loyal to their political parties than to the people they represent:

We have five MPs in Uganda for disabilities, but they have aligned themselves with the government, which is the ruling party, which has a policy that whoever wants to talk in parliament must be cleared by his party or her party. And people are loyal to their party. (FGD 1 (C))

The above notion was also affirmed during focus group member:

...I was saying that really our representation in parliament has been very weak, especially this time because nobody's willing to bring out a controversial issue maybe. Because, if you are making a complaint against the government, then you are anti-government (FGD 1 (H)).

The above quotations seem to suggest that, what legislation has created is the opportunity for representation of people with disabilities; but party politics is so strong that it is washing away the gains that political representation may bring.

It was also felt that being in parliament comprises disability activism:

....you will not be as effective as you would be when you were outside parliament. And yet if you are an effective disability movement, you can actually push your issues as members of civil society without limitations. But can an MP go and demonstrate? Can you lead a demonstration, particularly if you are an MP of the party in power? Can you go and agitate? There are some limitations. (KII – 4)

However, one of the MPs with disabilities felt that aligning with the ruling party has a number of advantages for People with disabilities;

I don't think if we were from the opposition, we would gain anything; we would lose out as people with disabilities. (KII – 9)

The political influence also seems to affect representation at the district level, which later influences views that come in at the national level as commented by a disability activist:

So the feedback that comes up to the national level is actually mostly bordering on the political issues, like if there are some councils which need to be filled - when there isn't or maybe there is only one disabled person or there's no disabled person in a particular council or the district service commissions where they need representation. (KII – 5)

A number of other factors emerged that impact on people with disabilities, including poor feedback mechanisms:

... now the challenge is they are so vulnerable so that we stop at consulting them. Everyone consults People with disabilities, government consults, NGO's

consult them. But the feedback is very minimal ... it does not happen so well ... once in a while it does, but not so well. But when you get to the community, these people know what they want and there is much more impact when they are involved. When they are involved and asked what they would like to see done and how they would like to see things improved. (FGD 1 (A))

Also, the issue of corruption was seen as challenge:

The challenge now in Uganda is the issue of corruption, because they know as long as they are consulted and paid, they don't give genuine issues. 'Oh, she is coming to talk to me; these people have money'; so they are responding because they are going to be paid. They forget about the inner impact of what that means and what the process will mean if they are going to bring more boreholes in the community, if that is their priority. (KII – 2)

Therefore, what comes out clear here that poor feedback mechanism and corruption negatively impact on how people with disabilities can engage in the national development agenda.

#### **4.3.3 Impact of the Department for Disability and Elderly Affairs**

Critical issues were raised about the MoGLSD, particularly its relevance and influence on disability issues, from a development perspective. On a positive note, some respondents felt that this department was critical for highlighting some disability issues:

.. there is need to establish a Department for Disability and the Elderly as we have done it in Uganda; because this is the technical arm of the government that provides guidance in terms of policy, guidelines, standards, and programme development. ..You can't create impact in a big country; you cannot unless you are just in a village. You have to have a team of people who are well trained to be able to guide in the development of policies, plans, and also, when initiating policies, these people can go out to do research

because we are looking at evidence-based policies and programmes and so on. We should have a department of that nature. (KII – 1)

One key informant noted the relevance of the ministry if disability was to be mainstreamed in other sectors:

If you have a vision of transforming society, the ministry becomes relevant by helping to oversee what is it that needs to be transformed. It should be able to take lead of saying; yes, in that place we don't see this and that. But when you have this kind of situation [A and B], that's where you have people relegating anything to do with disability on one side.... they will say let those people of disability do it, they are in parliament, and they have MPs. Its sounds good but it is actually detrimental because you have haven't functionally transformed that space to say we must do something about disability. (KII – 3)

This finding seems to suggest that this ministry should not be looked at as the single implementing agency for disability issues; but rather as providing the oversight role on disability mainstreaming in various sectors. However, one key informant felt that the ministry's efficiency is negatively impacted by lack of resources, when it comes to having an impact on disability inclusion at policy-making level:

The functions are well laid out, well thought out, beautiful; anybody who reads them would be happy and would even think that disabled people in Uganda must be living in heaven; but you go behind all this, and look at what kind of resources are being allocated to, I think you will be ashamed. So, it is not that they don't want and they have nothing to do. (KII – 4)

The influence of the department of disability was further questioned by a member of FGD 1:

And that is the problem because the Ministry just has a disability department, and it is just a Commissioner in charge, he is not even a Director. So, in terms of hierarchy, by the time you get these issues to cabinet, they have become

medical again, because he is too far away from policy makers who matter.  
(FGD 1 (G))

The capacity of the department was also questioned by an FDG 1 member:

....but they need high level backing and they need to be strategic... It is something like developing a school curriculum and don't have a policy that kind of give some responsibility to people, and without monitoring mechanisms. The thing is, go every year and find out how people are doing.  
(FGD 1 (E))

Apart from the lack of influence and capacity, it was felt that there seem to be some misunderstanding regarding the role of the department. Informants felt that rather than focusing on implementing programmes, the department should use the resources it has to sensitize other sectors on how to mainstream disability in their policies and programmes. There was a strong feeling that disability should be regarded as a cross-cutting issue. However, some informants felt that the department is struggling to influence other sectors, and therefore should be relocated to more powerful offices as highlighted by a disability activist:.

.....we wish it was in the Prime Minister's office so that it can stand out and command other ministries. Being under MGLSD, a minister has no power to command another minister. So that is a big challenge, they cannot really stand out and say, "We want this". So that is one of the weaknesses which we have realized.  
(KII – 3)

As a result, there was a call to make all ministries aware of the need to establish more disability desks in government departments:

We must sensitize other ministries that the disability department cannot handle everything. We want to have desks, for example in the Ministry of Health and Education we have disability desks. Then in Agriculture, we don't

have any. So, what we need is to have all these desks in all ministries so that they can advise people in those particular ministries. (KII – 4)

Other informants acknowledged the lack of resources as a major hindrance to disability inclusion. They thought that the department should concentrate more on raising awareness of disability in other sectors:

The small department on disability does very little due to the dismal financial support they get and they can't argue on any point because they don't have the empirical evidence. ...If the disability ministry has a budget, most of it should be on awareness, conceptualization of disability and playing an overseer's role. (KII – 3)

One informant pointed out the role disability activism that could be a useful tool in relocating the department to a more influential office:

... But also as disabled people, we should not forget our history. Our history has been kind of a social movement struggling for rights. Now that we've reached somewhere, I think now is the time we have also started demanding the President to shift the Ministry from Gender to his or the Prime Minister's Office. I believe we have strong reasons to suggest why the disabled is a cross-cutting issue. ... I believe the President has no problem shifting it and creating a desk in the Prime Minister's Office. But basically it was because of the history and where we have come from and our struggle where it has come from. (KII – 10)

#### **4.3.4 Research Evidence Utilization**

A lot of research has been done on disability, poverty and human rights in Uganda. The question is whether this research has been used to inform advocacy strategies on disability issues in Uganda. There was a feeling that data collection, utilization and dissemination need to move hand-in-hand, and that this should be supported by raising more awareness on the existing data:

.. data is a bit of an issue but it is more of awareness, I mean you need to have some data, but you won't get the data if you don't have the will and the desire to go and collect it and use it. And even if you go and collect it, it won't be used if there is no awareness and the will to do something. So, actually, I think there is quite a lot of studies' being done here, whether the data is the real hard data that you would be able to use to clearly, plan and budget for; or what would it take to implement an inclusive education policy in Uganda. Does anybody know? Does anybody know how many kids are out there who need Braille materials – Does anybody know where those kids are? No! (FGD 1 (B))

