



INITIATIVE FOR SOCIAL AND ECONOMIC RIGHTS

Annual Report 2012

“A roof over one’s head, safe drinking water, adequate food, accessible quality education, adequate health care, a dignified and secure livelihood ... these are not only development goals, they are basic human rights.” (AWID)

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EXECUTIVE SUMMARY

ISER was founded in February 2012 by three individuals inspired by the experience of socio-economic deprivation and exclusion they witnessed while working with internally displaced persons, refugees and asylum seekers in Uganda. They also conducted a mapping of NGOs and realized that there was no NGO in the country exclusively concentrating on advocacy for recognition of social and economic rights as a whole. They found that many organizations only had a small project on social and economic rights within a larger entity that largely deals with civil and political rights, hence limiting their efficiency in this field. ISER received seed funding from the Fund for Global Human Rights.

2012 was a startup year so we did not program to have many activities. We were mainly preoccupied with registration of the organization with the National Board for Non Governmental Organizations, finding office premises and fundraising. But none the less we engaged in some activities that did not require a lot of resources.

Social and economic rights- including the right to health, the right to education, the right to access to clean water and sanitation, the right to housing and the right to work and labor continue to be considered to be more of privileges and welfare programmes than rights in the Ugandan context. This is reflected in the inadequate legal protection for these rights at the domestic level, as well as the failure by government to commit enough human, finance and technical resources to it. Many ESRs are taken to be mere aspirations incorporated in the national objectives and directive principles of State policy as opposed to being embedded in the Bill of Rights under the Constitution. This is despite the fact that Uganda is a party to the International Covenant on Economic, Social and Cultural Rights and other regional and international treaties that provide for these rights under which the country has assumed the duties to respect, protect and fulfill social and economic rights. The promotion and protection of social and economic rights remains a huge challenge.

Although the country has generally made strides in the areas of economic growth and human rights, a critical analysis of this growth reveals that the larger population in the country has fundamentally been excluded from the benefits of economic growth, and that social and economic rights remain an academic subject that is yet to be seen in practice. Amidst the economic growth, the social service sector is becoming worse, and the living conditions of the poor and vulnerable have not improved. Healthcare, access to safe and clean water, sanitation, housing, and land rights remain daunting challenges. This is exacerbated by the increasing cost of living that has significantly reduced peoples' purchasing power.

Accordingly, ISER was formed to contribute towards ensuring that social and economic rights become an issue for sustained public debate, and ensure promotion of a human rights based approach to development.

ABOUT US

About the Organization

The Initiative for Social and Economic Rights (ISER) is a registered not-for-profit human rights non – governmental organization (NGO) in Uganda. ISER was founded in February 2012 to ensure full recognition, accountability and realization of social and economic rights primarily in Uganda but also within the East African Region.

The organization’s main objectives are:

To promote a human rights based approach to the design and implementation of legal and policy frameworks relating to social and economic rights

To build awareness about economic and social rights and explore strategies for securing their realization

To broaden individuals’ and communities’ access to economic and social rights in Uganda

To strengthen community participation in the design and implementation of social and economic policies and programs that affect them

To ensure government accountability for social and economic rights through community empowerment and

To mobilize and build capacity of NGOs and the media to advocate more effectively for social and economic rights including using regional and international mechanisms.

Our Vision

ISER works to facilitate and promote social justice through human rights. We seek to promote the universal right of every human being to health, education, access to clean water and sanitation, housing and the right to work.

Our Mission

Our mission is to promote the effective understanding, monitoring, implementation, accountability and realization of economic and social rights in Uganda.

Core Values

Equality and non-discrimination

Independence

Professionalism

Accountability

Transparency

GOVERNANCE & LEADERSHIP

ISER has a Board of Directors that plays oversight and advisory functions for the organization. The Founding Board members were carefully selected to suit the expert needs of the organization, and each member is a distinguished professional in their field of work. Currently the Board consists of six members. ISER's Executive Director; Ms Salima Namusobya, sits on the Board as an ex-officio and Secretary to the Board. The ISER's Founding Board of Directors are:

Kibira Denis - A Pharmacist, Researcher and Activist, Denis possesses extensive experience in public health systems, pharmaceutical policy, research and advocacy, regional and global health and trade environment. Denis has Bachelor of Pharmacy degree from the Rajiv Gandhi Technical University in India, a Master in Business Administration degree from Uganda Martyrs University, Advanced Health Management Program with Yale School of Public Health/ Foundation for Professional Development, Post Graduate Diplomas in Total Quality Management and Public Health Management, a Diploma in United Nations and International Understanding and several short courses in Pharmaceutical Policy Analysis, Access to medicines and Intellectual Property, Medicines and Insurance coverage from institutions such as Harvard School of Public Health and WHO Collaborating Centre on Pharmaceutical Policy (Boston).

