



# THE NATIONAL EQUAL OPPORTUNITIES POLICY

*Equitable development for sustainable creation of wealth*

JULY 2006

**Ministry of Gender, Labour and Social Development,**  
P. O. Box 7136,  
Kampala – Uganda.  
Tel: 256-41-347854/5  
Fax: 256-41-256374.  
Website: [www.mglsd.go.ug](http://www.mglsd.go.ug)  
E-mail: [ps@mglsd.go.ug](mailto:ps@mglsd.go.ug),

## TABLE OF CONTENTS

|                        |   |
|------------------------|---|
| GLOSSARY .....         | 4 |
| 1.0 INTRODUCTION ..... | 6 |

|            |  |           |
|------------|--|-----------|
| 1.1        | Background.....  | 6         |
| 1.2        | Equal Opportunities .....                              | 6         |
| 1.3        | Level of Denial of Opportunities .....                 | 6         |
| <b>2.0</b> | <b>SITUATION ANALYSIS .....</b>                        | <b>7</b>  |
| 2.1        | Income Poverty .....                                   | 7         |
| 2.2        | Access to Justice .....                                | 7         |
| 2.3        | Education.....   | 8         |
| 2.4        | Health .....   | 8         |
| 2.5        | Participation in Markets.....                          | 8         |
| 2.6        | Land Ownership.....                                    | 8         |
| 2.7        | HIV/AIDS .....   | 9         |
| 2.8        | Participation in Public Life and Decision Making ..... | 9         |
| 2.9        | Human Rights Based Approach and Equity Budgeting.....  | 9         |
| 2.10       | Economic Empowerment .....                             | 9         |
|            | 2.10.1 Credit .....                                    | 9         |
|            | 2.10.2 Employment .....                                | 9         |
|            | 2.10.3 Gender .....                                    | 9         |
| 2.11       | Policy and Legal Framework .....                       | 10        |
|            | 2.11.1 Present Policies.....                           | 10        |
|            | 2.11.2 National Planning Framework.....                | 11        |
|            | 2.11.3 International Legal Framework .....             | 12        |
|            | 2.11.4 Regional Instruments.....                       | 13        |
| <b>3.0</b> | <b>GUIDING PRINCIPLES .....</b>                        | <b>14</b> |
| 3.1        | Rights Based Approach.....                             | 14        |
| 3.2        | Holistic Approach .....                                | 14        |
| 3.3        | Good Governance and Accountability .....               | 14        |
| 3.4        | Affirmative Action.....                                | 15        |
| <b>4.0</b> | <b>THE NATIONAL EQUAL OPPORTUNITIES POLICY .....</b>   | <b>16</b> |
| 4.1        | Vision.....  | 16        |
| 4.2        | Mission.....   | 16        |
| 4.3        | Goal .....   | 16        |
| 4.4        | Objectives .....                                       | 16        |
| 4.5        | Strategies .....                                       | 16        |
| <b>5.0</b> | <b>POLICY PRIORITY AREAS .....</b>                     | <b>18</b> |

## The National Equal Opportunities Policy

|            |  |           |
|------------|--|-----------|
| 5.1        | Strengthen the existing Policy and Regulatory Framework.....               | 18        |
| 5.2        | Research and Management Information Systems.....                           | 18        |
| 5.3        | Access to basic social services by mainstreaming affirmative action .....  | 18        |
| 5.3.1      | Education .....  | 18        |
| 5.3.2      | Health.....  | 18        |
| 5.3.3      | Water and Sanitation .....   | 18        |
| 5.3.4      | Housing .....  | 19        |
| 5.3.5      | Social and health insurance.....   | 19        |
| 5.3.6      | Food Security and Nutrition .....  | 19        |
| 5.4        | Gender.....  | 19        |
| 5.5        | Economic Security Services.....  | 19        |
| 5.5.1      | Employment .....   | 19        |
| 5.5.2      | Increase household incomes .....   | 20        |
| 5.6        | HIV/AIDS .....   | 20        |
| 5.7        | Strengthen Equity Budgeting.....   | 20        |
| 5.7.1      | Rights Based Approach and Equity Budgeting.....                            | 20        |
| 5.8        | Participation, affirmative action and Involvement in Decision Making ..... | 21        |
| 5.8.1      | Awareness Raising.....   | 21        |
| <b>6.0</b> | <b>INSTITUTIONAL FRAMEWORK .....</b>                                       | <b>22</b> |
| 6.1        | Government .....   | 22        |
| 6.2        | Equal Opportunities Commission .....                                       | 23        |
| 6.3        | District Local Governments .....   | 24        |
|            | .....  | 24        |
| 6.4        | Sub-County/Division/Municipality/Town Councils .....                       | 24        |
| 6.7        | Private Sector .....   | 24        |
| 6.8        | Development Partners .....   | 25        |
| 6.9        | Civil Society Organisations.....   | 25        |
| 6.10       | Communities .....  | 26        |
| <b>7.0</b> | <b>MONITORING AND EVALUATION .....</b>                                     | <b>26</b> |
| 7.1        | Government.....  | 26        |
| 7.2        | Local Governments:.....  | 27        |
| 7.3        | Private Sector .....   | 27        |
| 7.4        | Monitoring and Evaluation .....  | 27        |
| 7.5        | Financing of the Policy .....  | 27        |

|  |   |  |
|--|---|--|
| ACFODE   | : | Action for Development   |
| ANPPCAN  | : | African Network on Prevention and Protection Against Child Abuse and Neglect |
| CBOs   | : | Community Based Organizations  |
| CRC  | : | Constitutional Review Commission   |
| CSOs   | : | Civil Society Organizations  |
| EOC  | : | Equal Opportunities Commission   |
| FIDA   | : | Federation of Uganda Women Lawyers   |
| HURINET  | : | Human Rights Network   |
| MFPED  | : | Ministry of Finance Planning and Economic Development                        |
| MGLSD  | : | Ministry of Gender, Labour and Social Development                            |
| NGOs   | : | Non Governmental Organizations   |
| NACWOLA  | : | National Association of Children and Women Living with HIV/AIDS              |
| NUDIPU   | : | National Union of Disabled Persons of Uganda                                 |
| PWDs   | : | Persons with Disabilities  |
| UHRC   | : | Uganda Human Rights Commission.  |
| UMWA   | : | Uganda Media Women Association   |
| UNASO  | : | Uganda Network of AIDS Service Organizations                                 |
| UNYPA  | : | Uganda Network of Young People Living with HIV/AIDS                          |
| UWONET   | : | Uganda Women Organizations Network   |
| FAL, PMA, ESSIP, SDIP, NAADS, HIV/AIDS, PEAP, UPE, ABC, ABY, OVCs, |   |  |

## GLOSSARY

**Affirmative Action:** All deliberate actions, and initiatives taken in favour of marginalised groups in order to redress imbalances caused by reason or attribute of disability, health status, history, culture, gender, ethnicity, religion, opinion, socio- economic or cultural standing in line with Art.32 of the Constitution.

## The National Equal Opportunities Policy

---

**Child:** A person below the age of 18 years.

**Civil Society Organizations:** Agencies that are neither fully for profit nor State run.

**Community participation:** A process whereby all members of a community are fully involved in decision-making and actions that affects them.

**Community:** A group of people who live in the same area or who have common interests but whose needs and status may differ.

**Disability:** A loss on the body that is either physical, psychological or sensory.

**Discrimination:** Giving different treatment to different persons attributable only to their respective description by sex, race, colour, ethnic origin, birth, creed or religion, social, culture, geographical, economic standing, political opinion or disability or any combination of the above.

