UGANDA

voice

POPULATION IN 2016

41.487965

SIZE

241,038 KM²

HDI RANKING 2016

163/188

INEQUALITY ADJUSTED HUMAN DEVELOPMENT INDEX 2016

0,493

GENDER INEQUALITY INDEX 2016

0,522

CIVIC SPACE (CIVICUS MONITOR 2017)

REPRESSED

HDI - Human Development Index and its components, ranks countries by HDI value and details the values of the three HDI components: longevity, education and income.

IHDI - Inequality-adjusted Human Development Index - IHDI looks beyond the average achievements of a country in longevity, education and income to show how these achievements are distributed among its residents. An IHDI value can be interpreted as the level of human development when inequality is accounted for.

GDI - Gender Development Index, measures disparities on the HDI by gender. The table contains HDI values estimated separately for women and men; the ratio of which is the GDI value. The closer the ratio is to 1, the smaller the gap between women and men.

Civic space – The CIVICUS monitor assigns each country a rating on civic space based on constant analysis of multiple streams of data on civic space. The rating is open, narrowed, obstructed, repressed or closed. https://monitor.civicus.org/Ratings

Introduction

Uganda is part of the East African community that also includes Kenya, Tanzania, Rwanda, Burundi and South Sudan. In 2014, 55% orf the population were children under 18 and 23% were youth, aged 18-30. Uganda thus has one of the youngest and fastest growing populations in the world. The vast majority (75%) of the population reside in the rural areas, depending heavily on subsistence farming as the main source of income.

Uganda is an emerging democracy, with a legal and governance landscape characterised by the interplay of formal and informal institutions. Cultural leaders and elders' decisions hold sway in many communities across the country. Similarly, customary norms and religious prescriptions run side-by-side with the written laws in setting what is acceptable in Ugandan society.

The Constitution, promulgated in 1995, commits its fourth chapter to the Bill of Rights, which espouses democratic principles, encourages mutual relations between the state and society, and upholds accountability. The government has taken various steps to improve the country's governance systems through building institutional frameworks and prioritising the development of the nation.

The young democracy is however beset with many challenges, including:

- Increased centralisation of power in the executive arm of government;
- An entrenched patronage system of governance;
- Disregard for the rule of law by some members of society and institutions;
- Shrinking of civil society/media space and freedoms;
- Weaknesses in the enforcement of laws;
- Lack of accountability for violations of human rights.

Intersectionality

The Context Analysis examined the exclusion faced by all Voice target groups and the following intersectional issues emerged from the analysis:

Gender: Across all groups, women experience greater marginalisation compared to their male counterparts. Sexual and spousal violence towards women with disabilities and indigenous women is rampant. In fact, gender alone can put an individual at an increased risk of exploitation (sexual and child labour) as experienced by girls being trafficked from rural areas to urban centres.

Poverty: Like gender, the poor within an already disadvantaged group are often side-lined and suffer greater marginalisation and exclusion, thus exacerbating their levels of poverty. Lesbians, Gays, Bisexual, Transgender, Intersex (LGBTI) people and people living with disabilities, for instance, suffer exclusion from both education and employment opportunities, leading to higher levels of poverty within these groups.

Spatial Isolation: Where one lives, for instance, rural vs. urban, hard to reach areas vs. areas on a tarred road and conflict affected communities can determine the level and experience of marginalisation. This also affects the access to key social services. Geography is a major contributor to the marginalisation of indigenous ethnic groups such as the Batwa. Similarly, rural women are more vulnerable to abuse and violence, and rural people living with disabilities have to contend with stigma (for instance, being locked up in their houses as a family disgrace) than those in urban settings.

Social Stigma: Stigma, a form of marginalisation, increases the risk of other forms of exclusion – within the family, workplace and society in general. The stigma surrounding LGBTI persons deprives them of legal recognition under Ugandan law, even though the Constitution promotes human rights and equality. Stigma and harmful superstitions about women living with disabilities exposes them to sexual violence. Similarly, stigma towards indigenous peoples like the Batwa excludes them from participating in Uganda's political life, especially from elective politics.

Invisibility in official data: Across all the groups, there are huge gaps in official statistics. Published national data on persons living with disabilities is not disaggregated according to gender or types of disabilities. Like elsewhere, there is no official data on LGBTI persons, despite intense public interest in the topic as evidenced by official actions to limit their freedom. On the whole, all LGBTI groups are largely invisible in public data sets.

