



PRESS STATEMENT

Civil Society sues Government over Ndaga Muntu National ID: Mandatory Digital ID Threatens Lives!

A coalition of Civil Society Organizations (CSOs) have sued Government over alleged violations of human rights. CSOs claim that the mandatory nature of the national digital ID system in Uganda, Ndaga Muntu, has excluded poor and marginalized groups from access to fundamental social rights on a large scale and in a discriminatory fashion. They ask the Ugandan High Court to order Government to allow alternative forms of identification to access life-saving social rights.

(Kampala, 25th April 2022) TODAY, civil society organisations led by the Initiative for Social and Economic Rights (ISER), Unwanted Witness (UW), and the Health Equity and Policy Initiative (HEAPI) have taken Government of Uganda to court. They claim that the mandatory reliance on the National Digital Identification system (commonly known as the Ndaga Muntu system) has excluded older persons from access to their Social Assistance Grants for Empowerment (SAGE) benefits and women from access to public health services and that this violates their human rights to social security and health. Through litigation before the High Court, plaintiffs aim to compel the Government to allow alternative forms of identification to access these life-saving human rights.

In June last year, two of the Applicants – ISER and Unwanted Witness – in conjunction with the Center for Human Rights and Global Justice at New York University School of Law published the findings of extensive research they undertook on exclusion from Ndaga Muntu. The research report, titled [***Chased Away and Left to Die***](#) found that Uganda’s digital ID system, which is of major importance for how individuals in Uganda access their social and other human rights, leads to mass exclusion – estimating that up to 1/3 of Uganda’s adult population has not yet received a National Identity Card (NIC).

The research report findings and shortcomings of Ndaga Muntu have actually been acknowledged by the Ugandan Government. The Executive Director of the National Identification and Registration Authority (NIRA), Ms. Rosemary Kisembo, has time and again decried the inadequacies of the system; noting amongst others, a national ID coverage of only about 70%. Other official and media reports have also shown how individuals, in many cases those who are poor or otherwise marginalized, have been excluded from crucial social rights. These shortcomings in the functioning of Ndaga Muntu, combined with the fact that the Registration of Persons Act 2015 legally mandates the use of this system to access crucial government and private services, has led to serious human rights concerns that are at the heart of this litigation,

“It is no secret that NIRA still has a lot to do to ensure that all Ugandans are registered for the National ID. More so, issues of errors, prohibitive costs to rectify errors and inordinate delays have continually been reported to mark the National ID system. How then can the Government heavily rely on such a flawed system to enable access to life saving services!” said Atori Elizabeth, the Legal Officer at ISER.

The Applicants are therefore requesting the High Court to declare that sole reliance on the National ID system to access health services and SAGE benefits is exclusionary and discriminatory and violates the right to health and social security. Secondly, that the Government should allow the use of alternative forms of identification besides the National ID for one to access health services and SAGE benefits for the older persons.

‘The Ndaga Muntu system has failed to live up to the promise of inclusion, and for as long as the dysfunctions that attend it are not addressed, insisting on its sole use to determine whether one accesses social services is not only inherently discriminatory but also inhumane,’ said the Executive Director at Unwanted Witness, Dorothy Mukasa.

This is not the first time applicants have sued Government to address the exclusionary impact of Ndaga Muntu. When the Ministry of Health announced in March 2021 that COVID-19 vaccines would only be accessible upon showing a National ID Card, ISER and Unwanted Witness filed a case before the High Court seeking an injunction against this requirement and requested that alternative forms of identification would be allowed to get access to vaccines. Before the court had ruled on the matter, the Ministry of Health reversed its policy and announced that it would no longer require the National ID as the sole identity marker for one to access COVID19 vaccination.

Brian Kiira from ISER noted that *“Just like with the COVID19 vaccination policy, we are confident that allowing alternative forms of identification for people to access health services and SAGE benefits is a simple, common sense, solution that fosters inclusion and efficacy of Government interventions.”*

For a summary of the case and answers to frequently asked questions, see:

https://www.iser-uganda.org/images/downloads/Digital_ID_Litigation_FAQs.pdf

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