He currently works as Deputy Director at the Coalition for Health Promotion and Social Development (HEPS Uganda). He is also National Coordinator of the Medicines Transparency Alliance (MeTA). Denis coordinates the Stop Stock outs Campaign, a civil society initiative to increase access to medicines since 2008.

Nabasiye Lillian - Lillian has over eight years of professional experience in the water Sector with a special focus on change management and development of quality management systems. Currently, she works as a Water Sanitation and Hygiene (WASH) Advisor in Rwenzori Portfolio. She is actively engaging the local governments, private sector and NGO's to improve access status within the region. Previously, she worked as the Area Engineer for National Water and Sewerage Corporation in Jinja. Lillian holds a Bachelors Degree in Civil Engineering from Makerere University and a Masters Degree in Sanitary Engineering (UNESCO-IHE). She is

currently a doctoral fellow at the Department of Civil and Environmental Engineering, School of Engineering; College of Engineering, Design, Art and Technology, Makerere University.

John Ekwamu - John is an Education Consultant, a long serving teacher and trainer having served in different capacities as Head teacher in upcountry schools in Eastern Uganda, and currently working with the Aghakhan Foundation as a Senior Education Program Officer.

Kenechukwu Esom - International Board Member, Kene is a Policy Coordinator (Law and Human Rights) at the African Men for Sexual Health (AMSHeR) in South Africa. He is a Barrister - at - Law and holds a Master of Law (LLM) in Human Rights and Democratisation in Africa from the Centre for Human rights, University of Pretoria. Kene has been involved in providing legal aid and advocacy for various marginalized communities including, unaccompanied/separated children, refugees and asylums, survivors of sexual and gender – based violence and sexual minorities. Prior to his career as a human rights lawyer, Kene had stints in criminal law practice and the military. He is involved in the academia and has authored a number of journal articles.

Idayat Hassan - International Board Member, Idayat Hassan is a lawyer and development practitioner with over nine years experience promoting good governance and democracy in Nigeria and the West African region. She currently works with the Centre for Democracy and Development in West Africa where she develops and implements programs with the outcome of promoting the rule of law and democracy within the region. Prior to joining CDD West Africa, Idayat was the coordinator of the anti – corruption coalition network, Movement Against Corruption, a DFID sponsored Coalition for Change comprising over three hundred civil society groups in Nigeria. She has a wealth of experience in the areas of; access to justice, socio and economic rights, human trafficking, elections and constitutional reforms, and security sector reforms. Idayat holds an LLM from the EU Academy of Legal theory, has attended several courses internationally and was recently a visiting scholar at the Columbia University Law School.

Nantege Gladys - Gladys is a certified public accountant. She currently works as a finance manager with FINCA Africa Regional Office based in Uganda. Gladys has served in different regional and International financial institutions in various capacities. She has over 10 years experience in financial reporting, budget management, credit analysis, cash flow management and strategic analysis.

Saphina Nakulima - Saphina is a lawyer with four years experience in human rights and forced migration. Saphina currently works as a legal officer with the Refugee Law Project, School of Law, Makerere University. She is an advocate of the High Court of Uganda. Saphina holds an LLM (Human Rights), a Bachelors Degree in Law from Makerere University and a Post Graduate Diploma in Legal Practice from the Law Development Centre in Kampala- Uganda.

Staffing

At the end of 2012, we had 2 full time staff namely MS Angella Nabwowe (Programs Manager) and John Katantazi as an (Administrative Assistant), as well as 4 volunteers.