**Elderly:** People aged 60 years and above.

**Employment:** Gainful engagement in any economic activity.

**Empowerment:** A process of enhancing people's capacity to participate and manage their own development.

**Equality:** Absence of discrimination with regard to access to resources, services, power, opportunities and benefits irrespective of a person's status.

**Equity:** Fairness and justice in the distribution of resources, opportunities, responsibilities and benefits.

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

**Marginalization:** The situation of being left at the periphery in accessing opportunities, resources and services.

**Opportunity:** A prospect or choice which persons have to access or utilise goods or services and participate in any matter affecting them.

**Poverty:** The inability of an individual, family or community to achieve a minimum standard of living as evidenced by lack of basic needs and services.

**Vulnerability :** The state of powerlessness to withstand individual, household and community shocks.

**Vulnerable Groups:** Categories of people who lack security and/or are susceptible to risk and/or are exploited.

## **1.0 INTRODUCTION**

### **1.1 Background**

The Constitution of the Republic of Uganda stipulates that certain groups in the society are marginalized and discriminated against on the basis of gender, age, disability or other reasons created by history, tradition, custom or any attribute. It also provides for the establishment of the Equal Opportunities Commission under Article.32 (3)

The emphasis on equal opportunities is based on the recognition that given the same conditions and opportunities, all persons, irrespective of their social, economic, cultural or political backgrounds, can perform to the maximum of their potential. Promoting equal opportunities for all persons is therefore important for ensuring balanced and equitable development in Uganda,

The National Equal Opportunities Policy aims at promoting equality of opportunities for all persons in Uganda, irrespective of gender, age, physical ability, health status or geographical location, in all activities, programmes, plans and policies of Government, private sector and Non Governmental Organizations in all spheres of social, economic, political and civil life.

This policy will guide and direct planning processes, resource allocation and implementation of activities.

### **1.2 Equal Opportunities**

Equal opportunities deals with issues and concerns of marginalisation, discrimination, injustice, exclusion, unfairness and inequality in access to resources, services and benefits .

Promoting equal opportunities is therefore not only about adopting measures directed at marginalized groups but also actualizing fairer roles for all. It involves not only making programmes and resources more accessible to the marginalized groups, but also reviewing and refocusing the policy and legal framework. This entails re-orienting the analytical and organizational abilities of government institutions, non-governmental agencies and the private sector, in order to introduce a balanced relationship among the different members of society in all areas for sustainable development.

### **1.3 Level of Denial of Opportunities**

Issues of equal opportunities affect the marginalized groups at individual, household, community and state levels. Marginalized individuals at household level are denied various opportunities in terms of; access, control and benefit from resources and services. At the Community level, marginalised groups are denied access to services and resources, participation and involvement in decision-making in the development process. At the state level, people are marginalised through omissions in policy and legal instruments.

## **The National Equal Opportunities Policy**

---

Table 1 below lists some of the main vulnerable groups in Uganda. It is important to note that a single individual can belong to several vulnerable groups. This is because of the composite nature of vulnerability.

## 2.0 SITUATION ANALYSIS

According to the Uganda National Household Survey (UNHS) 2005/06 31.1% of the total population is poor. The vulnerable groups constitute 75% of this category.

In Uganda vulnerable groups are categorized as under:

| Conflict related   | Demographic categories  | Poverty related   |
|--|---|---|
| <ul style="list-style-type: none"> <li>• Refugees</li> <li>• Internally displaced Persons</li> <li>• War orphans</li> <li>• Abductees</li> <li>• Households living near conflict zones.</li> </ul> | <ul style="list-style-type: none"> <li>• Asset- less widows and widowers</li> <li>• Orphans and abandoned children</li> <li>• Female headed households</li> <li>• Child headed households</li> <li>• People with disabilities [PWD]</li> <li>• The chronically sick</li> <li>• HIV/AIDS infected and affected persons.</li> <li>• Victims of domestic violence</li> <li>• Ethnic minorities</li> <li>• Street children</li> </ul> | <ul style="list-style-type: none"> <li>• Urban and rural poor</li> <li>• Urban unemployed</li> <li>• Low paid workers</li> <li>• Informal sector workers</li> <li>• Beggars</li> <li>• Squatters</li> <li>• Landless</li> <li>• Nomadic pastoralists</li> <li>• Peasants</li> <li>• Plantation workers</li> <li>• Unemployed Youth</li> </ul> |

Source:UNBS

Vulnerability exists at different levels and manifests itself through discrimination, injustice, unfairness and inequality. The current poverty reduction strategies and policy interventions do not adequately address these manifestations.

### 2.1 Income Poverty

Poverty and vulnerability are closely interlinked. Poverty is multi sectoral in nature and describes a low level of income and consumption. Vulnerability refers to risk of falling into poverty. Other forms of poverty include inability to meet the basic necessities of life, poor access and quality of social services, helplessness and lack of social support



---

## The National Equal Opportunities Policy

---

systems, isolation as well as lack of voice. Poverty prevents the enjoyment of basic necessities of life, access to resources and services.

Although government is implementing the Poverty Eradication Action Plan (PEAP) through high investment in public programmes such as Universal Primary Education (UPE), Plan for Modernization of Agriculture (PMA), minimum health care package, water and sanitation, Functional Adult Literacy Education (FAL), a significant proportion of the population mainly vulnerable groups remain chronically poor. There is indication, that inequality between the poor and the rich has markedly increased as measured by the Gini coefficient from 0.35 in 1992 to 0.43 in 2003 with a slight reduction to 0.41 in 2005/06.

Marginalised groups need equal opportunities in access to services, control and utilization of resources and participation in the development process for sustainable eradication of poverty and vulnerability.

### 2.2 Access to Justice

Access to justice is crucial for the promotion of equal opportunities. However, despite the progressive legal framework entrenched in the Constitution, discrimination, inequality, marginalization and violation of rights among marginalized groups, still manifest themselves in practice. This is because of low self-esteem as well as physical, technical and financial barriers in accessing justice by the vulnerable groups. Grievances of vulnerable groups often remain unreported and many existing cases are not prosecuted due to weaknesses both within the laws and through administrative practice. Crimes such as rape, defilement and indecent assault are more prevalent in conditions of increased vulnerability and conflict.

Equal opportunity concerns in access to justice mainly relate to:

- Costs of administration of justice;
- Physical access to justice institutions;
- Discriminatory laws;
- Civic and legal education;
- Customary law

Differential treatment of persons under certain laws still remains on the country statute books. Where appropriate legal provisions do exist, there are still some challenges in implementation and enforcement due to deep-rooted negative cultural and religious practices as well as in the management of institutions charged with provision of justice, law and order.

The vulnerable groups have limited access to legal services and justice as a whole mainly due to poverty, illiteracy and lack of awareness. Provision of legal aid services by the state has been limited to capital offenders thereby leaving other marginalized groups with the minimal services of NGO legal aid providers.

## 2.3 Education

The Constitution of Uganda guarantees equal opportunity to education for all. Consequently, Government is implementing the Education Strategic Investment Plan (ESIP) whose main priority is Universal Primary Education (UPE) and Universal Secondary Education (USE). In addition to these, Government efforts are focusing on enhancing vocational and tertiary education as well as Functional Adult Literacy (FAL). At primary Education level, net enrolment has more than tripled from 2.3 million children in 1997 to 7.5 million in 2004 and over 7.6 million in 2005/2006, posting a net enrolment ratio of 86%. Gender parity has been attained with 85% for boys and 86% for girls nationwide.