Thematic and geographic priorities

Voice in Uganda is managed by Oxfam. Following the deliberations at the in-country consultation and taking cognisance of the intersectional challenges mentioned above, Voice in Uganda will focus on women who face abuse, violence and/or exploitation; people living with disabilities; ethnic minorities and indigenous people. The outcomes set include:
Enhanced collaboration and engagement between the Voice target groups; more consistent implementation and accountability of the Social Development Action Plan;
Specific influencing agenda will focus on: the role of the Equal Opportunities Commission; mainstreaming minorities and vulnerability issues in key government policies; greater allocation of resources in local and national budgets; enhancing public awareness;
Learning agendas: more effective advocacy in a complex political and social context and more effective approaches to research.

State of affairs

People living with disabilities

Ugandan society abounds with myths and stereotypes towards people living with disabilities, leading to stigma and discrimination in schools as well as in local communities. Disabled children are often seen as a burden to their families and/or kept hidden from the public because of shame. Only about 9% of children living with disabilities (of school going age) attend primary school, compared with a national average of 92%, and only 6% continue studying in secondary schools, compared to the national average of 25%.

Despite written safeguards in the Employment Act, evidence from the National Union of Disabled Persons of Uganda shows that the majority of people living with disabilities (particularly the youth), do not benefit from government initiatives due to negative attitudes and perceptions that they do not satisfy the conditions.

The National Association of Women with Disabilities in Uganda has identified various forms of violence and exclusion that women with disabilities face: rape and defilement; forced marriages; psychological torture; denial of parental care of children by men; forced family planning; discrimination in accessing justice; physical abuse; and denial of property rights or theft of property and money.

While the legal and policy framework may be positive and inclusive, its downfall lies in the poor implementation of policies and programmes, due to limited resources and the lack of accountability.

Sexual Minorities – Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI)

Whereas there is intermittent evidence of the existence of sexual minorities in traditional Ugandan society and even some royalty are gay, the practise of homosexuality is still considered different and public discussion is limited. Over the years, and largely influenced by the advent of religious (particularly Christian) perspectives of homosexuality as a cardinal sin, there has been growing intolerance of sexual minorities.

In Uganda, the law criminalises consensual same sex practices and relationships, especially among men. The Parliament of Uganda passed Anti-Homosexuality Act 2014 with life in prison substituted with the death penalty. Although the Bill was signed by the President, the Constitutional Court of Uganda ruled the Act invalid on procedural grounds. The Act has exacerbated both the endemic homophobia and the associated discussions about it. LGBTI persons live under constant threat of harassment, violence and/or being arrested. Violations and exclusions manifest in the form of:

- Violence and cultural prejudices leading to rejection by family members;
- Institutionalised homo and transphobia. Neglect by policy institutions of the existence and needs of LGBTI people living with disabilities and young and elderly LGBTI persons. Institutionalised and structural violence and harassment by state actors and private entities;
- Poor access to health care, forced medication and cruel treatments by health care workers;
- Inadequate realisation of their socio-economic rights. Most are trapped in a poverty cycle (over 70% are unemployed) with limited access to information and educational opportunities;
- Work place discrimination has pushed LGBTI persons into self-employment but opportunities for skills development and access to capital are limited;
- Social repression is manifested in the form of: verbal abuse, silence, ridicule, hate crimes, 'corrective rape' of lesbians, honour-related violence and forced marriage.

The Committee on Equal Social and Cultural Rights (2015) has deplored the situation of LGBTI persons in Uganda who are frequently denied access to health care and, in particular, same-sex partners who face serious difficulties in accessing HIV/AIDS related prevention, treatment, care and support services.

Despite all the barriers, the LGBTI movement in Uganda is vibrant and very active. Many organisations and groups advocate for human rights including health rights, equality and non-discrimination on the basis of sexual orientation and gender identity. Whilst there has been some progress on engagement of sexual minorities in the health sector and some victories in court, political engagement by sexual minorities and their issues are still considered politically sensitive and risky.

Women who face exploitation, abuse, and/or violence

In Uganda, there is a persistence of patriarchal attitudes and deep-rooted stereotypes emanating largely from traditional and religious beliefs regarding the roles, responsibilities and identities of women and men in all spheres of life. These customs and practices perpetuate the discrimination against women and girls, reflected in their disadvantageous and unequal status in many areas such as education, public life, decision-making, marriage and family relations. This includes the persistence of violence against women and harmful practices, including polygamy, early marriages, female genital cutting and the practice of bride price.

Women remain among the most marginalised in Uganda, with limited power, influence and voice. They often lack access, control and ownership of productive resources such as land, credit and businesses particularly in rural areas and in post-conflict communities in the northern region. Women also bear a disproportionate burden of care work within the home – for children, the ill, disabled or elderly, collecting firewood for fuel, cooking, fetching water and weeding crops, among others. This care work is unpaid yet it takes up a considerable amount of women's time which means they remain excluded from participating in community meetings and other development initiatives.