Remarkably, this finding shows that without proper data on disability, planning and inclusion of disability issues stays a challenge in the national PRSPs. On the other hand, one informant felt that research has been done and evidence for action is in place:

... So, in a sense, that report which we did was just to make the case that we are using a wrong policy lens when we keep going in the medical realm and yet we know that disability is something that is driven from the social perspective. In a sense, the whole idea of doing this study of poverty and disability within the context of the poverty eradication national plan was geared to that, and I think we achieved quite a bit in terms of putting the evidence together. (KII – 3)

It means that even when some studies have been done on disability, they have not informed the policy making process on disability under the national development plans. The respondent further noted that even where research evidence exists; there is still a struggle to shift from the medical approach of implementing disability-related programmes:

I know that NUDIPU was not very sure on how to move with this issue and I don't know how much they have done in terms of engaging. I know they had written a number of specific papers here and there to try and get into the policy processes. I still fundamentally think that one of the things they should emphasize is the way in

which policy should respond to disability; because the issues are known, everybody knows that we don't have enough sign language interpreters, etc, but the problem is that they being located in the medical model. So, the issue for me is how we get this on the agenda. That is where I think that the agenda for Uganda today is; an agenda of conceptual change from the policy makers, not from the advocacy people. (KII – 3)

One challenge that was noted in the utilization of research evidence was identifying the right process to take to ensure that the evidence feeds into policy processes:

We do have quite a bit of challenge in terms of the work. How is research utilized? I think one could say that this kind of data could have been much better much utilized. But as you know, when dealing with national process that has different and several competing agendas to deal with, it lies upon you the person who has generated the data to try and make sure to get it to the right areas. (KII – 4)

#### **4.3.5 The Impact of Policy and Legislation**

There was evidence to suggest that a number of legislation and policy documents have been developed in Uganda. The question was on whether these have had an impact for people with disabilities. A respondent in FGD 2 noted:

We have a number of laws and policies which try to conform to disability. Actually we have many because we have MPs with disabilities and who have been there since 1996. ... So we are sure that at least with certain critical laws they always make it and at least we get certain, at actually mostly representation. (FGD 2 (c))

One of the criticisms that emerged was that many of the policy documents are based on the medical model approach and yet advocacy strategies focus on the social model. This creates a sharp contradiction, as noted by one key informant:

... there was a problem policy-wise. Although the advocacy work was based on the social model of disability, the policy work was based on the medical model of disability. So, in a sense, say when you came to talk about disability, you will hear – Oh! No, no, no! The Ministry of Health is dealing with that issue, don't bring it up here. But when you are talking in the public, everybody will say, ya! ya! disability issues are important. We should make sure that all buildings are accessible – all the about ensuring that people can function in an environment. Advocacy-wise, that was being said, policy-wise, we had a discord. (KII – 5)

This implies that there is a major gap between the policy documents and legislation and the actual implementation of this documents. This would therefore mean that these gaps need to be closed.

Most respondents indicated the need to utilize the UNCRPD as a tool to ensure that there is disability mainstreaming in policies and the national development plan. They felt that it was a great opportunity to dialogue with the government because of the obligations embedded in the Convention:

Well, we are really grateful that government has been able to ratify. We did push it to do the ratification. What remains is domestication. We are looking at it really as a great opportunity for disabled people. First of all, once we do the domestication, then we will know that our laws are in compliance with the government commitment towards supporting disabled people.... And for ourselves, disabled people, we are looking at this as an opportunity for us to continue our dialogue with the government as the major service provider to reach us. So we look at it as an opportunity, first of all to end discrimination, to be aware of our needs, to allocate resources. (KII – 10)

The UNCRPD clearly provides an opportunity for the observance of rights of people with disabilities in Uganda. This however will only be realized when Uganda domesticates the provisions of this convention.

#### 4.3.6 The Role of Development Partners

Both KIIs and FDGs established that development partners play a vital role in funding disability and poverty related programmes. The extent, to which they work effectively with the various organizations working on disability issues, has an impact on dealing with poverty affecting People with disabilities. The findings indicate that the development partners' focus is on supporting government programmes under the PRSP. One respondent outlined his experience with this approach:

I went to see the World Bank representative in Uganda, to just have a chat with him on what they had in terms of disability, and he said: “....., donors have agreed with government of Uganda that all assistance will be based on the PEAP. This PEAP is developed through a process which is supposed to be inclusive, participatory, and we believe that the PEAP puts together the needs of the country on the basis of what people feel. (KII – 4).

It is coming out here is that funding from the development partners is determined by the extent to which the issue at hand is included under the national PRSP. This means that disability needs to be clearly included under the national development plan for Uganda. The development partners have also been playing a critical role in supporting engagement in the PRSP processes in Uganda. One of the key informants representing development partners commented:

DFID was supporting on inputs to the policy making process, really. So rather than maybe just putting the PEAP, as a document, DFID has been supporting over the years on a range of interventions and enhancing the evidence of policy making, enhancing the voices of people into policy making and improving the monitoring of policy implementation. So that is the kind of support. (KII – 11)

In terms of supporting CSOs and DPOs, the respondent further indicated the following:

... We were supporting some CSOs, as I say probably. We have supported NUDIPU, and the NUDIPU grant that I know about came later. But this time round again, we have given some money to CSOs, and I know they have done a paper on disability and I believe it was quite good. And so yes, we have, but as part of a broader civil society thing, we have not got one specific grant to disability organizations but we have given money to the NGO forum and I know they have worked with the DPOs to incorporate those issues. (KII – 11)

Clearly, the kind of support received from the development partners is on engagement during the preparation of the national development plan. The challenge however seems to be with the provision of funding to monitor the implementation of the national development plan. Some other challenges that can impact on implementation of PRSP related programmes were noted in relation to involvement of development partners. A respondent in FDG 1 stated:

There is conditionality on donor money which affects the disbursements of funds. This affects the planning processes of government as the money may delay and priorities of government may have changed. The long process of making the grants also affects the donation as in some cases money comes when priority has changed. (FGD 1 (B))

This means that funding targeting PRSP programmes impact on programme implementation in Uganda.

The findings presented in this section clearly indicate that the kind of support received from the development partners focused more on engaging in the formulation of the PRSP. There has not been support to ensure a follow up in the implementation and monitoring of the PRSP developed. This impacts on would-be effect of this process in the lives of people with disabilities. It is also clear that the development partners have not supported sustainable approaches for disability inclusion in the process; which is likely to lead to over dependence on donations.

#### 4.3.7 Limited allocation of resources

Allocation of resources seemed to be a critical issue that kept emerging during this study. The limited allocation of resources for disability continues to impact on the efforts to deal with poverty among people with disabilities. One key informant shared his experience on the issue:

And even when we have a ministry responsible for disability, I fought like hell to try and improve on the allocation of resources in the ministry, but I did not succeed very much. I deliberately chose to be on the (position supplied), and when I got there, I was elected (position supplied)... of the committee with the view to making sure that we get reasonable resources allocated to disability programmes.... they would give allocation to other things and leave disability – just enough money to keep the department going – paying salaries and wages, vehicles of the minister and the commissioners and so on; but hardly any money get any programmes off the ground. We kept on as much as we can to influence, but it was always an uphill task. (KII – 4)

It was evident that, with proactive personnel, the ministry in charge of disability can have a major role to play in influencing the current allocations of resources.