However, enrolment is strongly linked to income and geographical variations, with children in poor and vulnerable households less likely to enrol in school. The recent National Household Survey revealed that, despite UPE, parents reported that the majority of children dropping out of school is due to financial reasons. Also access to education in many parts of the country is elusive, especially among the conflict, demographic and poverty related categories of vulnerable groups. Contributing factors include hidden costs like sanitary towels for girls, assistive devices and services for persons with disabilities, early marriages and pregnancies, economic choices of parents as well as negative attitude towards education of vulnerable children such as those with disabilities, by parents, caregivers, communities and society.

Consequently, over 800,000 children aged 6-12 years are out of school. In addition, out of the 1.8 million enrolled in P1 in 2000, only 685,000 are estimated to be attending P7 in 2006. This means that by P7, approximately 1,115,000 children had dropped out of school. Overall, UPE has left out 2.5 million children.

Furthermore, there are significant regional and rural-urban disparities, with the Northern region registering lowest Net Enrolment Rate (NER) at 77% compared to 90% for Eastern, 87% for Western and 85% for Central region. The NER for urban areas is 90% compared to 85% for rural areas.

The high drop-out rate continues through secondary school to tertiary education level. At the tertiary education level, there were approximately 91,000 students enrolled in various institutions in 2005/06<sup>1</sup>. This enrolment accounts for barely 3% of the youth aged 18-22 years.

In Uganda, 20% of the population aged 15 years and above, have never had formal schooling. The proportion is higher for rural areas, than for urban areas, and among females 24% than males, 10%. Whereas adult literacy status improved from 65% in 1999/2000 to 70% in 2002<sup>2</sup>. Female literacy was estimated at 63% while male was 76% in 2005/6 (UNHS). There are persistent gender and regional disparities. At the regional level, Kampala had an adult literacy rate of 93% compared to the overall Central region's

---

<sup>1</sup>National Household Survey 2005/06

<sup>2</sup>National Household Survey 2002/03

## **The National Equal Opportunities Policy**

---

rate of 80%, Western 67%, Eastern, 64% and Northern 59%. There was a slight drop in the literacy rates from 70% as reported in 2002/03 to 69% in 2005/06.

### **2.4 Health**

The Constitution of Uganda enjoins the state to ensure that all Ugandans enjoy access to health services. Health refers to a state of complete physical, mental and social well-being, not merely absence of disease.

Government, through Ministry of Health has been implementing the Health Sector Strategic Investment Plan (HSSP). The HSSP aims at improving access of the population of the Minimum Health Care Package (MHCP), improving the quality of the MHCP and reducing inequalities between the various segments of the population in accessing quality services. The main thrust of the HSSP is immunisation, malaria control information education and communication (IEC), reproductive health, HIV/AIDS control and environmental health. The HSSP also emphasises increasing physical access to health facilities and facilitating local governments to provide the same.

Despite all these interventions, access to health services is still a serious challenge. Health services are not equally accessible and in many instances are far away with 48% of households visited health Centres within a radius of 5 km. Moreover, whereas the WHO recommended minimum per capita health expenditure including malaria and ARVs is US \$ 40, Uganda spends US \$ 10 only<sup>3</sup>.

Consequently, infrastructure, drugs, personnel, equipment and utilities are inadequate. In addition, socioeconomic status, low education levels, gender inequalities and relations, marital and employment status, religious and cultural beliefs and negative perceptions of quality limit the demand for health services. The problems are more pronounced for the vulnerable groups.

### **2.5 Participation in Markets**

Market competitiveness among vulnerable groups is hampered by their low levels of productivity which is a consequence of their limited access to productive resources and information. This is compounded by unfavourable infrastructure, market dues, illiteracy and negative attitudes which impede their market transactions.

### **2.6 Land Ownership**

Findings from the Village Census (2001) reveal that the size of land held by the poor is diminishing. Since the majority of the poor are the vulnerable, they are more adversely affected by the increasing landlessness. Moreover, only 20% of the land in Uganda is registered<sup>4</sup>. Consequently, most of the land owned by vulnerable groups does not have land titles due to high costs of surveying and registration as well as unfavourable

---

<sup>3</sup>Poverty Status Report 2005

<sup>4</sup>Baseline Survey for Land Sector Investment Plan 2005

customary land tenure systems and inheritance practices. This not only diminishes the actual value of the land but also constrains access to credit facilities.

## **2.7 HIV/AIDS**

Uganda has been able to reduce the HIV/AIDS prevalence rate drastically from 30% in 1992 to 6% to date, with an estimated 7% of the population (1.1 million people) living with HIV/AIDS. This has been achieved through multiple methods using the Abstinence, Behavior change and Condom use (ABC) strategy that is Abstinence, Being faithful and Condom use and the multi sectoral approach. The trend in Uganda has shown that more cases are prevalent in urban set ups compared to the rural areas. Poor people are the more vulnerable to HIV/AIDS thus the effect on women and children being more grave. As more people die from AIDS, bereaved families are left in deepened poverty.

The number of children affected by HIV/AIDS is about 100,000 and infant mortality has increased. The epidemic's impact is particularly hard on women and girls as the burden of care usually falls on them. Girls drop out of school to care for sick parents or for younger siblings. Older women often take on the burden of caring for ailing adult children and later, when they die, adopt the parental role for the orphaned children. They are often also responsible for producing an income or food crops. Older women caring for orphans and the sick adults may be isolated socially because of AIDS related stigma and discrimination. Stigma also means that family support is not a certainty. When women become HIV positive; they are often rejected.<sup>5</sup> Therefore issues of marginalization on HIV/AIDS affected and infected people need to be dealt with to improve the situation of the most vulnerable.

In the work place people living with HIV/AIDS are discriminated against and this stigmatization has to be dealt with. Inadequate access to ARVs has exacerbated the problem.

## **2.8 Participation in Public Life and Decision Making**

The opportunity of the marginalized groups to participate in public life and decision-making is far more limited than that of other groups. The marginalized frequently face challenges like negative attitudes, negative religious/cultural beliefs, economic constraints when seeking elective offices and the challenges caused by their socio-economic and reproductive roles. Such challenges affect not only their ability to enter into public life but also to participate in it. Most key political and public positions are occupied by men because of societal outlook at women as being weaker sex who can neither make decisions nor lead political organisations. In some cases women who have insisted on joining politics without their husband's approval, have had their families breaking up. It gets worse for ethnic minorities like the Batwa, where both men and women are marginalized in political arena and other spheres of public life.

Needs, priorities and concerns of poor and vulnerable groups do not get the attention they deserve in central and local government programmes and budgets. This is due not only to limited representation of poor and vulnerable groups in policy and decision

---

<sup>5</sup>2004 Global Report on HIV/AIDS

## **The National Equal Opportunities Policy**

---

making arena at all levels, but also structural and bureaucratic impediments to their voices.

Despite this representation, the proportion of budget allocation for social assistance and targeted interventions for the most vulnerable youth, women and PWDs remains dismally low at all levels. Some minorities are totally excluded from leadership and decision making at all levels. This points to glaring inequalities in participation and benefit from development process. These vulnerable groups need to be empowered to build their self esteem, leading to self actualization; being able to articulate their needs and concerns and to participate in the development, planning, implementation, monitoring and evaluation of programmes for the development of their communities.

