



INITIATIVE FOR SOCIAL AND ECONOMIC RIGHTS

Call for Article Submissions

The Initiative for Social and Economic Rights (ISER) invites submission of articles on the theme: *“The State obligation to respect, protect and fulfil Economic Social and Cultural Rights (ESCRs) in the context of business activities,”* which is the focus of the 8th Issue of its Economic and Social Rights Advocacy (ESRA) Brief to be published in May 2017. While the ESRA Brief is dedicated to Economic and Social Rights (ESRs) advocacy in Uganda, it does draw on key lessons from the broader East African Community and beyond. The Brief provides insight into the debates and steps currently being undertaken towards the full realization of ESRs in Uganda.

Background

Uganda has embarked on an ambitious agenda to become an upper middle-income country by 2020.¹ In line with this agenda, the National Development Plan (NDP II) prioritizes private sector-led growth—particularly in agriculture, tourism and, most notably, the extractive industry. The discovery of oil in western Uganda is expected to have a huge impact on the economy. The NDP II envisages a significant role for the private sector in financing the country’s development and puts forward a series of strategies designed to create a more conducive environment for doing business. However, increasing private sector involvement in the country’s development has not been accompanied by adequate efforts to protect, respect and remedy human rights in line with national and international human rights standards.

Article 20(2) of the 1995 Uganda Constitution explicitly recognizes that private actors have human rights responsibilities. However, laws to regulate the human rights impact of corporate activities have weaknesses in their design, implementation and enforcement. This has created a significant gap and compromised the scope of balancing human rights on the one hand while promoting private investment on the other. Following the 2016 Universal Periodic Review (UPR) process, Uganda committed to develop a National Action Plan on Business and Human Rights, which will seek to harmonise and address the gaps and challenges in existing frameworks and policies relating to the human rights responsibilities of corporate stakeholders and other relevant actors.

On the international stage, in 2011 the UN Human Rights Council endorsed the UN Guiding Principles on Business and Human Rights (UNGPs).² The UNGPs contain recommendations to governments and businesses, which reinforce the STATE’s duty to *protect* against human rights abuses by third parties, the CORPORATE responsibility to *respect* human rights and for VICTIMS of human rights abuses, the need for greater access to effective *remedy*. Other ongoing processes include the UN Committee on Economic Social and Cultural Rights efforts to develop a General Comment on State Obligations under the International Covenant on Economic Social and Cultural Rights in the Context of Business Activities³ and a Binding Treaty Initiative, which seeks to elaborate an international legally binding instrument on Transnational Corporations and Other Business Enterprises with respect to human rights.

¹ SECOND NATIONAL DEVELOPMENT PLAN (NDPII) 2015/16 – 2019/20 accessed at <http://npa.ug/wp-content/uploads/NDPII-Final.pdf>.

² http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf.

³ E/C.12/60/R.1.

While there are some enabling regulatory frameworks on business and human rights at the national level, these are not without significant gaps—particularly as it relates to enforcement and remedial mechanisms.

It is in this regard that the next edition of the ESRA brief will focus on the state obligation to protect, respect and fulfill Economic, Social and Cultural Rights in the context of business activities.

We therefore welcome submissions that address, but are not limited to, the following topics:

- Unpacking the gaps in existing legal and policy framework on corporate accountability;
- Evaluating the impact of the minimum wage law as a mechanism to address economic exploitation;
- A critical analysis of the factors promoting or impeding access to effective remedies by victims of corporate abuses;
- Assessing the legal significance of the requirement for free, prior and informed consent (and community engagement more generally) in natural resource exploitation: obstacle or catalyst for sustainable development?
- Making the case for a National Action Plan on Business and Human Rights as a mechanism to address corporate abuses of human rights;
- Best practice from the East African region and beyond;
- Investigating exploitative labour practices: labour broking, occupational health and safety concerns, human trafficking e.t.c, in the agriculture, tourism, extractive sectors and other industries among others;
- Case studies reflecting the positive potential of community empowerment as a measure to hold companies accountable for human rights abuses and enhancing corporate responsibility more broadly.

The deadline for submission of articles is the 15th of April 2017. Contributions should be 800 – 1000 words in length.

Please direct all inquiries regarding this call for articles to the editors at info@iser-uganda.org