

Statement by the Initiative for Social and Economic Rights (ISER) at the 35th Session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). 31st August – 8th September 2020.

Chairperson, the Initiative for Social and Economic Rights (ISER) is a Non-Governmental Organization (NGO) which seeks to promote the effective understanding, monitoring, implementation, accountability, and full realisation of Economic and Social Rights (ESRs) in Uganda and the East African region.

With the outbreak of the COVID19 pandemic, countries world over, Uganda inclusive, have undertaken measures to curb the spread of the virus. The Ugandan experience has been characterised by the institution of nation-wide lock down, curfew and issuance of preventive standard operating procedures; the net effect of which has been a strain on movement, incomes, and access to social services like health and education. The impact of the pandemic on children has been profound and has highlighted existing gaps in education and health service delivery in Uganda.

Health Service Delivery

Uganda's health sector has been systematically under financed over time, resulting in gaps in infrastructure that were worsened during the pandemic. However, these gaps are not merely statistical – it is the number of children helplessly falling sick and lost; eventualities that provision of health facilities, ambulances, medical equipment or other basic resources should have made avoidable. Medical workers in health facilities have faced enormous challenges including lack of protective gear and staffing that isn't commensurate with the population. These gaps in access to quality healthcare affect the most vulnerable – especially children. The Head of State had informed the country that one of the objectives for instituting the lockdown was to prepare the country for the worst situation as COVID19 cases increased. However, as the situation worsens, little can be seen on ground in terms of the preparedness to respond to the pandemic.

Education

Education is in crisis. About 73000 education institutions with about 15million learners were shutdown to curb COVID19. The government through its Ministry of Education and Sports developed and implemented a framework for continued learning during lockdown. The ministry adopted; uploading of learning materials on its website and that of its curriculum agency – the National Curriculum Development Centre, conducted lessons on both television and radios and further developed and distributed learning materials to only 25% of the learners in primary and secondary schools. The materials were targeting the poor and vulnerable children.

It has been observed and reported that the program for continued learning during the lockdown has not benefited the vulnerable children. The failure to ensure learning materials reach the most vulnerable groups have left a significant number of children behind, and further created a lot of idleness and redundancy resulting into high rate of teenage pregnancies that have put the future of a number of school going girls at stake as some may be unable to report back to school.

The schools are not likely to open soon because the guidelines given to the Ministry of Education to fulfil before opening of the schools cannot be met. A case in point is the issue of social distancing requiring only 10-15 learners per class. This is impossible due to the existing big class sizes averaging 100 learners in a class in some public schools in underserved areas.

Private actors and social services

ISER notes that the Government of Uganda continues to run a private sector led economy that is however dismally regulated. The failure to regulate the private sector in education has resulted in private schools insisting on online classes and charging exorbitant fees, disproportionately leaving out many children. Amidst the persistent under financing of the public health sector, there has been a proliferation of private actors in health including government and donors' promotion of public private partnerships, and voucher schemes. The unregulated expansion of private actors, particularly when they exist in lieu of public options, is detrimental to the accessibility of health care for children. Private facilities continue to violate patient's rights including charging exorbitant fees and detaining patients who fail to pay. The Government is planning to invest in a Medical Credit Fund to strengthen the private sector in health. However, the investment of significant sums of public funds without examining how strengthening the private sector will result in improved outcomes for the most vulnerable only heightens inequity.

ISER calls upon the Committee to recommend to Uganda to:

- Robustly invest in the public health system and pass the National Health Insurance Scheme
- Increase funding to the education sector to address the current infrastructure and staff deficit.
- Develop and implement a robust data collection and management system on school enrollment and completion to enable the implementation of sustainable and effective interventions in public education service delivery.
- Ensure continued learning for the most vulnerable children.

The Committee should:

- Develop a framework to guide States on private involvement in service delivery in such a way that promotes the rights of children.
- Encourage States to utilize the Abidjan principles on the provision of public education and the regulation of private involvement in the education sector.