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African Commission Calls on Uganda to Safeguard Economic, Social and Cultural Rights

Kampala, Uganda —This week the African Commission on Human and People’s Rights Published its [Concluding Observations and Recommendations](#) following the review of Uganda’s 5th Periodic Report during the 56th Session of the African Commission on Human and Peoples’ Rights held in Banjul, Gambia from 21st April to 7th May 2015. It calls on Uganda to safeguard Economic, Social and Cultural Rights, particularly education and health.

Ms. Salima Namusobya, Executive Director of the Initiative for Social Economic Rights (ISER) who attended the 56th Session and presented on the state of the right to education and right to health in Uganda noted: *“Economic, Social and Cultural Rights are often ignored by states and it is gratifying to see the African Union spotlight the State’s obligations to respect, protect and fulfill these rights particularly education and health.”* Ms. Namusobya, emphasized: *“The African Charter on Human and People’s Rights places considerable emphasis on social economic rights and their realisation in Africa. These recommendations are a powerful call to prioritise the realization of these often ignored rights.”*

The report calls on the Ugandan government to increase the health sector budget to 15% of the total budget in line with the Abuja declaration, expedite the passing of the National Health Insurance Scheme, scale up HIV/Aids responses, review the HIV and AIDS Prevention and Control Act (2014) so it complies with Uganda’s regional and international human rights obligations and to domesticate the Maputo protocol on the rights of women.

Ms. Namusobya observed: *“These recommendations spotlight the government’s obligation to finance health care. Uganda has experienced declining investment in the health sector.”* ISER’s Health Rights Officer Allana Kembabazi also welcomed the focus on health financing: *“While the Ministry of Health has proposed a National Health insurance Scheme, which is commendable, the Bill is yet to be tabled before Parliament and the proposed Bill needs to pay more attention to equity and to providing coverage for the unemployed and vulnerable groups.”*

While commending the government on providing Universal Primary Education and Universal Secondary Education, the report called on the government to increase its investment in public education, to ensure the quality of education in government schools and to regulate the quality of education in private schools. It also urged the government to develop incentive programs to increase girls’ access to and retention in basic education.

Ms. Nakulima Saphina, ISER’s Right to Education Programs Manager welcomed these recommendations noting: *“The declining quality of public education in Uganda forces parents, even those with limited income, to resort to private schools. Increased privatization of education has a negative impact on the education of girls. When parents are forced to make a choice as to which of their children to send to fee-paying schools, girls usually miss out.”*

Ms. Nakulima, urges government to pay considerable attention to the quality of education and regulation of private actors. *“While international human rights law recognizes the freedom to establish private educational institutions, states are obligated to regulate private providers, monitor and evaluate their compliance and educational outcomes and enforce compliance where necessary.”*

The report also drew attention to vulnerable groups like women and people with disabilities, urging the government to intensify efforts to provide reasonable accommodation for people with disabilities and to develop incentive programs to retain girls in school. The Commission urged the government to “review the Non-Governmental Organizations Amendment Registration Act (2006) to address civil society concerns.”

The Commission adopted these recommendations at the 57th Ordinary Session of the African Commission on Human and People’s Rights held from 4th to 8th November 2015 in Banjul, Gambia. The full report can be read [here](#).

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In accordance with Article 62 of the African Charter on Human and People’s Rights which Uganda ratified on 27 March 1986, State parties to the Charter are required to report every two years on measures taken to realise the rights enshrined in the Charter. The African Commission on Human and People’s Rights examines these reports and releases Concluding Observations assessing the country’s compliance with its obligations under the African Charter and recommends measures to strengthen the enjoyment of human rights.

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