### **2.9 Human Rights Based Approach and Equity Budgeting**

The revised PEAP gives prominent recognition to the governance question. Governance is focused on several key areas which relate to civil rights embodied in instruments like International Covenant on Civil and political Rights (ICCPR), the Constitution and laws of Uganda. These areas include; democratization, political governance institutions, decentralization, human rights, justice, law and order as well as accountability and transparency.

Human rights need to be mainstreamed into the development model process, which is officially catered for in the PEAP. Civil and Political Rights include various principles such as equality of all citizens before the law, individual and collective freedoms/ rights, right to form and join political organizations and trade unions, and prevalence of rule of law.

### **2.10 Economic Empowerment**

#### **2.10.1 Credit**

Poor and vulnerable groups face severe constraints in accessing credit and financial services from formal banking lending and funding institutions. This is caused not only by their lack of Investment, Limited ownership of assets such as land and livestock to provide as collateral for credit, but also the inadequate skills and knowledge of financing procedures and basics such as calculation of interests rates. This situation is further exacerbated by the uneven distribution of such institutions. They largely concentrate in urban centres yet the majority of the poor and vulnerable have resorted to gift circles, civil society led micro finance initiatives and other informal credit arrangements. There is emerging evidence suggesting wide spread exploitation through high interest rates [over 40%] short repayment periods [usually weekly] and small sizes of credit funds in many instances as low as 50,000/-.

The marginalized groups lack opportunities to access, control and benefit from resources like, credit and information services. Because of the access to market led private sector finance, high interest rates impact on their ability to repay loans. The National Agriculture Advisory Services (NAADS) policies are limited in coverage as they target the bankable poor and poorer people are left out. Micro finance policies

discriminate the youth, disabled, women and the poorest of the poor. The vulnerable have no skill and knowledge about banking procedure, lack of assets for collateral securities to access loans, credit facilities are not within their reach. To cope with the problem they have resorted to informal mechanisms of accessing credit where by they have ended up being exploited losing their assets and paying high interest rates.

This, in turn, has an impact on their ability to invest in the land, to increase production and to protect the environment. The inability of the women, youth and PWDs to control land emanates from discriminatory customary practice, the negative attitudes towards the ability of the marginalized groups to manage land and lack of resources to acquire land. General lack of skills and appropriate technology due to illiteracy hampers the marginalized groups from maximally using the resources available to them. Most agricultural programmes do not allocate resources to cater for persons with disabilities, for example, location of water resources.

### **2.10.2 Employment**

The chances of marginalized groups obtaining employment are equally limited. Some of the constraints are caused by limited access to education and discriminatory hiring policies. The Gender Empowerment Measure (GEM) shows that women's share of positions as professionals and technical staff is small, estimated at 96,676 women out of 320,000 workers. The public service does not have a deliberate policy to promote the employment of marginalized groups. Equally in Employment most women are in lower service positions where they cannot influence policy. There is, lack facilities for special needs, for example ramps for PWDs to enable them perform their work or day-care centres for mothers with young children. Limited and discriminatory practices in employment opportunities and facilities at work have made it difficult for PWDs to get and retain employment. They are often the last to be hired and the first to be fired. Opportunity to enter employment, facilities to work during the course of employment, inadequate compensation in case of injuries at work, lack of awareness about their rights, discrimination at the point of entry into work, exposure to hazardous work, experience based recruitment, policies are practices marginalizing the vulnerable groups. There is low pay due to absence of a minimum wage, lack of safety standards in employment laws, discriminatory laws, lack of conducive working environment, low pay due to absence of a minimum wage, lack of safety standards in employment laws, sexual harassment and exploitation at work especially the young female people.

### **2.10.3 Gender**

Gender inequalities between men and women, the practical aspects of gender considering the different gender inequalities, in division of labour too much workload and poor production process. Limited participation in the market, areas and control over assets and productive resources, are constraint to participate in decision-making process. However, their vulnerability remains a challenge.

The government has addressed practical gender needs and ensured political participation, affirmative action in the education sector but there is need to address strategic gender needs. Unequal power relations still do exist in the family arena, cultural institutions and cultural practices.

---

## The National Equal Opportunities Policy

---

Vulnerability affects both men and women differently, but impacts more on women than men due to social and cultural partial roles. Discriminatory cultural practices on property inheritance and property ownership affect the livelihoods of vulnerable groups. Inadequate programmes that focus on vulnerable groups, which make it even more difficult for them to improve their live hoods, compound this.

Government has put in place affirmative action to benefit all vulnerable groups. In spite of the above, lack of public awareness, negative community attitudes, cultural beliefs, and lack of programmes on specific concerns of vulnerable groups are still challenges. This policy will be the flag bearer for affirmative action.

Women provide 70%-80% of all labour in Agriculture and 90% in food production and processing.<sup>6</sup> However, only 7% own land and only 30% have control over the proceeds. Given the central role women play in agriculture production, it's without doubt that lack of protection of their rights on land and secure access and control to land has direct implications for investments in agriculture and efforts to promote agricultural productivity. Therefore there is need to address this marginalisation by the equal opportunities policy to reinforce efforts put in place under the Land Act.

### 2.11 Policy and Legal Framework

Uganda has demonstrated its commitment to the welfare of the marginalized groups through adoption and implementation of national and International policies and legal instruments that concern them.

Marginalization is a global concern that calls for both global and local solutions. The United Nations has concluded treaties and conventions, that promote and protect the rights and dignity of marginalized groups. Similar instruments have been concluded at the regional and sub-regional levels. Uganda is party to these instruments and has ratified them. Therefore these provisions need to be enforced through proactive initiatives.

#### 2.11.1 Present Policies

Although Government has put in place various policies and emphasis is put on provision of services for all, the status of marginalized groups has remained poor and a separate policy is necessary to address imbalances.

- **The Constitution of the Republic of Uganda, 1995**

This is the supreme law of Uganda. It provides the right to equality and freedom from discrimination and guarantees these for all, irrespective of their sex, race, colour, ethnic origin, tribe, birth, creed/religion or social, economic standing, political opinion or disability.<sup>7</sup> Parliament is allowed to enact laws necessary for implementing policies

---

<sup>6</sup>Co-ownership of Land by Women, A Publication of the Uganda Land Alliance 2000

<sup>7</sup>Article 21 (2)

and programmes aimed at redressing social, economic, and educational or other imbalance in society.<sup>8</sup>

- **National Objectives and Directive Principles of State Policy**

These are the aspirations and values that should guide all organs and agencies of state, all citizens and organisations and persons in implementing the Constitution or other law and in taking policy decisions for the establishment and promotion of a just, free and democratic society. These principles highlight the concerns of the people of Uganda regarding equal opportunities for marginalized groups

- **The Local Governments**

Article 180 (2) c of the 1995 Constitution provides for the Local Government to enact laws to provide for affirmative action for all marginalized groups referred to in article 32 of the same constitution.

- **The National Gender Policy 1997.**

Recognises that the lower status of women, in comparison to men is due to gender imbalance that arises from unequal opportunities and access to and control over productive resources and benefits.

- **The National Youth Policy 2004**

Its goal is to provide an appropriate framework for enabling youth to develop social, economic, cultural, and political skills so as to enhance their participation in the development process. It therefore forms the framework for all stakeholders to address issues of youth empowerment.

- **The National Orphans and other Vulnerable Children's policy 2004.**

The mission of the policy is to provide a framework for the enjoyment of rights and responsibilities of the orphans and other vulnerable children.

