

# **ADDRESSING SEXUAL AND REPRODUCTIVE HEALTH ISSUES AMONGST WOMEN WITH DISABILITIES**

## **CASE STUDY: UGANDA**

### **INTRODUCTION:**

According to the Population and Household survey (2009/10) 16 percent of the population aged 5 years and above had a disability. National Union of Disabled persons of Uganda -NUDIPU (2010) noted that this percentage of the population has a number of rights which are affected by virtue of its nature. Although the Uganda Constitution (1995) generally addresses issues of marginalization, it fails to recognize or make specific provisions for persons facing multiple discrimination such as girls and women with disabilities.

### **ISSUES OF CONCERN:**

Reproductive rights are legal rights and freedoms relating to reproduction and reproductive health such as right to birth control, right to access to quality reproductive health care. It is the basic right of all couples to decide freely and reasonably the number, spacing and timing of children. These rights embrace certain human rights recognized in national laws and international human rights documents. Despite legislative reproductive protection, reproduction self-determination is not yet a reality for many Women with disabilities

Many laws and policies, themselves a product of a patriarchal society, condone sexual stereotypes of men's control over women's bodies and are grossly inadequate in addressing gender based human rights violations. .

Women with disabilities, especially in rural areas, still face early and forced marriages resulting into unwanted pregnancies, increased risk of HIV/AIDS and their children cannot obtain the basic needs. According to the most recent survey by UBOS, the percentage of widows with disabilities aged 15 and above has risen from 34.1% in 2005/06 to 56% in 2009/10. In spite of this, there are no efforts being made by government to accord social protection to the victims.

Additionally, some pieces of legislation such as the penal code still contain restrictions on the rights of these groups. E.g. section 130 of the penal code criminalizes the conduct of a person who has or attempts to have a sexual relationship with a woman with a psychosocial or intellectual disability outside marriage. The potential discriminatory effect of such a provision on the right of women with intellectual or psychosocial disabilities to enjoy their sexuality on an equal basis with others is apparent. There is an assumption that these women can under no circumstance have sexual relations, which conflicts with the right to enjoy and exercise legal capacity as stated in the UNCRPD and at the same time puts them at greater risk of abuse given that their testimony and legal standing carry less weight. In addition, this section still describes women with psychosocial disabilities as idiots and imbeciles which, in itself, is dehumanizing and discriminatory.

A number of additional challenges such as lack of: police & judicial training on disability & gender; accessible shelters and victim support services & information; accessible

complaints mechanisms; collection of data including disaggregated by disability; accessible sexual and reproductive health education, information and services as well as sexual violence and abuse, challenges to access of healthcare and discrimination based on cultural beliefs.

In 2010 the committee on the elimination of Discrimination against women (CEDAW) came up with specific concluding observations on forms of violence against women with disabilities. Government has however not developed any action plan to address these observations of the committee.

The Human Rights Watch Report on women and Disability in Uganda (2010) notes that Girls and Women with Disabilities (WWDs) are especially vulnerable to HIV because of poverty, difficulty in negotiating safe sex, lack of accessible information and susceptibility to violence and rape. A Recent rapid survey undertaken by NUDIPU (2012) confirms that gender based violence against WWDs in Uganda is pervasive and women with psychosocial and physical disabilities are particularly vulnerable.

The National Women's council (Amendment) Act of 2002 promotes the representation of WWDs on the national and lower council structures. However, in several districts WWDs have been denied the opportunity to be represented on the council. E.G, the districts of Lira, Gulu, Kabale and Wakiso have no women representatives.

It suffices to note that younger women with disabilities face challenges accessing basic needs, neglected and isolated by family members.

## **Recommendations**

1. Government should give special attention to the vulnerable situation of younger WWDs and take necessary measures to combat stigma and discriminations against them both through private actors and in government programmes. Government to adopt special programmes to alleviate poverty within these groups of women, including the introduction of a universal non-contributory pension scheme within the framework of broader strategy that expands social protection measures for different categories, as outlined in the National Development plan (2010/2011-2014/2015).
2. Government to sensitize law enforcement and judicial personnel on issues relating to violence against WWDs and build their capacity to serve victims of violence effectively. Also, the Electoral commission should ensure that WWDs are fully represented on all women councils at all levels.
3. Government should implement the concluding observations on WWDs as stipulated in the CEDAW report 2010.
4. There is a need to involve Disability People Organizations; improve awareness about persons with disabilities legal rights; lobbying, advocacy, sensitization, translation and dissemination of legal prescriptions into local languages, training and enforcement, violence detection and response so that persons with disabilities can also live dignified lives.
5. Starting projects to empower women with disabilities socially and economically
6. Equipping health facilities with adequate facilities necessary for use by women with disabilities
7. Implementing laws protecting women with disabilities in their families

**CONCLUSION:**

For Africa and development partners in general, I call upon partnership in the area of sensitization/awareness to Girls and Women with disabilities in the area of Human Rights.

Thank you.

For God and my country.