2012 - An Overview

As a new organization, our main activities concentrated on areas that did not have big financial implications. Accordingly, in 2012, we managed to accomplish the following:

Publications:

Photo Essay on the socio-economic conditions of children in Uganda: In August, ISER Published a photo essay entitled *Big Dreams, Limited Opportunities: The Dilemma of Disadvantaged Children in Uganda* in commemoration of the Day of the African Child. The essay highlighted the socio-economic challenges faced by children in Uganda. The photo essay can be accessed at www.iser-uganda.org. Many people have asked for copies of the essay to be used for advocacy but we have not had the finances to print complimentary copies for distribution.

Analysis of the Maternal Mortality case in Uganda: In August, ISER published a commentary about the judgment issued by the Constitutional Court in the famous maternal mortality case (**CEHURD & Others V Attorney General of Uganda**). The commentary argues that by avoiding adjudicating the merits of a petition on healthcare in Uganda basing on the political question doctrine, the ruling of the Constitutional Court on the preliminary objection in the maternal health case is a threat to the justiciability of social and economic rights in the country. Arguments from the commentary will be used for arguing the appeal case in the Supreme Court. (A copy of the commentary is annexed to this report)

The commentary was submitted to the legal advisory committee that is handling the petition in court and resulted into ISER being invited to serve on the advisory committee for that case. Our Executive Director is currently one of the advisors.

Article on socio-economic rights in the Monitor Newspaper: In commemoration of Uganda's 50th Independence anniversary, our Program Manager published an article under the title "*The Need for Equitable Distribution of National Resources*" that has since attracted many comments. Some people have written seeking for collaboration on social and economic rights in Uganda. (A copy of the article and some responses are annexed to this report)

Legal and policy audit:

Work on the Legal and Policy: We started working on the Legal and Policy Audit on Uganda in relation to social and economic rights. We hope that this audit will inform legal and policy advocacy in Uganda, and be able to influence reform. We also hope that the information will guide civil society members as well as government duty bearers.

Exploring Partnerships:

ISER believes in networking with other civil society organizations that are able to offer the services that we cannot offer. We also rely on numbers for more effective advocacy. Accordingly, we have registered with the Uganda National NGO Forum and the coalition on Maternal Mortality.

Meetings

One of the key meetings attended by ISER staff was the meeting with the United Nations Special Rapporteur on the Highest Attainable Standard of Health Mr Anand Grover on 14 August 2012 in Kampala on key issues challenging access to essential medicines. The meeting was organized by the Centre for Health and Human Rights (CEHURD).

Professional Development:

On 27 July 2012, ISER's Program Manager and the volunteer outreach officer attended training on social and economic rights in Uganda under the title; "***Judicial Enforcement of Social Economic Rights in Uganda***" organized by Development Law Academy. This introduced the duo to social and economic rights in general and specifically the judicial enforcement of social and economic rights in Uganda.

SOME KEY ACHIEVEMENTS

Institutional Building:

Registration of the organization: ISER completed its registration with the National Board for Non – Governmental Organization (NGO) Board as a not-for-profit local human rights NGO in Uganda. It was registered (registration number 9195) to operate under the Non-Governmental Organisations Registration Act (CAP 113) hence becoming a legal person under the laws of Uganda.

Development of organization policies: ISER has so far developed the financial manual, human resources manual and employee's handbook and these have guided in the management of the organization. We have managed to achieve this through the use of volunteers. We have a volunteer Professional Accountant who has assisted us in developing the accounting manual and financial systems.

Strategic plan: We have a draft five year strategic plan that will provide overall strategic direction to the staff and Board of Directors of the organization. The draft is still under review and we hope to have several meetings with stakeholders and Board Members before we put out the final version.

Getting independent office premises: From humble beginnings, being hosted by a law firm, ISER now has independent office premises located in Ntinda, a Kampala suburb.

Website: ISER established a website (www.iser-uganda-org). We hope to maintain a constant update of resources to ensure that the website becomes a primary reference point for people interested in social and economic rights in the region.

CHALLENGES

Limited coverage: As a newly registered entity, our registration documents limit us to working in Kampala until after one year. We have therefore not been able to establish links or do any work outside of Kampala.

Limited resources: There are very few funders who are willing to give grants to new organizations. Accordingly, we have not yet managed to access the needed resources. We only have two full time staff due to limited resources. This delays completion of tasks and implementation of some projects. We are working on fundraising to deal with this challenge.