You don't expect people to perform without resources, but I hear this current minister for disability and elderly is very good at networking, and people listen to him. He kind of managed to get someone to get a reasonable increase in the budget of the department, with was not the case before. (KII – 3)

This brings out the issues on the need to have sufficient funding towards the ministry to enable it execute its duties. Again, the study findings indicated that NUDIPU, the DPOs umbrella body, do not have enough resources to engage in disability issues at the district level:

We have contacted people in most of the districts, and we use them to mobilize our people for especially political engagements and a few social ones

but mostly political. But unfortunately, NUDIPU do not have resources. (KII – 5)

This incidentally is an indication that even the funding within the DPOs is not sufficient to enable disabled people to engage in the PRSP process in Uganda.

#### **4.3.8: The Current Approach of Mainstreaming Disability**

There was an agreement among the participants that disability is a cross-cutting issue, though participants pointed out challenges encountered when it comes to mainstreaming. One respondent in FDG 2 noted:

It true that our issues get lost along the way, the challenge on our side is the cause of this. Why do we attend meetings and the final document does not include our issues. One of the things to note is that this is not only in government documents but also in CSOs. The mainstream does not look at disability when looking at other aspects of disability till one of them experiences disability. Then mechanisms that inform government do not capture the concerns of people with disabilities. In terms of laws, programming and implementation, nothing shows allocation of funds to implement the issues. There is a challenge of understanding disability in circles that make things happen. (FGD 2 (E))

It was suggested that there is a need for continuous and rigorous lobbying and advocacy in ensuring that disability issues are mainstreamed:

What was done in 2003, we had workshops among the disabled people, a consultant and then a presentation of our issues. Despite all this, I don't think disability was understood. In fact, disability was not targeted and only CBR was mentioned. Getting into the planning processes of a country should not be an event of a workshop; this does not make them understand. They will only sympathize with People with disabilities but not appreciate the critical

issues such as the facts and figures which are the raw materials for the PEAP document. Engaging policy makers makes them understand and realize the importance of disability issues in terms of mainstreaming. (KII – 4)

Therefore, sensitization on disability issues is very critical to make policy makers understand the specific disability issues in the development of the national development plan. Another key informant felt that there is need for a paradigm shift to conceptualizing mainstreaming:

I have my own sense of conceptualization of mainstreaming. Mainstreaming is one of the things that has been used a lot on gender and disability. You can mainstream by having [A and B] in the stream. You can mainstream by having [A + B] in one stream. On [A and B] they are doing their separate things but they are in the same stream. On [A + B], they are doing similar things. You can mainstream by having A + B as one thing and then you have a new stream (A + B = C [new stream]). Here, you are dealing with transformation. You are dealing with the same programmes, but making sure that they target both A + B. (KII – 4)

This means that there is no properly defined method of counterfeiting; as such a proper method needs to be devised in the inclusion of disability issues in the PRSPs. This key informant strongly felt that disability mainstreaming language is used in Uganda, but actions suggest otherwise:

On disability, the biggest problem we have is that nobody wants to transform. What we should ultimately have is a transformed mainstream. But what we have is people dealing with this and that, and giving small medical issues there, and calling it disability. The rest, they move on as usual. People are not even ready to do any of these combined programming to say, ok, at least let's make sure that our houses are accessible and they can serve both, including toilets. This doesn't happen. We are still at this level of A and B. But if you ask us in Uganda, what of these strategies are we doing? We are talking [A + B =

C] but we are doing [A and B]. We are saying, yes, yes, we are transforming, but we are never transforming. (KII – 4)

As with the comment above, mainstreaming disability ought to be applied, and not talked about in ensuring that disability is not left out in the national development plan.

This theme has indicated that there are a number of challenges facing people with disabilities in the PRSP process, which comes right from the definition of disability and the negative cultural beliefs towards people with disabilities. Other options such as political representation of people with disabilities and the creation of a specific department on disability have not helped either. The situation is even made worse with poor utilization of available evidence on disability, non implementation of policies and laws development and the non sustainable approaches for disability inclusion by development partners.

#### **4.4 Conclusion**

This chapter presented the major findings of the study. In presenting the findings it focused on two major themes, which addressed the objectives of the study. It established the extent to which disability is embedded in the national development processes in Uganda and identifying factors that facilitate or inhibit the involvement of People with disabilities in poverty reduction strategy initiatives. Key points are made, including the complexity and multi-layeredness of the definitions of disability and poverty, and how their interpretations affect people with disabilities. Lack of disability mainstreaming and poor resource allocation have been identified as some of the major challenges that impact on inclusion of people with disabilities in the national development agenda. The next chapter discusses the study findings.

# CHAPTER FIVE

## DISCUSSION

### 5.1 Introduction

This chapter discusses findings to bring more meaning. There are two major themes for this discussion including: Inclusion of people with disabilities in national development processes and factors facilitating or inhibiting the inclusion of disability in the national development plan. These themes are further unpacked into subthemes and measured against the elements of the human rights based to development presented in chapter 2.

### 5.2 Inclusion of People with Disabilities in National Development Processes

In Chapter 4, two subthemes were discussed under this aspect. There were: the inclusion of people with disabilities in the actual PEAP/NDP process and the actual inclusion of people with disabilities in the implementation of PEAP/NDP related programmes in the sectors of education, health and agriculture. The findings indicate that there are a number of challenges in the inclusion of disability issues in the national development processes in Uganda. The question now is on how the human rights based approach to development can be helpful in dealing with these challenges to facilitate the inclusion of disability issues in the national development processes and programmes. This discussion is intended to emphasize the requirement of the UN Declaration on the Right to Development, which calls for active, free and meaningful participation in development and fair distribution of benefits.<sup>25</sup>

As noted in chapter two, the PRSP process requires participation of all stakeholders that include civil society, policy makers and development partners.<sup>25</sup>

This requirement particularly calls for giving attention to issues of accessibility, including access to development processes, institutions, flow of information and complaints mechanisms. It is further indicated in literature review that the Ugandan constitution recognizes the dignity of People with disabilities as one of its social and economic objects, and forbids discrimination against them.<sup>27</sup> The following subsections discuss the implications of the non-inclusion of people with disabilities in the national PRSP process, and the resultant programmes in Uganda.

### **5.2.1 The inclusion of People with Disabilities in the actual PEAP/NDP process**

The study established that despite the fact that the PEAP process had started earlier in 1997, the start of this process saw very minimum engagement of CSOs, and this affected the engagement of specific groups such as groups of people with disabilities. This clearly negates the principles of the human rights based approach to development which demand for full inclusion of the various groups in society. The implication of this is that people with disabilities were not actually involved in the initial process of the PRSP; and as such their issues were not captured during this period. In fact, within the human rights-based approach just mere attendance is not enough, there should be meaningful attendance and the groups should be empowered in engaging in these development processes.

The findings further indicate that at a later stage the government observed this gap in the PRSP process and disabilities started being heavily involved in the PEAP revisions. Even then, the failure of the process to single out specific disability issues affected the inclusion of critical aspects of disability. It appears however that the process of transformation from the PEAP to NDP is one which had a lot more consultations and provided DPOs with more opportunities to engage with the government. It is important to note that even if issues of disability were not included as they may have wished, engagement with the government's technical people provided an opportunity to raise awareness on the issues of disability within the technocrats.

