

Exclusion. One billion people, or 15 per cent of the world's population, experience some form of disability. However, many of them are still facing exclusions in today's society.

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This year's International Day of Persons with Disabilities (PWDs) reminds us that achieving the Sustainable Development Goals (SDGs) requires living up to the promise to leave no one behind, especially the 1.3 billion persons with disabilities worldwide.

According to the United Nations (UN) Secretary General, António Guterres, today, at the halfway point to the 2030 Agenda, PWDs continue facing systemic discrimination and barriers that restrict their meaningful inclusion in all areas of society.

Truly sustainable development for PWDs require a laser-like focus on their needs and rights not only as beneficiaries but as active contributors across social, economic, and political life.

"This means ensuring that PWDs are at every decision-making table, in line with the Convention on the Rights of PWDs, and across countries' efforts to achieve the SDGs from poverty eradication to health, education, and climate action," Mr Guterres says in his message posted on the UN website.

He says UN is leading by example through its disability inclusion strategy, and by supporting member states as they drive progress for, and with PWDs.

This year, the World Health Organisation (WHO) joins partners around the world to call for action to achieve the SDGs for, with, and by PWDs.

More than 1.3 billion people experience significant disability today, which represents 16 percent of the global population.

A statement from the WHO website indicates that many PWDs die earlier, are at increased risk of developing a range of health conditions, and experience more limitations in everyday functioning than the rest of the population.

"We call these poorer health outcomes 'health inequities' because they are largely avoidable and driven by unjust factors within and beyond the health sector. These factors include, for example, discrimination in our societies, inequitable policies, the determinants of health, lack of access or quality of care, and negative attitudes of health workers," the statement reads in part.

These health inequities, according to WHO are a stark reminder that PWDs are too often left behind, and that achieving good health and well-being for all SDGs requires the meaningful participation and empowerment of persons with disabilities.

Achieving the SDGs for, with, and by PWDs is now, more than ever, within our reach, so long as we are united.

In 2019, Mr Guterres launched the Disability Inclusion Strategy (UNDIS) to bring disability inclusion in every work and core function of

Disability inclusion key to achieving SDGs

**1.3 BILLION
PEOPLE WORLDWIDE
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SIGNIFICANT
DISABILITY**



Persons With Disabilities protest at the Office of the Prime Minister in 2022. There is a need to recognize the potential of PWDs as contributors to society and to enhance current efforts to mainstream their needs, and rights.

PHOTO BY MICHAEL KAKUMIRIZI

the entire UN system.

"The UNDIS has given us the tools to initiate a bold systemic transformation and is driving unprecedented progress for, with, and by PWDs around the world. These achievements are remarkable demonstrations of the value of systemic planning for disability inclusion, a cause for celebration, and a source of aspiration to pursue these efforts," the WHO statement reads.

Implementing the UN disability inclusion strategy

According to WHO, disability inclusion should not be an afterthought. The needs of PWDs must be integrated into our thinking.

UNDIS demands change

To ensure sustainable and transformative change, the UNDIS has both a policy and an accountability framework. The policy establishes the highest levels of commitment and a vision for the UN system on disability inclusion for the next decade.

Achieving health equity through disability inclusion in the health sector

PWDs have the right to the highest attainable standard of health as those without disabilities. However, the WHO Global report on *health equity for persons with disabilities* demonstrates that while some progress has been made in recent years, the world is still far from realising this right for many PWDs who continue to die earlier, have poorer health, and experience more limitations in everyday functioning than others.

These poor health outcomes are

due to unfair conditions faced by PWDs in all facets of life, including in the health system itself. Countries have an obligation under international human rights law to address the health inequities faced by persons with disabilities.

History

The annual observance of the International Day of Disabled Persons was proclaimed in 1992 by United Nations General Assembly resolution 47/3.

The UN indicates that the day aims to promote the rights and well-being of PWDs in all spheres of society and development and to increase awareness of the situation of persons with disabilities in every aspect of political, social, economic, and cultural life.