- **The Local Government's Act Cap 243 Laws of Uganda 2000.**

This provides for representation of marginalized groups at all local government levels.

Section 10 specifically provides for 2 youth councillors one male and one female, 2 councillors with disability one male and one female and 2 women councillors.

- **The National Youth Council Act Cap 319 Laws of Uganda 2000.**

This establishes the National Youth Council, the object of which is to organise the youth of Uganda in a unified body, engage the youth in activities that are of benefit to them and the nation and protect the youth against any kind of manipulation.

---

<sup>8</sup>Article 21 (4) (a)



## **The National Equal Opportunities Policy**

---

- **The National Women's Council Act Cap 318 Laws of Uganda 2000.**

This establishes the National Women Council whose object is to organise women of Uganda in a unified body and engage the women in activities that are of benefit to them and the nation.

- **The Children Act Cap 59 Laws of Uganda 2000.**

Section 5(2) thereof provides for a duty of a person having custody of a child to protect the child from discrimination, violence, abuse and neglect. Section 10 thereof provides for protection of children with disabilities. It is the duty of the parents of the child with disability and the state to take appropriate steps to see that children with disabilities are assessed as early as possible, offered appropriate treatment and afforded facilities for rehabilitation and equal opportunities to education.

- **The National Council on Disability Act, 2003.**

This establishes the National Council for Disability. The objective of the National Council for Disability among others is; to promote the implementation and equalisation of opportunities for persons with disability, monitor and evaluate the impact of policies and programmes designed for equality and full participation of persons with disability.

- **The Land Act Cap 227 Laws of Uganda 2000.**

Section 27 thereof provides a basis for the nullification of all customary practices that undermine the rights of women, children and persons with disability on land. The Act creates equitable distribution of land as a resource and nullifies all those land transactions, which are discriminatory against marginalized groups and violate articles 33, 34 and 35 of the Constitution of the Republic of Uganda 1995. Section 39 thereof provides for protection of rights of family members on family land. The Act further provides for representation of women on the Uganda Land Commission and District Land Boards.

### **2.11.2 National Planning Framework**

The Policy is consistent with the Ugandan Vision 2025, Poverty Eradication Action Plan (PEAP) 2004, the Social Development Sector Strategic Investment Plan (SDIP) which aim at attaining the Millennium Development Goals - Reducing poverty and hunger; achieving Universal primary education; promoting gender equality and empowering women; reducing child death and illness; improving maternal health, fighting HIV/AIDS, Malaria and other diseases; ensuring environmental sustainability and to developing a global partnership for development.

- **The Ugandan Vision 2025.**

The long term national development framework is the Uganda Vision 2025. Pertinent aspirations of this Vision include harmonising co-existence that promote social inclusion among the people of Uganda; effective governance through a democratic process; a healthy well educated society with a high quality

of life and equal opportunities, empowerment and economic prosperity for all. This Policy will therefore help promote these aspirations.

- **Poverty Eradication Action Plan (PEAP)**

This is a framework to guide public action to eradicate poverty. Under the Pillar on human development, the PEAP spells out priority action areas to support, mobilise and empower marginalized groups to participate in the economic growth and social development process. This policy will ensure that marginalized groups fully participate and benefit from the PEAP initiatives.

- **Social Development Sector Strategic Investment Plan (SDIP)**

This addresses inequalities, inequity, exclusion, unemployment and low productivity among the population with emphasis on the marginalized groups. It articulates interventions for promoting participation, access and utilisation of basic services by the different groups. The Plan focuses on strengthening coordination mechanisms and inter-linkages among relevant stakeholders at all levels. The National Equal Opportunities policy will promote participation of marginalized groups in order to achieve all inclusive and equitable development

### 2.11.3 International Legal Framework

The National Equal Opportunities Policy is consistent with the following:-

- **Universal Declaration of Human Rights**

All humans are born free and equal in dignity and rights. They are entitled to all the rights and freedoms set out in the declarations without any distinction of any kind such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. The states' party to the declaration are to ensure that all people are equal before the law and are entitled without any distinction to equal protection of the law.<sup>9</sup>

- **International Covenant on Civil and Political Rights, 1966 ratified 1995**

Every state party to the covenant has undertaken to respect and to ensure that all individuals within their territory and subject to their jurisdiction, enjoy all the rights in the covenant without any distinction such as race, sex, colour, language, religion, political opinion or social origin, property, birth or other status.

- **International Covenant on Economic, Social and Cultural Rights 1966 ratified 1987**

The Covenant recognises the inherent dignity, equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace. It recognises further equality of all persons and the right to be free from any kind of discrimination. In addition, it recognises the rights of all persons to equal opportunities to development<sup>10</sup>.

- **The Vienna Declaration and Programme of Action**

This emphasises equality, dignity and tolerance for all. The states' party to the Declaration agreed to remove all forms of racism, racial discrimination, xenophobia and other forms of intolerance. States also commit themselves to: protect the rights of persons belonging to minority ethnic nationalities, religious or linguistic groups, indigenous people and children; ensure that women enjoy equal status and human rights; ensure persons with disabilities are guaranteed equal opportunities through elimination of society-determined barriers, be they physical, financial, psychological which exclude or restrict their participation in society.

- **Convention on Elimination of all forms of Discrimination Against Women, 1979 ratified 1985.**

The Convention provides the basis for realizing equality between women and men. It deals with education, health and ensuring women's equal access to, and equal opportunities in, political, public life and employment. States parties agree

---

<sup>9</sup>UDHR Article 1&2

<sup>10</sup>CESCR Article 2&3

to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms.

- **The Beijing Platform of Action 1995**

It recognises the status of women and that women's rights are human rights. It further recognises that women have to be incorporated into the development process if sustainable and equitable development is to be achieved. The platform further calls on states to: promote women's economic rights and independence including access to resources, employment, appropriate working conditions and control over economic resources; facilitate women's access to markets and trade; provide business services, training and access to market information and technology; strengthen women's economic capacity and commercial networks; and eliminate occupational segregation and all forms of employment discrimination. Finally, the Platform of Action requires states to: ensure that women have equal access to education eradicate illiteracy among women; improve women's access to vocational training, science and technology and continuing education, develop non-discriminatory education and learning; and allocate sufficient resources for and monitor the implementation of educational reforms.

- **The Convention on the Rights of the Child, 1989 ratified 1990**

The Convention on the Rights of the child (Article 2(2)), requires that States Parties take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members and that the best interests of the child should be paramount.

- **UN Standard Rules for Equalization of Opportunities for Persons with Disabilities**

The rules emphasise equality for all persons and equal rights to life, welfare, education, and work, to live independently and to participate in society. Any discriminatory practice is a violation of rights of PWDs. They should be guaranteed equal opportunities through the elimination of all socially determined barriers, be they physical, financial or psychological, which restrict their participation in society.

- **The Declaration on the rights of Minorities 1992**

The Declaration is inspired by Article 27 of the International Covenant on Civil and Political Rights. The promotion and protection of rights of minorities should contribute to the political and social stability of the states in which minorities live, and to the strengthening of friendship and co-operation among peoples and states. Recognizing that the United Nations has an important role to play regarding the protection of minorities more effective implementation of international human rights instruments is required with regard to persons belonging to minorities.

## **The National Equal Opportunities Policy**

---

- **United Nations Guideline No. 5 for People Living with HIV/AIDS**

This calls on states to enact and strengthen anti-discrimination laws that protect vulnerable groups, people living with HIV/AIDS and People With Disabilities from discrimination in both the public and private sector, ensure privacy and confidentiality and ethics in research on voluntary human subjects, emphasize education and conciliation and provide for speedy and effective administrative and civil remedies.