Gariyo for instance, notes that later in 2000 a liaison officer of the PEAP in the civil society PEAP group was given a contract of one year to make a follow up on CSO issues. This was surely a good sign for meaningful engagement of people with disabilities at that stage of the PRSP process.<sup>58</sup> This is a fulfillment of the third element of the human rights based approach to PRSPs which upholds every person's and all peoples' entitlement to participate in any civil, economic, social, cultural and political process in which decisions or actions will be taken that affect their life and the PRSP process is surely one of these critical processes for people with disabilities. As observed by UNDP this involves supporting efforts to bring these groups including people with disabilities into the policy process, from needs assessment to policy design to impact monitoring.<sup>43</sup>

### **5.2.2 The Actual inclusion of People with disabilities in the implementation of PEAP/NDP related programmes**

The study found out that disability is not properly mainstreamed in PRSPs, programmes that are implemented as a result of the PRSPs. These programmes fail to target people with disabilities; and this leads to infringing on their human rights. According to this study, people with disabilities still face challenges in accessing poverty eradication programmes. The human rights-based approach to development highlights the importance of upholding the principle of non discrimination. All project designs that leave out the needs of people with disabilities lead to discrimination of these people on the basis of their disability.<sup>55</sup>

Since human rights-based approach to development is premised on the fact of the indivisibility, interdependence and interrelation of all human rights, the implication is that discrimination in one project will most likely mean that a couple of other rights are also threatened. It therefore demands for a development framework which recognizes the need to fight discriminatory tendencies for people with disabilities in the implementation of development projects in the vital sectors of health, education

and agriculture. This would help ensure that disabled people are not discriminated and do not fall out in the implementation of these programmes. This also brings in question issues of accountability since the human rights-based approaches focus on raising levels of accountability in the development process by identifying claim-holders and corresponding duty-holders.<sup>55</sup> Governments are responsible not only for not directly violating rights, but also for ensuring that the conditions which enable individuals to realize their rights as fully as possible. The appropriate measures could include but not limited to legislative, administrative, budgetary and judicial towards fulfillment of the right, including the obligation to promote the right in question. This means that the government needs to protect people with disabilities from conditions which exclude them from the designed PRSP programmes.

The negative attitudes and insensitivity to disability issues reduce people with disabilities' opportunities to participate in society at the same level as their non-disabled counterparts. This is contrary to the rights based approach to development which demands that policies, programmes and practices should not, intentionally or unintentionally, reinforce social, political or economic inequalities. On the contrary, they should consciously aim at promoting equality and nondiscrimination.<sup>42</sup> Therefore the nature of the design and requirements of the PRSP programmes which automatically exclude People with disabilities violate this principle.

### **5.3 Factors facilitating or inhibiting the inclusion of People with Disabilities in the PRSPs**

The study unearthed several findings on factors that can either inhibit or facilitate the involvement of people with disabilities in the poverty reduction strategies in Uganda. There were also presented under a number of subthemes and the discussion is presented below:

### **5.3.1 Perceptions and Definition of Disability**

It emerged that absence of a universally acceptable definition of disability has posed some challenges in defining the scope of disability in Uganda. The dynamics of society and the different cultural settings make it extremely difficult to appreciate the scope of disability and the issues for consideration when dealing with people with disabilities. The study further indicated that besides the definition of disability, there are a number of issues on the perception of disability within the context of Uganda and these perceptions have wide negative implications on the rights of people with disability. This particularly calls for a shift from mere definition of disability towards challenging and changing social dynamics including negative perceptions facing people with disabilities.

The current perception of people with disabilities still poses a challenge in the appreciation of needs of people with disabilities as they focus on looking at a person with a disability as the problem and not the environment in which they live. Some of the perceptions imply that people with disabilities are not worth, and may lead to learned helplessness and low self-esteem. This will clearly affect their participation in the PRSPs on equal footing with the rest of society. It is therefore important to apply the tools of the human rights-based approach to development which require that principles such as equality, non discrimination and rights to social economic rights are used in society to change the perception of disability during the implementation of PRSP related programmes.<sup>55, 56</sup> This applies not just to the common man in society but also the perception of the policy makers towards disability issues. The continuation of the failure to change this poor perception of disability in the policy makers will also imply continued negation of disability issues in the development processes.

### **5.3.2 The nature of representation of people with disabilities in Uganda**

The study established that Uganda has a representation of over 47 000 people with disabilities at all levels. The question however is on the quality of this representation. Although some people can argue that this representation is a sign of achievement for the disability movement, concrete impacts have to be felt of this representation for people with disabilities within the planning and implementation of development plans at the national level. Political inclination of the representatives of people with disabilities was seen to have overshadowed consideration of vital disability issues even during the development and implementation of development programmes. So there is more of theoretical representation of people with disabilities as opposed to meaningful and influential representation even during debates on implementation of development programmes. Other issues pointed out in this study include the capacity challenges of the representatives of people with disabilities in terms of being able to effectively influence the development processes and ensure that people with disabilities are effectively included and engage in the national development process even where an opportunity exists.

According to the UN Guidelines on the human rights-based approach to development, the international human rights normative framework includes the right to take part in the conduct of public affairs which it highlights as a crucial and complex human right that is inextricably linked to fundamental democratic principles.

<sup>53</sup> It should however be noted that effective participation by the people with requires more than a legislative provisions providing for opportunities for political representation. It rather calls for specific mechanisms and detailed arrangements at different levels of decision-making that help to overcome the impediments that people with disabilities in general face including in the inclusion of their issues in the planning and implementation of development programmes. As such, the first step at ensuring participation of disabled people in the development programmes is their meaningful representation in critical political positions.

### **5.3.3 The impact of the Ministry in Charge of Disability;**

It is clear in this study that Uganda is one of the few countries that actually have a specific department on disability issues and this creates a lot of hope in terms of advocacy for rights of people with disabilities. There is a positive feeling that this ministry can play a very significant role in ensuring a positive agenda for disability issues even in the national development framework. From a human rights-based approach, this ministry is looked at as an empowering factor for people with disabilities in the PRSPs. This reemphasizes the fact that institutional frameworks especially at the policy making level play a very vital role in protection and promotion of right to development of vulnerable groups in society. On the other hand however, it is important to ensure that the institution is empowered and is capable of making an impact for the group it is representing.<sup>10</sup>

The impact of this ministry could also be felt through capacity building activities which are essential in empowering people with disabilities through human rights education which plays an effective role in this process. The challenge however, is that this ministry in Uganda still has major challenges in terms of its own capacity and influence in the government processes. As such, its capacities have only been felt more on small programmes and not within the national development framework planning. The implication of this has been lack of a major policy body that pushes for disability issues within the national PRSP.

The UN guidelines on the rights based approach to development, state that introduction of the concept of empowerment into the context of policy-making means that the rationale of poverty reduction no longer derives merely from the fact that the poor have needs but also from the fact that they have rights and entitlements that give rise to legal obligations on the part of government. Poverty reduction then becomes more than charity, more than a moral obligation and becomes a legal obligation.<sup>53</sup> The Ministry in charge of disability as a government agency looked at

from this perspective, should be able to be at the forefront of advocating for the rights of people with disabilities in the PRSP processes.

#### **5.3.4 Research Evidence Utilization**

The study established that there is significant empirical evidence regarding disability, poverty and human rights in Uganda. The challenge however has been on whether this research has been used to inform advocacy strategies on disability issues in Uganda. It was also striking to note that even where research evidence exists; there is still a struggle to shift from the medical approach of implementing disability programmes in Uganda. There are also challenges in identifying the right process to take the evidence to influence policy processes. This means that empirical evidence has not been used to influence the policy processes in Uganda. Since policy decisions are made basing on the available evidence, it implies that planning for disability issues is still problematic as the planners have not basis for doing an informed planning process for disability. By implication, there is an urgent need to bring to the front the available evidence on disability issues to ensure that this evidence is used to support and influence the PRSP process, and taking into account the human rights aspect of disability in Uganda. This will also help in changing the practice of speaking the 'social model of disability', yet implementation is based on the 'medical model'. The evidence available will also be a useful tool in getting a sense of direction on the right policy processes to follow in ensuring that disability is considered in the planning and implementation of the national PRSPs.