Building on many decades of UN's work in the field of disability, the Convention on the Rights

of Persons with Disabilities (CRPD), adopted in 2006, has further advanced the rights and well-being of PWDs in the implementation of the 2030 agenda for sustainable development and other international development frameworks.

Inclusive society and development

Evidence and experience show that when barriers to their inclusion are removed and PWDs are empowered to participate fully in societal life, their entire community benefits. Barriers faced by PWDs are, therefore, a detriment to society as a whole, and accessibility is necessary to achieve progress and development for all.

The Convention on the Rights of Persons with Disabilities (CRPD) recognizes that the existence of barriers constitutes a central component of disability.

Under the Convention, disability is an evolving concept that "results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others."

Accessibility and inclusion of PWDs are fundamental rights recognised by the CRPD and are not only objectives but also prerequisites for the enjoyment of other rights. The Convention (Article 9, accessibility) seeks to enable persons with disabilities to live independently and participate fully in all aspects of life and development.

It calls upon states to take appropriate measures to ensure that PWDs have access to all aspects of society, on an equal basis with others, as well as to identify and eliminate obstacles and barriers to accessibility.



"Truly sustainable development for persons with disabilities requires a laser-like focus on their needs and rights not only as beneficiaries, but as active contributors across social, economic and political life. This means ensuring that persons with disabilities are at every decision-making table, in line with the Convention on the Rights of Persons with Disabilities, and across countries' efforts to achieve the Sustainable Development Goals — from poverty eradication, to health, education and climate action. The United Nations is leading by example through our Disability Inclusion Strategy, and by supporting member states as they drive progress for, and with, persons with disabilities."

Mr António Guterres, United Nations Secretary General



CEHURD
social justice in health



International Day of Persons With Disabilities: Promoting Inclusivity and Equality in Uganda

“When women with hearing difficulties go to health facilities for maternal healthcare services, healthcare workers quickly write for them referrals to Ear, Nose and Throat (ENT) services. They assume that what they need are ENT services.” Observed a member of the Uganda National Association of the Deaf (UNAD) at the National Conference on Health, Human Rights and Development in September 2023 in Kampala.

The 3rd of December 2023, we join the international community in commemorating the International Day of Persons with Disabilities (PWDs), reflecting on the successes and challenges experienced in accessing social services such as health and education. This aligns with the United Nations theme: “United in action to rescue and achieve the Sustainable Development Goals (SDGs) for, with and by persons with disabilities.”

This day is globally recognized as an illumination of the rights and well-being of individuals with disabilities. It highlights the significance of inclusivity, accessibility, and equal opportunities for persons with disabilities while also celebrating their achievements and contributions to society. This day serves as a platform for stakeholders worldwide to come together to raise awareness, promote inclusion, and take meaningful actions to enhance the lives of individuals with disabilities. The International Day of Persons with Disabilities provides an opportunity for Uganda to reaffirm its dedication to creating an inclusive society where no one is left behind. This is not only a matter of moral obligation but also a step towards achieving sustainable development. The day highlights the importance of inclusivity and accessibility, which are fundamental aspects that transcend international boundaries. It serves as a reminder that disability inclusion is crucial in upholding human rights, promoting sustainable development, and fostering peace and security. The inclusion of persons with disabilities remains a central promise in the global, regional and national agenda for Sustainable Development.

Disability is defined by the Uganda persons with disabilities Act (2006) as a substantial functional limitation of daily life activities caused by physical, mental or sensory impairment and environment barriers resulting in limited participation. The same law provides for the promotion of dignity and equal opportunities to persons with disabilities, the development and promotion of the participation of persons with Disabilities in all aspects of life as equal citizens of Uganda, and encourages the people and all sectors of government and Community to recognize, respect and accept differences and disability as part of humanity and human diversity respectively.