- **ILO Convention No.159 of 1983**

The year 1981 was declared by the United Nations General Assembly as the International Year of Disabled Persons, with the theme "full participation and equality" and that a comprehensive World Programme of Action concerning Disabled Persons is to provide effective measures at the international and national levels for the realisation of the goal of full participation of disabled persons in social life and development, and of equality.

Article 2 of the Convention notes that; for the purposes of this Convention, each Member state shall consider the purpose of vocational rehabilitation as being to enable a disabled person to secure, retain and advance in suitable employment and thereby to further such person's integration or reintegration into society.

- **ILO Convention No. 87 on Freedom of Association and Protection of the Right to organise**

This provides for workers and employers the right to establish and join organisations of their choice with a view to furthering and defending their interests.

- **Convention No. 100 on Equal Remuneration**

This provides for promotion of the principle of equal remuneration for men and women, for work of equal value.

- **Convention No.111 on Discrimination (employment and occupation)**

This provides for the promotion of equality of opportunity and treatment by declaring and pursuing national policies aimed at eliminating all forms of discrimination in respect of employment and occupation.

- **1995 Declaration and programme of Action of the World Summit for Social Development**

This promotes educational and employment opportunities for all regardless of race, national origin, gender, age, religion and disability.

### **2.11.4 Regional Instruments**

- **The African Charter on Human and People's Rights 1986**

Article 1 of the Charter requires all the parties to adopt legislation, if necessary, to give effect to the rights, duties, and freedoms recognized in the Charter. Article

2 provides that all humans are entitled to enjoy the rights and freedoms listed in the Charter without discrimination. Article 3 states that all humans are equal before the law, and are entitled to equal legal protection.

Other rights contained in the Charter include freedom from exploitation and degradation (Art. 5), participation in government (Art. 13), property rights (Art. 14), the right to work under equitable and satisfactory conditions, and equal pay for equal work (Art. 15), enjoyment of physical and mental health (Art. 16), education (Art. 17), equality (Art. 19), and economic, social and cultural development (Art. 22).

- **The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women**

Although the African Charter on Human and Peoples' Rights (African Charter) imposes obligations on states parties to eliminate discrimination against women and to ensure the protection of internationally recognized women's human rights, the Protocol provides more comprehensive and specific guarantees with regard to women's human rights.

The Protocol recognizes and guarantees a wide range of women's civil and political rights as well as economic, social and cultural rights, thus reaffirming the universality, indivisibility and interdependency of all internationally recognized human rights of women. These rights include the right to life, integrity and security of person; protection from harmful traditional practices; prohibition of discrimination; and the protection of women in armed conflict. Furthermore, the Protocol guarantees to every woman the right to respect as a person and to the full development of her personality; prohibition of exploitation or degradation; access to justice and equal protection before the law; participation in the political and decision making process.

### **3.0 GUIDING PRINCIPLES**

The National Equal Opportunities Policy guides the establishment and promotion of a just, free and fair society, where all citizens participate in and benefit from the development process. It promotes the fulfilment of the fundamental rights of all Ugandans to social justice and economic development. The following principles will guide the implementation of the policy:

#### **3.1 Rights Based Approach**

The Rights Based Approach (RBA) shall be used in implementing this policy. This approach ensures that development policies and activities in the household structure, institutions, organizations and State enhance the rights of marginalized groups.

##### **a) Participation**

The Policy shall provide a yardstick in which all policies and programmes provide for the involvement of marginalized groups in all spheres of social and economic life and make them joint partners in the decision-making process.

##### **b) Accountability and transparency**

This will ensure systematic evaluation of all policies and measures from household to state level to ensure that they are accountable to the beneficiaries in a transparent manner resulting into value for services and resources. It will ensure matching of resources to outputs and outcomes, allocation of roles in the home, how they affect children's access to resources, distribution of resources through inheritance, work place environment.

##### **c) Equity**

The Policy will promote equity among all stakeholders in all activities and policies at all levels. This will entail taking into account and examining the relationship across regions and socio- economic groups such as women and men, girls and boys. These relationships will be examined during planning, programming, monitoring and evaluation with special focus on the marginalized groups to ensure that neither is marginalized nor disadvantaged.

##### **d) Partnership**

The successful implementation of the Policy calls for the collaboration between Government, Civil Society Organisations (CSOs), the Private Sector, Faith-Based Organisations (FBOs) and Development Partners.

##### **e) Decentralized Service Delivery**

The principle of decentralisation entails that local governments should ensure quality and sustainable delivery of services to marginalized groups in an equitable way. The Policy will ensure that equal opportunities and affirmative action are mainstreamed in all local government funding and activities in line with Article 180 (c) of the Constitution.

#### **f) Eliminating Discrimination and Stigmatisation**

Discrimination and stigmatisation, which acts as a barrier for marginalized groups to accessing support will be eliminated. This entails equitable access to social services such as scholarships and quota's in education and ARVs for the poor and vulnerable.

### **3.2 Holistic Approach**

The policy implementation will ensure a holistic approach in addressing equal opportunity concerns of the vulnerable and marginalized groups. It will be implemented through a sector wide approach by all stakeholders.

### **3.3 Good Governance and Accountability**

The spirit of upholding good practice and accountability shall be entrenched for the community to meaningfully participate and benefit from the development process.

### **3.4 Affirmative Action**

The Policy will ensure that affirmative action is applied where imbalances exist or where the targeted beneficiaries of a particular policy are not captured. The policy will guide the monitoring, review and evaluation of government affirmative action measurer, which have been scattered across all sectors. These include; 1.5 points for girls at universities, participation in elections, bursaries, quotas and where necessary guide the allocation of resources to correct the imbalances.



## **4.0 THE NATIONAL EQUAL OPPORTUNITIES POLICY**

### **4.1 Vision**

A just and fair society where all persons have equal opportunity to participate and benefit in all spheres of political, economic, social and cultural life.

### **4.2 Mission**

The National Equal Opportunities Policy shall provide a framework for redressing imbalances, which exist against marginalized groups while promoting equality and fairness for all.

### **4.3 Goal**

The goal of the National Equal Opportunities policy is to provide avenues where individuals and groups' potentials are put to maximum use by availing equal opportunities and affirmative action.

### **4.4 Objectives**

**The policy objectives are to;**

- a) Guide the planning processes, affirmative action, and implementation of programmes and allocation of resources to all stakeholders.
- b) Guide the establishment of legal, policy and institutional frameworks of all stakeholders.
- c) Provide a framework for assessing responsiveness of programmes and activities to equal opportunities, in redressing any imbalances therein.
- d) Empower marginalized and vulnerable groups for their full participation in all development processes.
- e) Enhance capacity of implementing agencies to provide quality services with a view to monitoring compliance with affirmative action and the constitutional provisions.

### **4.5 Strategies**

- a) Mainstreaming equal opportunities and affirmative action.

Mainstreaming equal opportunities and affirmative action issues into the development policies, plans and programmes in all sectors at all levels, will be emphasized by this policy.

- b) Capacity Building

Building the capacity of various stakeholders to identify and address equal opportunities' concerns in different sectors will be ensured.

c) Research, documentation and dissemination

Carrying out research, documentation, dissemination of information and replication of best practices on equal opportunities issues will be done.

d) Lobbying and Advocacy

Lobbying and advocacy will be done for equal opportunities and affirmative action at all levels.

e) Networking and collaboration

All stakeholders dealing with issues relating to the marginalized groups shall promote networking and collaboration.