The UN guidelines on the rights based approach to development require that part of empowerment is ensuring that the target population gets to know the relevant facts through putting an emphasis on right to information.<sup>53</sup> In addition, easy access to information makes policy making process and government decision making easier. In Uganda, the PEAP mentions that more information is needed on the extent to which disabled people are able to meet their specific needs such as access to equipment,

and the extent to which specific disabilities are currently preventing economic participation or reducing people's productivity.<sup>7</sup>

### **5.3.5 The Impact of Policy and Legislation**

This study indicated that, Uganda has made efforts to put in place policy and legal frameworks, including the signing and ratification of the UNCRPD; which is the current bench mark on the rights of people with disabilities. This is in line with the human rights-based approach to development which requires the government to ensure that it takes steps including policy and legislative to ensure that rights of citizens are protected. The criticism that kept emerging from the data was that some of the policy documents and legislation are based on the medical model approach and yet advocacy strategies focus on the social model. This implies that there is no coherent approach towards disability issues in Uganda, which in away also affects the implementation of the national PRSP as this is guided by this policy and legal framework.

In addition, the implementation of the national development programmes is not moving at the pace of the enactment of the laws and policies. As such, there are some positives goals achieved in documents with very little success in ensuring that these are implemented. This affects the possible impact of the policies and laws on the lives of people with disabilities because of the non implementation. On the positive side however, the UNCRPD presents an opportunity to use the human rights-based approach to promote the right of development for people with disabilities in Uganda. This can only be realized when the government of Uganda makes its reporting obligations to the UN to assess its progress in the implementation of the provisions of the UNCRPD. This is because the provisions under the UNCRPD provide a good guide and framework on the human rights-based approach to development. As such if the government makes its reporting obligations, it will be assessed and room for improvement will be created. The UNCRPD can also be a

good model and guide to amend the legislation and policies that have a medical approach to disability.

### **5.3.6 The allocation of Resources towards Disability**

The study found that there is a still challenge with allocation of resources towards disability programming, which affects the implementation of disability related programmes and the functioning of the relevant national disability agencies such as the Department of Disability and Elderly Affairs. The limited allocation of resources on disability implies continued negative impact on efforts to deal with poverty among the people with disabilities.

Even the ministry in charge of disability which has a major role to play in influencing the current allocations of resources has not been able to do this. This will severely impact on the realization of any successes made in including disability issues under the PRSPs. The findings also indicated that in some case civil society has funded programmes which the government is required to be funding. This poses a challenge when the government runs away from its obligations and leaves it to other actors. This can be a major threat on the planned implementation of programmes under the national PRSPs.

Uganda could therefore be found to be in violation of the right to development if it fails to incrementally allocate sufficient resources to meet the needs of the people with disabilities. This obligation is critical for the implementation of the outcome of the PRSP processes. It means that the government has to take actually steps to ensure that what is stated in its development agenda is implemented to enable the citizens to enjoy their right to development.

### **5.3.7 The Approach on Mainstreaming Disability Issues.**

Participants in this study agreed that disability is a cross-cutting issue. However, they noted that the major challenge encountered when it comes to disability mainstreaming is the proper appreciation of how mainstreaming can best be done in

the context of disability. It was suggested in this study that there is need for continuous and rigorous lobbying and advocacy in making sure that disability issues are mainstreamed across all the vital sectors of development as opposed to leaving this to selected government agencies. This means that sectors such as health, education and agriculture have to ensure that they implement disability related issues as failure in this leads to violation of a number of rights of people with disabilities. It also calls for a shift from a practice of all other ministries abandoning disability issues to the ministry in-charge of disability which has funding and capacity challenges to ensuring that the various sectoral ministries take up disability issues as part of their programmes.

The human rights-based approach to development is premised on the fact of the indivisibility, interdependence and interrelation of all human rights. This implies that there should be a development frame work which recognizes the various sectors which serve and have implications for the internationally guaranteed rights. The indivisibility of human rights observes that no category of rights takes precedence over any other. This approach could help inform the discussion in mainstreaming disability. Under this approach, issues pertaining to disability have to be mainstreamed under all sectors. This is based on the understanding that neglect of disability in any sectors greatly impacts on the rights of people with disabilities.

This is also based on the understanding that the fulfillment of all human rights positively influences an individual's enjoyment of his/her right to development and the violation of any human right may have serious implications on the people right to development. Development policies and programmes can promote or violate human rights of people with disability in the ways that they are designed or implemented. A programme violating one rights, may end up violating a number of other rights by implication.

## **5.4 Conclusion**

In conclusion, it is clear that the human rights based approach makes very important inputs into advocacy for the inclusion of disability issues in the national PRSP in Uganda. A number of principles can be borrowed and guidelines developed by the UN on the rights based approach to development can help fill in the gaps for engaging the disability movement in PRSPs in Uganda. The next and final chapter presents the study's conclusions and recommendations.

## **CHAPTER SIX**

### **CONCLUSIONS AND RECOMMENDATIONS**

#### **6.1 Introduction**

Chapter six draws the thesis to a conclusion by reiterating the main purpose of the study, the problem statement that the study intended to address. A brief review overview of the methodology used to achieve the objectives is provided. Summary of findings, conclusions and recommendations to various stakeholders are also presented in this chapter.

#### **6.2 Problem Statement and Methodology**

The problem statement which formed a basis of this study was the struggle for the disabled people in Uganda to meaningfully engage in the National Development plan process so that they can benefit from the poverty reduction programmes and initiatives. This study was conducted using a qualitative research paradigm. A great deal of literature review was done, including the current disability-related legal and policy framework in order to understand the policies and national development processes in Uganda. Eleven KIIs and two FGDs conducted to gather data from the two districts of Kampala and Kiboga. NUDIPU, the national disability umbrella body was crucial in assisting to accessing the research participants. A great deal of literature review was done in the current legal and policy framework relevant for engaging people with disabilities in the development process. A thematic content analysis was carried out by identifying common trends and rating them in terms of their relevance to the aims and objectives of the study. These themes were then explained to give meaning to research findings.

#### **6.3 Summary of the Key Findings**

This study established several findings regarding challenges faced by disable people in the participation of PRSP processes in Uganda. These challenges faced made the

researcher feel that the principles of the human rights based approach to development might be an advocacy tool that can contribute to mainstreaming disability in the national development processes targeting poverty reduction. Below are a summary of key research findings:

- Although the CSOs were not directly involved in the PEAP 1997 generation process, there was an increased engagement of people with disabilities in this process in the subsequent years. However their involvement was minimal and did not yield much result as they were not fully facilitated to enable them effectively engage in the process.
- Treating disability as part of the bigger issues without making specific reference to its specific needs affects the inclusion of critical aspects of disability in the national development processes. This was clearly indicated in the presentation on government programmes targeting poverty such as NAADS which neglect the special needs of people with disabilities.
- Development partners have played a vital role in supporting the engagement of disabled people in the Uganda's national development process. They however fail to provide for funding to help in monitoring the implementation of the NDP, hence affecting the intended benefits for people with disabilities. Secondly, the donors continued funding without making provision for sustainable approaches leads to over dependence on donor funds on mainstreaming disability issues.
- A number of factors can facilitate or hinder the participation of people with disabilities in poverty reduction strategies in Uganda, these include: perceptions and definition of disability; the quality of political representation of people with disabilities; impact of the Department for Disability and Elderly Affairs; research evidence utilization; the impact of policy and legislation; and the allocation of resources towards disability issues.