The National Population and Housing Census of 2014 estimated a disability prevalence rate of 12.4 percent among the population aged 5 years and above in Uganda. Among these 49.3% are males and 50.7% are females. The highest forms of disability according to UBOS, 2016 are: difficulties in seeing (6.5%), difficulties in remembering (5.4%), difficulties in walking (4.5%) and difficulties in hearing (3.1%). This International Day of Persons With Disabilities is being commemorated during the time when the World is also

commemorating the 16 Days of Activism against gender based violence which happens from the 25th November – 10th December every year, making it important to acknowledge the fact that Uganda's Persons With Disabilities are significantly impacted by gender based violence. Indeed, Uganda's Functional Difficulties Survey of 2017 and UBOS 2018 statistics indicate that 47% of people with disabilities are more likely to experience violence compared to people without disabilities (39%).

The Government of Uganda is commended for its efforts in promoting, fulfilling and protecting the rights and well-being of individuals with disabilities. This article focuses on the right to health, which is a fundamental part of human rights and dignity. Like other human rights, the right to health is universal and inclusive, interdependent, indivisible and interrelated. The 1995 Constitution of the Republic of Uganda recognizes health as a fundamental right and guarantees access to health care services for all. According to national objective and direct principle of state policy XIV, the State shall endeavour to fulfil the fundamental rights of all Ugandans to social justice and economic development and shall, in particular, ensure that: (i) all developmental efforts are directed at ensuring the minimum social and cultural well-being of the people; and (ii) all Ugandans enjoy rights and opportunities and access to education, health services, clean and safe water, work, decent shelter, adequate clothing, food security and pension and retirement benefits.

The right to health encompasses health care as well as social determinants of health. It is closely related to and dependent upon the realisation of other constitutional rights and freedoms including the right to equality and non-discrimination, the right to dignity, the right to privacy, the right to life, access to information, freedom from torture and inhuman treatment and the obligation to respect, uphold and promote human rights from infringement. According to objectives XX under general principles of the Constitution, the State shall take all practical measures to ensure the provision of basic medical services to the population. The work of the Center for Health, Human Rights and Development (CEHURD) is guided by these provisions of the Constitution of the Republic of Uganda and constitute the basis for this reflective article on International Day of Persons with Disabilities. The article has been written in collaboration with the Uganda National Association of the Deaf (UNAD) and focuses on inclusivity of persons with difficulties in hearing.

A number of government ministries, departments and agencies (MDAs) including the Ministry of Gender, Labour and Social Development; National Council for Disabilities; the Equal Opportunities Commission and Uganda Human Rights

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Commission are working collaboratively with other stakeholders including Civil Society Organizations, research institutions and development partners to ensure inclusivity and equal opportunities for individuals with disabilities. CEHURD works to ensure an effective, equitable, people centered public health system that promotes respect for human rights in health care policy and practices. At the first National Conference on Health, Human Rights and Development (UCHD 2023) in September 2023 which was hosted by CEHURD and the Ministry of Health, it was clear that the health needs of Persons With Disabilities, especially sexual and reproductive health needs are not given due attention. They face many barriers in an effort to access services. For example, health care facilities do not have interpreters for persons with difficulties in hearing, yet health care providers do not have basic skills in sign language. Many of the Persons with difficulties in hearing cannot afford to pay for interpreters when they have to seek for health care services. When interpreters are available, persons with difficulties in hearing have to give up their confidentiality to a third party (the sign language interpreter).

The statistics, derived from the 2014 Uganda National Housing and Population Survey indicate that a staggering 95% of individuals with hearing difficulties have never set foot in a classroom, and a disheartening 96% grapple with unemployment. Yet, vital health information is presented in print or through auditory means, leaving the persons with difficulties in hearing in the dark. Parents are uninformed about the causes of the hearing problems of their children and miss crucial opportunities for early intervention in treatable hearing loss. A precarious 75% of the persons with hearing difficulties find themselves without a stable home, while a