Women who face violence and abuse are particularly challenged in accessing justice because of negative attitudes, lack of awareness and limited resources. On social exclusion, the emphasis has been placed on the establishment of institutional and policy frameworks (including political representation from community to national level) but not enough has been done about the structural and cultural drivers of gender injustice. Discriminatory laws such as marriage and divorce, and succession laws, among others, further contribute to the marginalisation of women in society.

These factors have a negative impact on women's ability to participate in and influence decision-making.

Age discriminated persons

The Elderly (persons aged 60 years and above) constitute 3.7% of Uganda's population. The figure is steadily growing due to the improvement in life expectancy (40 years in the 1950s to 65 years in 2000).

In traditional African society, the elderly played a very important role in preserving cultural values, settling disputes and transmitting knowledge and skills to younger generations. These traditions have been largely discarded today and there is evidence that Uganda's older persons no longer enjoy the privileged position they once did. Existing traditional and formal social protection mechanisms are inadequate for safeguarding the elderly population of today.

They often find themselves living in isolation, saddled with dependents such as orphans or offspring of family members who have moved to the cities. They are also subject to abuses such as rape, theft, dispossession of property by individuals, families or the community and are, among other things, accused of witchcraft, preventing or causing too much rain for which they get tortured and assaulted.

Older persons have a greater need for healthcare related to their vulnerability to non-communicable diseases and disabilities. Government health facilities lack specialised services for the elderly and, due to strict regulations, the private health insurance companies exclude them. Furthermore, service providers tend to have negative attitudes towards the elderly.

Political space for the participation of the elderly does exist from community to national level. However, actual engagement and influence for the majority of older persons remains limited. Through the work of various civil society organisations, the elderly have managed to secure recognition of their key challenges and have obtained commitment from the government to invest in identifying and addressing their concerns.

The Youth, aged 18 to 30 years, make up 23% (7.9 million) of the total population. Youth unemployment in Uganda is very high, with some estimates putting it at 78%. The vast majority engage in the informal sector, often because they lack opportunities to earn the requisite skills or qualifications to find employment.

Prejudicial traditional societal beliefs treat the youth as unable to make a meaningful contribution to society because they are regarded as inexperienced and/or immature. So, despite their demographic strength, their level of influence in decision-making is limited and they are more often marginalised and manipulated by different political entities and their concerns or priorities are ignored.

Ethnic groups and indigenous persons

There is no specific definition of indigenous persons in Uganda. The groups that are documented in a number of studies include: the Benet (Ndoroobo), Bagangaizi, Bayaga, Basese, Meru, Wangwar, Bakingwe and Banyanyanja. Obtaining information/statistics about these groups is hindered because they often live in geographically isolated and inaccessible regions.

The lack of legal recognition of ethnic minorities has contributed to the failure of government to promote and preserve their cultural rights.

Most of these groups lead a rural existence where their situation is steadily deteriorating due to increased competition for natural resources, the effects of climate change (such as drought) and growing impoverishment. The establishment of national parks, conservation areas and large-scale commercial enterprises has led to economic exclusion, land alienation and dispossession. The discrimination and marginalisation experienced by the indigenous people is deeply entrenched and takes the form of land rights' violations, poor education, lack of provision of social services, negative stereotyping and segregation. Collectively, this has contributed to a negation of their livelihood systems and deprivation of their resources and a threat of extinction of their cultural rights.

Despite Constitutional guarantees on the rights of minorities to participate in decision-making processes and affirmative action, participation of ethnic minorities and indigenous people is still low due to their small population, limited exposure and relatively low levels of education. According to the UN Monitoring Committee on Economic, Social and Cultural Rights (2015), the Batwa culture, is in danger of extinction.

Ethnic minorities have limited political representation, especially at district and national levels, and they are often subjected to domination and exploitation within national political and economic structures that are commonly designed to reflect the interests and activities of the national majority.

Intended policy or practice changes
Uganda has an overall framework for policy, legislation and development programmes. Specifically, both the National and Social Development Plans recognise the needs of marginalised and socially disadvantaged groups, including most of the Voice target groups.

In addition, specific government programmes include the National Community Based Rehabilitation Programme geared towards the equalisation of opportunities, rehabilitation and inclusion of people living with disabilities; the district Social Assistance Grant for Empowerment programme; the Youth Livelihood Fund; and legislation such as the Domestic Violence Act.

The key challenges, as experienced in other countries, are not the absence of laws and favourable policies but the lack of implementation. Challenges to implementation include: limited resources and capacity, and inadequate personnel skills and weak structures to ensure that effective implementation and accountability are in place and functional.