- The UNCRPD has the potential to create legal obligations on Uganda to promote, protect and fulfill rights of people with disabilities. This provides an opportunity to using human rights-based approach to ensuring that disability issues are effectively included in the national development processes. The finding however suggests that Uganda needs to fulfill its treaty obligations such as reporting to the United Nations on milestones covered in according people with disabilities their human rights.

## **6.4 Conclusions**

The first research objective establishes the extent to which disability is embedded in the national development processes in Uganda. What is coming out of this study is the direct colloration between poverty, human rights, disability and the poverty reduction strategies. The study established that despite the fact that the PEAP process had started earlier in 1997, this process saw very minimum engagement of CSOs. Disability inclusion in particular, came at a much later stage. Further conclusion is that unlike in the past PEAP processes, the NDP provided more opportunities for disabled people by opening space for them to be part of the national development processes. However, treating disability as part of the bigger issues, that is falling under vulnerable groups, without its specific consideration has negative impact when it comes to ensuring that critical aspects of disability are addressed.

There were several factors that were found to either facilitate or hinder the participation of people with disabilities in poverty reduction strategies in Uganda. The lack of a universally accepted definition makes it difficult to have a common understanding of this concept. In addition, negative perceptions on people with disabilities in most communities in Uganda, is still a huge challenge in ensuring that disability issues are appreciated. Some of the perceptions imply that disabled people are not worth, and this can lead to learned helplessness and low self-esteem. Although there are many

representatives of people with disabilities in Uganda, the quality of this political representation seem not to make visible impact, and this affects their participation in critical programmes targeting poverty reduction. Also, having a specific ministry has been seen not to make much difference as its efficiency is negatively impacted by a number of issues in its endeavor to ensure disability inclusion at policy making level. Such factors include lack of capacity and limited resources, which continue to impact the ministry's effort to ensure that disability issues infiltrate into the national development agenda. Again, its ability to influence other sectors was questioned in this study. However, what was clear in this study was that the department has served as a reminder on disability issues at a higher level. The other identified challenge in this study is lack of a common understanding on the best way of mainstreaming disability issues in policies and national development processes. All these challenges means that disabled people may continue to struggle to influence national development processes, thus making it difficult to move out of poverty.

A number of national and international human rights instruments such as the UNCRPD have been developed, and Uganda ratified this Convention. As a binding legal framework, the UNCRPD can create legal obligations on Uganda to promote, protect and fulfill rights of disabled people. These international human rights instruments reinforce the principle of universality of human rights including the right to development, and this principle is clear in all core United Nations human rights conventions. It should be noted however, that although some legal frameworks such as the UNCRPD can be useful tools to ensure disability mainstreaming in policies and the national development processes, the government of Uganda has not made its report on the status of implementing provisions. Lack of domesticating the UNCRPD, unfortunately negatively impacts on the rights of people with disabilities. Therefore, if policies are not implemented, it means that disabled people may never realize the rights enshrined in these legal instruments.

The human rights-based approach to development seems to offer a number of opportunities that can influence the effective participation of DPOs in the Uganda's

NDP process. Some of these include the adoption of the guidelines for a human rights approach to poverty reduction strategies developed by the Office of the High Commissioner for Human Rights. These are very useful tools to elaborate and clarify certain principles that should guide the process of formulating, implementing and monitoring a poverty reduction strategy if it is to be consistent with a human rights approach. This implies adopting a human rights approach to poverty reduction and policies. Institutions for poverty reduction should be based explicitly on the norms and values set out in the international law of human rights and the introduction of the dimension of an international legal obligation in poverty reduction through the human rights perspective adds legitimacy to the demand for making poverty reduction the primary goal of policy-making. The identified five major elements of the human rights-based approach to development are accountability; empowerment; participation; non-discrimination; and inter-dependence of human rights. Giving attention to vulnerable groups is also very important, particularly the engagement of DPOs in the PRSP process in Uganda.

Another conclusion to draw from this study is that there are a number of emerging key policy and practice issues from the research findings that can inform policy and practice in the promotion of the inclusion of people with disabilities in the PRSPs using the human rights-based approach to development. For instance, the NDP being the main policy document, it could provide guidance to programmes for reducing poverty in Uganda among disabled people, who are often in abject poverty. It can further be concluded that the moment people with disabilities are marginalized in the poverty reduction programmes, MDGs may never be achieved. This also points to the fact that many of the policy documents and legislation are based on the medical model approach and yet advocacy strategies focus on the social model which creates a sharp contraction that could be mitigated by the human rights-based approach.

The research questions set out at the beginning of this study have been addressed and achieved. What is important to note is that the human rights-based approach to

development provides an important legal import in the discussion around poverty reduction and disabled people. This however comes with a number of challenges, and these include non-implementation of policies, negative societal attitudes towards disability, and the failure to utilize existing opportunities in Uganda, such as the political representation of disabled people from grassroots to national level. It is from the above findings and discussion that the recommendations below are made.

## **6.5 Recommendations**

The following recommendations directed to government and CSOs, including DPOs.

### **6.4.1 Recommendations to the Government:**

In order to ensure that disability is treated as a human rights issue, the government needs to:

1. Work together with civil society, particularly DPOs in domesticating and timely producing and submitting reports for the United Nations on the progress made in the implementation of the of the CRPD;
2. Not only put in place policies, but ensure that implementation takes place. In addition, political representatives for people with disabilities should be genuinely consulted in various policy making processes. This should also be further supported by an assessment mechanism on the quality of political representation, in liaison with the NUDIPU. Furthermore, there is need to develop capacity of these political representatives to ensure that they can engage in these various foras.
3. Ensure that physical and environmental barriers to participation and inclusion are removed. Thus, meeting places for any NDP processes should be

accessible, and that any review materials or documents ought to be made available in various accessible formats.

4. Strengthen the existing structures within national and local councils and ensure policy and practice is coordinated and coherent. The focal point in each Ministry should be clearly identifiable to ensure that disability remains a priority in the National Development Plan. There should be regular engagement between the Government and key disability stakeholders, and this should be followed up with regular monitoring and evaluation.
5. Consider repositioning the Department of Disability and Elderly into a more visible and powerful office such as the Prime Minister's or the President's office, where resources can be deliberately allocated towards disability mainstreaming.
6. Develop programmes that create disability awareness within the various ministries, departments, and society at large, to ensure that disability is regarded as human rights issues by both policy makers and programme planners. This would help to have a common understanding on the concept of disability and disability mainstreaming.

#### **6.4.2 Recommendations to CSOs and DPOs:**

To have a common understanding on disability and genuine inclusion of disability in policies and national development processes; and regarded as a human rights issue in society, the following recommendations have been tabled:

1. The disability movement needs to strengthen its advocacy role to ensure the inclusion of people with disabilities in national development processes through enhancing their right from local to national level. DPOs cannot undertake disability mainstreaming challenges alone. They should aim to build alliances with key stakeholders, including professionals who are capable and willing to

provide skills and resources which are needed. DPOs should realize that there is strength in numbers, and genuine partnerships can provide the necessary critical mass required to generate change.

