

Statement by the Initiative for Social and Economic Rights (ISER) at the 41st Session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC).

26th April – 6th May, 2023

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.

The COVID19 pandemic still has a significant impact on children, and it has brought attention to Uganda's existing deficiencies in the delivery of health and education services. This is true even as countries around the world recover from its consequences.

Health Service Delivery

The COVID19 pandemic had stark effects for Uganda's health sector, which has long been underfunded. As a result, the government has further opened the health sector to private players who continue to operate unchecked, leading to a number of private health facilities charging high exorbitant medical fees and detaining patients who cannot afford to pay their medical bills. Those that face the brunt of this trend are the disadvantaged and poor children. This is compounded by the rising cost of living which has undermined access to social determinants of health like nutrition, clean water, housing among others. Such disparities hit child headed families most.

Conversely, the public health sector, which is the first point of call, continues to suffer a poor ambulance service system, stock-out of essential drugs, and health worker migration which have affected effective service delivery in public health facilities, thereby, compromising equitable access to health care.

Education

The Ministry of Education and Sports notes that pregnancies among school girls have risen by 30% since the outbreak of COVID19. However, the issue of the re-entry of pregnant girls and adolescent mothers into schools remains very controversial both in law, policy and practice. While some support them joining school and pursuing their education, others still think they should stay away from school. Some religious figures and educators have gone so far as to say that, "Pregnant and breastfeeding girls should not come to our schools, let them sort their issues at home, we cannot allow such immoral behavior," while others have "directed teachers in Church of Uganda-founded schools to block pregnant or breastfeeding girls from their institutions."

The dire status of girls has been exacerbated by the discriminative policies against those who get pregnant while in school. Until 2018, there was a practice of suspending pregnant girls from school. However, the revised guidelines of 2020 state that after the first trimester, the pregnant girl has to leave school and return after six months of giving birth. The efforts to ensure that all children,

especially girls, have equitable access to education have been thwarted by such conditions, which force the girls to miss up to a year of school. As a result, many girls have dropped out of school. This has in turn eroded the significant gains that had so far been attained by government towards achieving Sustainable Development Goal 4 on equitable access to quality education.

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 not only insisting on charging exorbitant fees, both tuition and non-tuition, plus excess and unrealistic school requirements. This is disproportionately leaving out many children—especially those from poor backgrounds. 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.

ISER calls upon the Committee to recommend to Government of Uganda to:

- Robustly invest in the public health system and pass the National Health Insurance Scheme Bill
- Urgently allocate funds to renovate and expand infrastructure in UPE and USE schools.
- Revise the capitation grants to UPE and USE schools upwards and effectively monitor and inspect them to ensure that there are no non – tuition fee charges.
- Abolish the policy that requires pregnant school girls to take a year’s absence from school as a pre-condition for returning to school.
- 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.
- Develop a minimum unit cost required to educate a child in primary and secondary and use it as a benchmark for financing universal primary and secondary education as well as regulation of fees in private schools.

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.