In addition to these national level programmes, NGOs and international development agencies have programmes and activities that target these groups. At district and community levels, local government provides for consultative and participatory planning that should result in development plans that cater for all citizens, including the most marginalised.

Voice in Uganda intends to support organisations that lobby the resourcing and implementation of the Social Development Plan, as far as it supports the targeted groups.

Additionally, the Gender and Equity Certificate issued by the Ministry of Finance, in consultation with the Equal Opportunities Commission under the Public Finance Management Act, provides an opportunity to mainstream gender responsive resource allocation.

Gender cuts across all Voice target groups and thus the programme aims to support grantees that lobby for more consistent and widespread application of the Gender and Equity Certificate, especially within local government structures where most of the interventions are implemented.

There are legislative and policy gaps in relation to LGBTI persons who are considered illegal and ethnic minorities and indigenous people who do not have sufficient recognition under the law. Voice Uganda will pay specific attention to this.

Lobby targets and spaces to influence

The Equal Opportunities Commission is important since its core mandate is to ensure that marginalised groups have equal access to opportunities and resources in Uganda. Despite being a relatively young institution, it has a vision to establish a social development group that can provide an important platform for understanding and planning for most of the Voice target groups. In addition, the Commission's role in the management of the gender and equity budgeting is another tool that can be used to highlight and ensure increased planning and support for these groups.

Other opportunities to influence policies and programmes exist at both local and national levels but need to be approached strategically. These include: local councils, traditional and religious leaders, parliament and law enforcement agencies.

Outside of government, the private sector may provide space for lobbying and influence, particularly for equal opportunities in employment as well as economic and social benefits for the various target groups. Private sector corporations should be lobbied to ensure that the economic investments they make do not have a detrimental effect on the rights of all citizens, including minority groups.

Potential actors and allies

NGO/CSO advocacy for all the groups exists but is not effectively coordinated and/or harmonised. NGOs include national networks, national and district based organisations, as well as community based organisations. The capacities of these organisations such as skills, access to information/research, resources and strategies is variable. Within the structures of government, potential allies include: the Uganda Human Rights Commission and the Ministry of Gender, Labour and Social Development.

Political will

Political will for most of the groups (except LGBTI) is demonstrated through recognition in the Constitution and key policy documents, appointments of special councils and by providing political positions within ministries and local councils. However, the expression of this political will seems to be limited to providing policy and programme prescriptions. The actual allocation of resources and the effective implementation and accountability is poor. LGBTI issues have almost no political will, except within the Ministry of Health where there is a growing appreciation of the risks of HIV among men who have sex with men and the need to address these as part of ensuring the overall health of the population.

Civil society organising

Civil society in Uganda largely comprises legally registered NGOs with the exception of LGBTI groups who are unable to do so. Beyond formal organisations, civic groups are mobilised around gender (women's groups), economic activity (farmers' groups and savings groups) and social strata (religious groups and tribe based associations at universities).

The age discriminated groups such as the youth have, in many instances, established organisations largely to benefit from government programmes. These organisations exist in different parts of the country and focus on advocacy, monitoring the status of targeted groups and delivering specific services to them.

CSOs in Uganda have a mixed reputation. They influence some aspects of policy, legislation and decision-making, but may not have much sway on politically sensitive issues like LGBTI rights. In addition, the more influential ones are often urban based and not consistently in touch with 'the grassroots'. However, with the increasing focus on decentralisation and donor allocation of resources to grassroots level work, more groups/organisations are starting to expand their footprint beyond their urban bases.

A key impediment to organising and influencing are restrictions on civil society space reflected in legislation such as the NGO Act, 2016 and the Penal Code Act, among others, which have undermined the freedom of association and expression of certain CSOs.

There are a growing number of organisations involved in advocating for the rights of the identified marginalised groups (Human Rights Defenders). A number of these NGOs encourage participation of members of the targeted groups, which is a crucial empowerment strategy. They also operate both at local and national levels but rural areas (especially in hard-to-reach areas) tend to be underserved.

Whilst there is at least one national network for each of the target groups, there are still challenges of coordination with respective institutions, especially at the district level, resulting in fragmented programmatic interventions. Some of them also engage in coordination with government structures utilising existing platforms for participation, with mixed results.

A common challenge experienced by the organisations that work with minority groups is heavy donor dependency. Some groups, for example, the youth networks, suffer from lack of legitimacy, having fallen prey to political patronage, while others, such as organisations working with people living with disabilities, do not embrace inclusivity and have limited and fragmented programmes.

Due to inherent gender disparities, there is still a limited participation of women in comparison to men in many organisations. This is also due to several factors including illiteracy and poverty levels and cultural stereotypes, among others.