2. CSOs, including DPOs need to carry out a budget analysis to assess the percentage of resources allocated towards disability issues by government. This analysis can then be used as an advocacy tool in making the government meet its obligations.
3. There is need for CSOs to synthesize issues of the human rights-based approach to development and present these to the DPOs for discussion in the various policy making forums. This will arm the representatives of disabled people with issues to discuss in national development processes using the human rights based approach to development lens.
4. CSOs and DPOs should adopt the guidelines for a human rights approach to poverty reduction strategies developed by the Office of the High Commissioner for Human Rights within its advocacy work. This tool will be useful to elaborate and clarify certain principles that should guide the process of formulating, implementing and monitoring a poverty reduction strategy if it is to be consistent with a human rights approach.
5. The Disability movement, together with its partners should advocate for the implementation of the many laws and policies that have been developed in Uganda. This will bridge the current gap between policy and practice, which negatively impact on disabled people's access to social services and programmes targeting poverty reduction.
6. DPOs need to effectively use the UN Convention to positively influence mainstreaming and inclusion in international donor development plans by holding accountable donor countries and the government to ensure that

disability is equally included in Uganda's national development processes, programmes and projects. A shadow audit report should also be made to ensure this is being monitored and reported. To achieve the disability movement should to work closely with other CSOs to ensure disability mainstreaming, and in the preparation of CRPD shadow report.

### **6.4.3 Recommendations to Development Partners**

In order to develop capacity and ensure disability mainstreaming, development partners need to:

1. Increase financial support to DPOs in order for people with disabilities to acquire relevant skills in policy making that will compel policy-makers to take action. Enhancing capacity of DPOs can effectively enable them to advocate and articulate social policy issues in order for them to make the most significant impact on development policy making.
2. Development partners should mainstream disability in all their programmes and projects as advocated in the UNCRPD, making sure that they include disability as a condition; and with indicators ensuring measurable monitoring.

### **6.5 Limitations of the Study**

The findings of this study are based on data collected in two districts of Uganda - Kampala and Kiboga. There are over a hundred districts with varying experiences on inclusion of disability issues in the national development process. As such, this may be one of the limitations of the study. The limited data on disability statistics in Uganda can also be considered as challenge which this study faced. Therefore, there was over reliance on people's voices and views which may be biased and affect the study. Despite the identified limitations, conclusions below can be drawn from the study. Finally, it was outside the jurisdiction of this study to map out strategies that

can be used to translate the elements of the human rights-based approach to development into disability mainstreaming. If time and resources were permitting, this could have enriched this study,

## **6.6 Areas for further Research**

It is important to conduct further research aimed at mapping **out** specific strategies that can be used to mainstream disability in national development processes using the elements of human rights-based approach. It is also vital to explore possible pathways on how human rights institutions, CSOs, DPOs and the MoFPED, particularly the NPA, can effectively work together to ensure that disability issues are part and parcel of the national development process.

## **6.7 Conclusion**

This chapter has drawn the thesis to a conclusion. It has provided the summary of findings, conclusions and recommendations to various stakeholders. It should be noted that the implementation of the recommendations made under this chapter will go a long way in ensuring that disability is mainstreamed in the national development process and as such, this will contribute to the realization of the MDGs, and the ultimate improvement of the lives of people with disabilities, and thus enjoying the human rights enshrined in the UNCRPD.

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## APPENDIX 1: COVER LETTER TO ETHICS COMMITTEE

20 October 2009

Ethics committee  
Stellenbosch University  
Centre for Rehab studies  
Box 19063,  
Tygerberg, 7535

**To whom it may concern**

**RE: MAINSTREAMING DISABILITY INTO THE POVERTY REDUCTION PROCESSES IN UGANDA: THE ROLE OF THE HUMAN RIGHTS-BASED APPROACH TO DEVELOPMENT**

I am writing to seek for ethical approval for the said project. The study is in fulfillment of the requirement for the Master of Philosophy Degree in Rehabilitation.

The project aims to analyze the extent to which the human rights-based approach to development can be used as an advocacy tool for the Disabled People's Organizations' (DPOs) engagement and effective participation, monitoring and evaluation of the poverty reduction processes in Uganda.

In support of my application, please find the followed attached (1) Application form, (2) investigator's declaration form, (3) summary of CV, (4) Full protocol, (5) Protocol synopsis (6) Informed consent form for key informants interviews, (7) informed consent form for focus group discussions, (8) semi-structured interview schedule, (6) introductory letter to participants, (9) letter of recommendation from the National Union of Disabled People of Uganda, and (10) letter of seeking ethical approval from the Ministry of Gender, Labour and Social Development.

Thank you looking forward to favourable consideration.

Yours Sincerely,



Moses Mulumba

**APPENDIX 2: LETTER FROM THE NATIONAL UNION OF DISABLED  
PEOPLE OF UGANDA**

**NATIONAL UNION OF DISABLED PEOPLE OF DISABILITIES UGANDA**

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P.O. Box 8567  
Tel: 256 – 41 - 540179  
Fax: 256 – 41 – 540178  
Email: [nudipu@starcom.co.ug](mailto:nudipu@starcom.co.ug)  
Email: [nudipu@utlonline.co.ug](mailto:nudipu@utlonline.co.ug)  
Kampala - UGANDA  
Date: 5<sup>th</sup> Sept 2009

**Our Ref:**

**Your Ref:**

**To whom it may concern:**

**RE: Recommendation for executing a research study**

Reference is made to the above subject.

Moses Mulumba is a Ugandan carrying out a study entitled “Mainstreaming disability into the poverty eradication processes in Uganda: The role of human rights-based approach to development. Moses’ study is in fulfillment of an M.Phil in Rehabilitation Studies at Stellenbosch University, Centre for Rehabilitation in South Africa.

The aim of the research is to analyze the extent to which the human rights based approach to development can be used as an advocacy tool for the Disabled People’s Organizations’ (DPOs) engagement and effective participation, monitoring and evaluation of the poverty reduction processes in Uganda

This study will be very useful to our organization and therefore your assistance, and further introducing him different bodies, institutions and individuals will be highly appreciated. As NUDIPU, we fully support this study.

Yours sincerely,

**Sebuliba Michael  
Executive Director**

**APPENDIX 3: LETTER TO THE MINISTRY OF GENDER LABOUR AND SOCIAL DEVELOPMENT**

31 October 2009

Plot 17 Bukoto Street, Kamwokya,  
P.O Box 28549 Kampala - Uganda  
TEL: 256-41-252119 (Office)  
+256 712 657974 (Mobile)  
Email: mulumba\_moses@yahoo.com

**Attention to: Commissioner for Disability and Elderly, Mr Hebert Baryayebwa**

The Permanent Secretary  
Ministry of Gender, Labour and Social Development  
P.O. Box 7136  
Kampala

**RE: Application for Ethical Clearance to Conduct Disability Research**

**Dear Sir**

My name is Moses Mulumba. I am seeking approval from your Ministry to conduct a qualitative research study in fulfilment of my Mphil in Rehabilitation Studies at Stellenbosch University, Centre for Rehabilitation Studies in South Africa. The title of my study is entitled **“Mainstreaming Disability into the Poverty Reduction Processes in Uganda: The Role of the Human Rights-based Approach to Development”**.

The aim of the study is to analyze the extent to which the human rights based approach to development can be used as an advocacy tool for the Disabled People’s Organizations’ (DPOs) engagement and effective participation, monitoring and evaluation of the poverty reduction processes in Uganda. The study will use documentary analysis, interviews and focus group discussions as documented in the research proposal attached to this letter.

