

21st April, 2022

INITIATIVE FOR SOCIAL AND ECONOMIC RIGHTS (ISER) ORAL STATEMENT ON SOCIAL ECONOMIC RIGHTS TO THE 71ST ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES RIGHTS

Chairperson, this statement is made on behalf of the Initiative for Social and Economic Rights (ISER) Observer Status Number 490 that works holistically on social economic rights in Uganda.

The need to invest in public services

The Covid 19 pandemic has underscored why African countries like Uganda must pay greater attention to economic social rights, particularly [strengthening public social services](#) like health, [education](#) and social protection. For decades, majority of the population have suffered deep deprivation and exclusion from access to quality social services and this was made worse by the Covid 19 pandemic. The country has an [education crisis](#) with children out of school for two years and despite reopening schools in January 2022, many children were unable to return given the lack of/ dire state of public schools and the fees hikes by an unregulated private sector in education. Despite all the current challenges facing the sector following the re-opening of schools, the sector budget is projected to shrink from 8.5 percent to 7.9 in the financial year FY 2022/23. Public schools still receive \$2.84 (10,000 Ush) per child per year, they often lack textbooks, writing spaces and even classrooms. The public schools are overwhelmed due to the influx of learners from private schools whose parents were unable to afford fees in private schools while a number of private schools closed.

Uganda's health sector remains chronically under financed over time. Despite being a signatory to the Abuja Declaration that requires African States to allocate 15% of their national budget to health, Uganda continues to reduce resources for the health sector. The health budget for the 2022/2023 financial year is only 6.7% which is alarming given the impact of Covid on health in Uganda. The inadequacy of the public health system is further opening up the health sector to private actors who continue to operate unregulated; so much such that a number of private health facilities charge exorbitant medical fees and detain patients who fail to clear their medical bills. Those that face the brunt of this trend are the disadvantaged and poor children.

Amidst poverty and the impact on livelihoods and jobs caused by Covid 19, social protection and economic inclusion is increasingly important yet social protection has been underfunded and piecemeal. The requirement for [digital ID to access social protection or social services has resulted in exclusion](#), particularly for those in extreme poverty. The economic stimulus package for small businesses impacted by Covid 19 provided by government still leaves out 93% of small businesses.

Electricity remains unaffordable due to the privatization of electricity. For example Uganda signed concessional agreements with a private company to provide electricity and due to unfair clauses in this agreement, the country's electricity tariff is the highest in the region.

Africa's rising debt burden threatens the future availability of public services as debt repayment increasingly will take lion share of budget funds. Africa is facing its highest debt burden in a decade with the [World Bank](#) noting an increase to \$702 billion in 2020.

While governments present resource constraints as a key reason for underinvestment in public services, illicit financial flows continue unabated. Progressive taxation, ensuring corporations pay their fair share of tax and [Special Drawing Rights](#) could also fund public services. Instead, governments often increase regressive taxes like Value Added Tax that strain an already overtaxed population.

The result of this failure to provide quality public services is deepening inequity. As part of a just, inclusive, green, economic recovery and to realise the Sustainable Development Goals and Agenda 2063 The Africa we want, universal access to quality public services must be prioritized.

Overdue country reporting to African commission

Uganda has been repeatedly overdue on its periodic report to the African Commission on Human and Peoples Rights, an obligation it undertook and which it continues to flaunt. The African Commission must address this.

ISER appreciates the efforts of the African Commission to come up with a General Comment on State Obligations in the Context of Private Sector Involvement in Social Service Delivery. ISER calls on the African Commission to make recommendations to Uganda to take measures to:

- 1. Invest in Quality Public Services**
- 2. Regulate private actors providing social services and**
- 3. Submit its overdue periodic report to the ACHPR.**