## **5.0 POLICY PRIORITY AREAS**

### **5.1 Strengthen the existing Policy and Regulatory Framework**

This policy has identified equal opportunity gaps in the legal and policy framework, which, include lack of access to justice, weak laws, little or no awareness of the law, poor enforcement, outdated laws and negative cultural practices. Through this policy, the Government of Uganda will implement the following interventions:-

- a) Review and recommend reforms of existing laws and policies
- b) Translate laws and policies into local languages
- c) Awareness creation
- d) Monitor, evaluate and strengthen enforcement of equal opportunity concerns

### **5.2 Research and Management Information Systems**

There is minimal qualitative and quantitative data and information on the marginalized groups. This is an impediment to effective planning, decision-making and targeting of interventions for the benefits of marginalized groups. Government shall put in place mechanisms to collect, analyze, document and disseminate comprehensive information on marginalized groups. The interventions will include among others;

- a) Conduct research on equal opportunities and vulnerability
- b) Establish information centers at district level (media programmes, films, documentation of best practices, web sites, dissemination and awareness creation)
- c) Establishment of Management Information and Monitoring and Evaluation system on equal opportunities.

### **5.3 Access to basic social services by mainstreaming affirmative action**

#### **5.3.1 Education**

- a) Promote non-formal education, including indigenous knowledge .
- b) Promote, access and retention of vulnerable groups in formal education. This includes the 1.5 points to girls at entry in tertiary institutions but specifically those from the marginalized groups, communities and families.

#### **5.3.2 Health**

- a) Widening access and acceptability to health services including health education, primary health care and nutrition.
- b) National minimal health care package to ensure that vulnerable groups receive services.

### **5.3.3 Water and Sanitation**

- a) Monitor standards in water and sanitation service delivery.
- b) Sensitization of communities on best practices

### **5.3.4 Housing**

- a) Ensure accessibility to physical environment ( compound, buildings, walkways, roads)
- b) Provision of appropriate basic shelter including disaster situations

### **5.3.5 Social and health insurance**

- a) Empower families and communities to promote care and positive cultural values
- b) Reforms in the social security provision to include the informal sector
- c) Provide the framework for social assistance to cater for emergency situations

### **5.3.6 Food Security and Nutrition**

- a) Promote productivity, preservation and storage of food.
- b) Ensure operationalisation of early warning systems for food security

## **5.4 Gender**

- a) Ensure access, control and enjoyment of benefits from resources and services by both men and women.
- b) Promote awareness on gender roles and responsibilities.
- c) Sensitize communities on negative cultural practices which limit opportunities for marginalized men and women

## **5.5 Economic Security Services**

### **5.5.1 Employment**

With limited skills, accessing employment is a major challenge for most marginalized groups. Most potential employers do not give a chance to marginalized people to compete for employment. Even where they have the necessary qualification and experience, consequently, the majority of marginalized persons are unemployed. Government will put in place mechanisms to address these imbalances. Other interventions will include;

- a) Establishment of Sub county polytechnics for skills training.
- b) Create an enabling environment for employers to broaden employment opportunities for the marginalized.

## **The National Equal Opportunities Policy**

---

- c) Promote mechanisms for government to introduce tax re-bets for companies and industries that promote employment of marginalized groups.

### **5.5.2 Increase household incomes**

One of the pertinent aspirations of this policy is a wealthy and well-educated society with a high quality of life and economic prosperity for all. Most of the marginalized groups live below the poverty line. The policy will put in place mechanisms to promote economically active communities. Interventions will include.

- a) Promoting “Grants- in-Aid” projects
- b) Provide equitable Micro Finance for income generating activities
- c) Establishing pro poor mechanisms for Production and marketing
- d) Promote entrepreneurial and vocational skills.

## **5.6 HIV/AIDS**

The HIV/AIDS pandemic has destabilized the social economic fabric of the country, by reducing incomes at household’s levels, and straining health services. Owing to their vulnerability, marginalized people stand a higher risk of contracting as well as transmitting HIV/AIDS. Unfortunately, most Programmes on HIV/AIDS do not target them. They have limited access to information, education, counseling and guidance services and ARVs. As a result, the Impact of HIV/AIDS among marginalized is profound. Interventions will include among others

- a) Strengthening the capacity of Co-ordination Institutions and Service providers to address the needs of marginalized groups affected and infected with HIV/AIDSs.
- b) Monitor mainstreaming of equal opportunity concerns on HIV/AIDSs in the public, private and civil society sectors.
- c) Promote Psychosocial support services.
- d) Ensure accessibility of ARVs to marginalized groups.

## **5.7 Strengthen Equity Budgeting.**

### **5.7.1 Rights Based Approach and Equity Budgeting**

Today, there is substantial proof and broad agreement that development responses will be more equal, efficient and sustainable when equity budgeting is mainstreamed throughout the planning and budgeting processes. With the political will and rhetorical commitments to mainstreaming gender and rights, few sectoral programmes delivering

on the PEAP are performing systematic evaluations with gender-disaggregated data. The interventions will include;

- a) Promoting equity and rights based budgeting to strengthen ownership of service delivery and accountability

Most marginalized groups, lack knowledge, skills and attitude to effectively participate in development processes. Similarly some service providers and caregivers have low capacity to render adequate services. The policy will ensure that capacity building of all stakeholders is prioritized in all interventions at all levels. Interventions will include;

- a) Establishing community networks to access services and resources marginalized groups.
- b) Equipping service providers and communities with appropriate knowledge, attitudes and skills for effective participation of marginalized groups at all levels.
- c) Promoting micro finance initiatives that benefit households of the marginalized groups
- d) Promoting apprenticeship, vocational, functional and life long skills training.

## **5.8 Participation, affirmative action and Involvement in Decision Making**

Most services are not accessible to marginalized groups because of exclusion in the design and implementation of interventions. This has greatly contributed to their inadequate participation in the social economic development processes. In addition the marginalized groups have been excluded from decision-making levels concerning services that would improve their live hoods. Government with other stakeholders will put in place mechanisms that will promote full participation and decision making of marginalized groups in planning, implementation, monitoring and evaluation of services that affect their live hoods. Interventions will include

- a) Encourage marginalized groups to mobilize themselves into organizations/ associations for a stronger voice.
- b) Promote representation of marginalized groups at all levels of decision making for the purposes of planning, monitoring and evaluation.

### **5.8.1 Awareness Raising**

Communities often marginalize and discriminate against marginalized groups because of negative belief, norms and customs. This is mainly due to the limited understanding by the communities of the underlying causes as well as of the rights, potentials and abilities of the marginalized groups. The Policy will put in place a mechanism to address the limited understanding. Other interventions include among others;

- a) Production and dissemination of awareness manuals and Posters and other training instruments.
- b) Promote the use of media
- c) Promoting Theater in Development

## **The National Equal Opportunities Policy**

---

d) Network and coordinate awareness issues among stakeholders.

## 6.0 INSTITUTIONAL FRAMEWORK

The stakeholders through whom planning, implementation and monitoring of equal opportunities will be realized include the following: -

### 6.1 Government

Parliament is obliged to pass a law for the establishment of an equal opportunities commission, within the framework of the Constitution. It must ensure that the commission is established with the necessary resources to execute its mandate.