In support of my application, I have enclosed documents listed as enclosures.

Yours Sincerely



**Moses Mulumba**  
(Principal Investigator)

**Encs:** Project proposal, consent form for key informant interviewees, consent form for focus group participants, curriculum vitae, photocopy of ID, recommendation letter from the National Association of Disabled People of Uganda, schedule of semi-structured interviews questions, introductory letter to participants.

**APPENDIX 4: INTRODUCTORY LETTER TO RESEARCH PARTICIPANTS**

Chairman – Mr. Francis Kinubi  
Treasurer: Rev Seezi Balayo, General Secretary: Ms. Ababiku Jessica

**31 October 2009**

Stellenbosch University  
Centre for Rehabilitation Studies, Faculty of Health Sciences  
Tygerberg Campus  
Tygerberg, 7505, South Africa

**RE: Introductory letter to Research Participants**

**Dear Sir/Madam**

My name is Moses Mulumba. I am conducting a qualitative research study in fulfillment of my Mphil in Rehabilitation Studies at Stellenbosch University, Centre for Rehabilitation Studies in South Africa. The title of my study is entitled **“Mainstreaming Disability into the Poverty Reduction Processes in Uganda: The Role of the Rights-based Approach to Development”**, which I am kindly inviting you to take part.

The aim of the study is to analyze the extent to which the human rights based approach to development can be used as an advocacy tool for the Disabled People’s Organizations’ (DPOs) engagement and effective participation, monitoring and evaluation of the poverty reduction processes in Uganda. I am intending to conduct interviews and focus group discussions and hoping that you will share your experiences on the extent to which people with disabilities are included in the poverty reduction process in Uganda.

Another request will be to assist me to identify potential participants who have knowledge with PRSP processes and any information that relates to disability, poverty and development in Uganda to also take part in interviews and focus group discussions. I would also appreciate if you could share with any relevant information that you might have.

Permission to conduct this research will be sought from the Stellenbosch University ethical committee, Uganda Ministry of Gender, Labour and Social Development [Disability and the Elderly]. I also have a letter of recommendation from the National Union of Disabled People of Uganda (NUDIPU), who have showed interest in this study.

In this study, interviews will be up to an hour long, while focus groups can be up to one and half hours long. You have the right to choose a convenient place where we can conduct the interviews. Interviews will be tape recorded if only you agree to that. You are assured that information that you will provide will only be used for research purposes and academic publications. More information regarding consent will be detailed in the informed consent form. If you need any further clarifications regarding this study, please do not hesitate to contact me.

I hope that the findings of this study will be useful in address issues of meaningful inclusion of people with disabilities in the poverty reduction process; informed by the human rights based approach to development. The findings may also help to ensure that disability issues will receive attention on poverty eradication programmes that are designed by local council, government departments, and civil society organizations, and development partners. Also, if the results are shared at both local and national level, they might assist changing society's attitudes towards PWDs and respect their human rights.

Thank you for your time and looking forward to working together in this study

Kindest Regards



Moses Mulumba – Researcher ([mulumba\\_moses@yahoo.com](mailto:mulumba_moses@yahoo.com))

## **APPENDIX 5: Semi- Structured Interview Guide for KIIs**

- Explain the PEAP/NDP process, and also stakeholders involved in the process. To what extent are disability rights embedded in the national development processes in Uganda?
- What are the factors that facilitate the participation of people with disabilities in the development process of Uganda?
- What factors hinder the participation of people with disabilities in poverty reduction strategies?
- To what extent can local and international legal frameworks promote rights of disabled people in the development process?
- What factors in the legal and policy frame works could inhibit the involvement of DPOs in the NDP planning, monitoring and evaluation processes in Uganda?
- What areas in the human rights-based approach to development influence the effective participation of DPOs in the Uganda's NDP process from planning, monitoring, and up to the evaluation stage?
- How best can the involvement of people with disabilities in the NDP process be improved?

## **APPENDIX 6: Semi- Structured Interview Guide for FDGs**

- How have human rights been used as a tool for engagement of disabled people in the NDP process?
- What role has the MGLSD, Department of Disability & Elderly played in ensuring that people with disabilities are involved in the planning and implementation of the PRSP process in Uganda?
- How has political representation of people with disabilities influenced the inclusion of disability issues in the National development process?
- How have community voices influenced the development and implementation of the national development plan?
- What factors in the legal and policy frame works could inhibit the involvement of DPOs in the NDP planning, monitoring and evaluation processes in Uganda?
- What areas in the human-rights based approach to development influence the effective participation of DPOs in the Uganda's NDP process from planning, monitoring, and up to the evaluation stage?
- To what extent have development partners supported the involvement of people with disabilities in the national development process?
- How best can the involvement of people with disabilities in the NDP process be improved?

## APPENDIX 7: List of People Consulted in the Study

No.	Name	Position	Organisation
1	Mr. Sebuliba Michael	Executive Director	NUDIPU
2	Mr. Alex Kagona	Policy Analyst	NUDIPU
3	Ms. Esther Kyozira	Pro Manager Human Rights	NUDIPU
4	Mr. Kinubi Francis	BOD Chairman-NUDIPU	NUDIPU
5	Ms. Rosemary Kaduru	Executive Director	Development Research and training (DRT)
6	Mr. Paul Onapa	Senior Policy Analyst	DRT
7	Mr. Herbert Baryayebwa	Commissioner Disability-MGLSD	MGLSD, Department of Disability & Elderly
9	Mr. Connie Tinka	Executive Director	Katalemwa Cheshire Home
9	Mr. Richard Sewakilwanga	Executive Director	NGO Forum Formerly in Ministry of Finance
10	Hon. James Mwandha	Former MP & Activist (RIP)	Former MP, Activist
11	Ms. Beatrice Guzu	Executive Director	NUWUDU
12	Mr. Karim Kilimijabo	Chairperson	Kiboga Disabled People Union
13	Hon. Margaret Babadiri	MP (Women Koboko District)	Member of Parliament
14	Mr. George Katumba	Ag Country Programme Director	Action on Disability & Development
15	Ms. Joanne Bosworth	Social Development officer	Department for International Development (DIFD)
16	Kagona Juliet	Programme Officer	Little People of Uganda
17	Mr. Kayiira Julius	Executive Director	Mental Health Uganda
18	Mr. Paul Sentenza	Executive Secretary	Signhealth Uganda
19	Ms. Suzan Kisitu	Executive Director	Uganda Society for Disabled Children
20	Mr. Victor Locolo	Lecturer Kyambogo	Kyambogo University
21	Mr. Willy Agirebabazi	Senior Human Rights Officer	Uganda Human Rights Commission
22	Hon. Ndeezi Alex	MP (PWDs)	Disabled people Representative
23	Hon. William Nockrach	MP (PWDs)	Disabled people Representative
24	Hon. Nalule Safia	MP (PWDs Women)	Disabled people Representative

25	Mr. James Mwesigye	Independent Consultant	
26	Mr. Ben Male	Country Programme Director	Sight Savers International
27	Ms. Marry Mayende	Executive Director	Uganda Parents of Children with Learning Disability
28	Mr. Joseph Walugembe	Country Manager	Sense International
29	Ms. Barbara Batesaki	Executive Director	Community Based Rehabilitation Alliance
30	Ms. Tumukunde Emelda	Executive Secretary	Uganda national action on physical disability
31	Ms. Laura Kanushu	Executive Director	Legal Action for Persons with Disabilities Uganda
32	Mr. Kamyra Julius	Executive Secretary	National Council for Disability