shocking 83% lack fundamental knowledge about HIV/AIDS and reproductive health. In a world dominated by sound, persons with difficulties in hearing find themselves isolated and marginalized. The plight extends particularly harshly to girls and women with difficulties in hearing who struggle with issues self-esteem and limited awareness of their rights, leaving them with an elevated risk of falling victims to gender-based violence. Girls and young women in Uganda with difficulties in hearing are often overlooked in matters of sexual and reproductive health, face heightened vulnerability to sexual violence, early pregnancies, forced marriages, and HIV infections. The need for empowerment and education becomes increasingly apparent. From our experiences of advancing social justice for girls and women with difficulties in hearing who have faced sexual violence, there are barriers related to reporting of cases, obtaining the necessary evidence for presentation in courts of law such as medical reports confirming sexual violence and cost of transport to health centres and police stations. Cases reported to CEHURD include those of negligence in health care facilities when women with difficulties in hearing go to obtain maternal health services including delivery.

Amidst these challenges, glimmers of hope and opportunities emerge. The government of Uganda, recognizes sign language as a constitutional medium of communication, paving the way for change. Acts of parliament, including the Persons with Disabilities Act of 2020 and the Uganda Communications Act, complement international legislations such as the UN Convention on the Rights of Persons with Disabilities (CRPD), fostering an environment of legal recognition. It becomes evident that breaking the silence around the challenges faced by the persons with difficulties in hearing in accessing sexual reproductive health information and services is not just a moral obligation but legal and collective responsibility. Through collaboration between government bodies, healthcare providers, and advocacy organizations, Uganda can pave the way towards a healthcare system that respects the unique needs of the persons with difficulties in hearing, ensuring they receive the care and information essential for a healthy and empowered life.

Trained sign language interpreters, are a valuable resource in bridging the communication gap between persons with difficulties in hearing and hearing communities, more so the health care workers. The U SIGN APP, a digital creation by the Uganda National Association of the Deaf (UNAD) offers a platform for learning sign language, fostering communication and understanding. Collaboration with

UNAD to enhance this APP, coupled with government initiatives like the employment of sign language interpreters in national referral hospitals and the establishment of a call center for sign language interpreters, becomes a blueprint for a more inclusive healthcare system. The translation of health information into sign language, and integration of sign language in the training schools of healthcare professionals are also pivotal steps. For persons with physical disabilities, the provision of adjustable beds to suit the unique needs of this community remains essential especially as part of maternal health services. These and more are issues we need to address as a country in order to ensure inclusion of persons with disabilities in health programming.

In an effort to advance the health rights of persons with disabilities, CEHURD and others received positive court judgements which are critical for the continued advocacy of these rights. One of these cases is of a 12-year-old with a severe form of a neurodevelopmental disorder called Autism Spectrum Disorder (ASD) who was treated in an inhumane and degrading manner due to his disability in which the Court judgement denotes the importance of recognising mental health challenges as a form of disability that calls for inclusivity. In 2011, CEHURD and Iga Daniel challenged degrading and inhuman language within Uganda's legislation including the Penal Code Act, and the Trial on Indictments Act which referred to persons with disabilities using words such as imbeciles, idiots, and criminal lunatics. Moreover, the Trial on Indictments Act specifically required that once a person is placed before a court of law and is unable to respond to questions put before him/ her, such person would be taken to custody for reason of their insanity until a Minister ordered otherwise. CEHURD argued that such people should be given treatments in a mental health facility rather than take them to prisons based on these reasons.

Other pressing issues that persons with disabilities face in Uganda include challenges related to accessibility, education and social inclusion. These issues significantly impact the lives of persons with disabilities, underscoring the need for the active implementation of legal and policy frameworks available in the country and societal shifts. Uganda's journey towards disability inclusion involves the collective effort of various stakeholders, including government bodies, persons with disabilities led organisations and individuals, non-governmental organizations, community groups, development partners and individuals. This collective effort is not just a matter of justice but also an investment in a better and more inclusive future for every individual.

the article has been authored by the Center for Health, Human Rights and Development (CEHURD) jointly with Uganda National Association of the Deaf (UNAD).