The Ministry of Gender, Labour and Social Development (MGLSD) is the lead Ministry in implementing concerns of equal opportunities. It will do this by: -

- a) Spearheading the preparation and presentation of the policy document and the bill on Equal Opportunities Commission;
- b) Spearheading the establishment of the commission;
- c) Mobilize resources for implementation.
- d) Develop a programme on equity promotion and diversity with target indicators and list of implementers
- e) Review, publish and popularize the Action Plan of the policy;

The Ministry of Gender, Labour and Social Development, will undertake those activities in collaboration with the following institutions:

- a) Ministry of Justice and Constitutional Affairs
- b) Ministry of Finance, Planning and Economic Development
- c) Ministry of Internal Affairs
- d) Ministry of Education and Sports
- e) Ministry of Health
- f) Ministry of Agriculture
- g) Ministry of Local Government
- h) Ministry of Trade Tourism and Industry
- i) The Uganda Human Rights Commission
- j) The National Women, Disability and Youth Councils
- k) Civil society organizations, faith-based organizations, workers unions.

Each of these institutions is responsible for ensuring implementation of the policy in its sector. Such roles include: -



## **The National Equal Opportunities Policy**

---

- a) Identification of areas of intervention
- b) Development of sectoral plans
- c) Development of sectoral implementation guidelines
- d) Integration of equal opportunities concerns in sectoral policies, Programmes and plans
- e) Identifying and allocating resources for execution of Programmes.
- f) Monitoring implementation of equal opportunities plans in the sectoral activities
- g) Collecting and compiling data on equal opportunities plans in their sectors.

### **6.2 Equal Opportunities Commission**

- a) To develop regulations, standards and guidelines for implementation of equal opportunity plans and policies.
- b) To create and sustain within the society the awareness and respect of the Constitutional provisions on marginalisation, discrimination and affirmative action.
- c) To evaluate and recommend to Parliament effective measures to redress any imbalance including those aimed towards promoting equal opportunities.
- d) To influence, inform all policies, legislations, budgets of relevant institutions handling issues regarding access to resources and services as to ensure equal opportunities for all.
- e) To monitor government's compliance with international treaties and Conventions related to non-discrimination and equality.
- f) To investigate at its own initiative or on a complaint made by any member of the public any allegation of discrimination and take action.
- g) To publish and submit annual reports to Parliament on the state of equal opportunities in the country.
- h) Research and disseminate information regarding equal opportunities in the country.
- i) To visit institutions, premises, buildings, facilities as to enforce compliance with requirements of equal opportunities and non-discrimination.
- j) To present, mitigate complaints to the relevant authorities regarding non-compliance with equal opportunities and affirmative action principles, laws, policies and guidelines including recommending for award of damages.

### **6.3 District Local Governments**

- a) Identify areas of equal opportunities concern
- b) Develop departmental plans
- c) Integrate equal opportunities concerns in district plans, Programmes and activities.
- d) Identify and allocate resources to equal opportunities activities
- e) Supervise, monitor and evaluate implementation of equal opportunities activities
- f) Develop and manage information systems for equal opportunity activities in districts.
- g) Report to the Ministry of Local Government on implementation of equal opportunities activities.
- h) Publicize and popularize the equal opportunities policy.

### **6.4 Sub-County/Division/Municipality/Town Councils**

- a) Identify equal opportunities concerns in their communities
- b) Incorporate equal concerns in sub-county plans and budgets.
- c) Allocate resources for the implementation of the policy
- d) Ensure compilation of data regarding marginalized groups
- e) Coordinate equal opportunities activities in the sub-counties
- f) Monitor and evaluate equal opportunities activities through a co-coordinated bottom-up reporting system.
- g) Report to the district local government

### **6.7 Private Sector**

- a) Publicize equal opportunities concerns in their institutions
- b) Identify equal opportunities concerns in their institutions
- c) Incorporate equal opportunities concerns into institutional policies plans, programmes and activities
- d) Allocate resources for implementation of interventions to address equal opportunities concerns in the sector
- e) Collect and compile information on the status of equal opportunities in their institutions.
- f) Monitor and evaluate equal opportunities concerns in their institutions

## **The National Equal Opportunities Policy**

---

- g) Provide reports to the Equal Opportunities Commission regarding equal opportunities concerns in their institutions.

### **6.8 Development Partners**

- a) Advise on equal opportunities and affirmative action concerns
- b) Advise on integrating equal opportunities concerns into policies, Programmes and plans
- c) Advise on the preparation of equal opportunities plan
- d) Act as a link between the Equal Opportunities Commission and commissions of a similar nature outside the country.
- e) Assist in mobilizing resources for the equal opportunities institutions and activities.
- f) Provide technical support and back up equal opportunities institutions and interventions

### **6.9 Civil Society Organisations**

- a) Identify and document equal opportunities concerns in the communities
- b) Analyze and prepare interventions on equal opportunities concerns
- c) Advise on policy interventions regarding equal opportunities concerns
- d) Mobilize resources for equal opportunities interventions
- e) Publicize the policy
- f) Produce instructional and training materials on equal opportunities concerns
- g) Monitor and evaluate the effectiveness of interventions to address equal opportunities concerns

### **6.10 Communities**

- a) Mobilise and popularise equal opportunities.
- b) Identify, analyse and devise interventions for equal opportunities concerns in community.
- c) Re-orient community conceptualization of equal opportunities concerns

- d) Mobilise, relocate and re-arrange location of resources.
- e) Modify social behaviour and customs to accommodate equal opportunities concerns.
- f) Make proposals for incorporating equal opportunities concerns into district regulations, plans and Programmes.
- g) Collect data and report violations of equal opportunities concerns to the Equal Opportunities Commission.
- h) Monitor and evaluate Programmes for modifying social practices, customs regarding equal opportunities.

## **7.0 MONITORING AND EVALUATION**

Monitoring and evaluation shall be undertaken at all levels to enhance accountability and effectiveness. This entail developing and establishing monitoring and evaluating mechanisms, which will include the following

- a) Developing monitoring indicators for every activity
- b) Establishing evaluation structures
- c) Producing and disseminating reports on regular basis
- d) Reviewing the Policy.

Monitoring and Evaluation mechanism will be directed to the following stakeholders.

### **7.1 Government**

- a) To ensure the policy and bill on equal opportunities are in place and are approved.
- b) The Equal Opportunities Commission established and adequate resource allocated to it.
- c) Plans and reports on implementation of equal opportunities interventions should be in place.

### **7.2 Local Governments:**

- a) Equal opportunities and affirmative action concerns should be identified.
- b) Equal opportunities and affirmative action concerns integrated in plans of local governments at all levels.
- c) Resources are allocated.
- d) Reports on implementation of equal opportunities concerns in place.
- e) Customs and practices modified, regulations passed.

### 7.3 Private Sector

- a) Publicity programmes are in place.
- b) Equal opportunities and affirmative action concerns identified.
- c) Equal opportunities and affirmative action concerns in plans, and programmes, policies.
- d) Resources allocated to equal opportunities and affirmative action activities.
- e) Information on equal opportunities and affirmative action is compiled and reports on equal opportunities concerns are prepared.

### 7.4 Monitoring and Evaluation

Monitoring and Evaluation will be carried out after every 5 years to identify the efficiency and effectiveness of the interventions for the marginalized groups.

### 7.5 Financing of the Policy

The policy priority areas and plan of Action transcend the realms of one single sector. The priority areas will be financed by funds from government to other sectoral plans and other resources identified by the government.