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Key words: right to land, forceful evictions, right to adequate housing, gender equality, financial inclusion, enabling environment for small scale farmers, right to food and food security.

1. INTRODUCTION

1.1 Background

1. We Effect, former Swedish Cooperative Centre, was established in 1958. It is a Swedish non-governmental organisation, NGO, which is operating in 25 countries across four continents to tackle poverty and injustice. To do this, tackle poverty and injustice, We Effect works in partnership with just over 160 local organisations around the world, whereof 11 are located in Uganda. Hence this joint coalition is submitted by We Effect's regional Office in Eastern Africa and its Ugandan partner organisations, which work in the following areas: rural development; financial inclusion; housing; environment and climate change; gender equality; and HIV/AIDS.
2. We Effect's work derives from the following rights: right to food; right to economic justice; right to land; right to adequate housing; equal rights for women and men; and right to a safe, healthy environment in ecological balance. Thus these rights constitutes the basis for this report. We conclude the following information, based upon issues we meet in our daily work, regarding Uganda's implementation of human right obligations.

1.2 Methodology

3. On 13 March 2014, the CSOs which are submitting this joint submission, were sensitised about the UPR process and agreed to document (report) human rights concerns in Uganda. Thereafter, they met 6-7 October 2015 in Kampala to analyse the first review cycle documents and to share their human rights concerns on the thematic areas they work on. At this stage, the CSOs agreed on the human rights concerns to be covered by this submission.
4. The agreed human rights concerns were then converted into a draft, which was shared with all CSOs on 26 February 2016. Each CSO reviewed the draft and sent their feedback to the author. The final joint submission was shared with the CSOs for

validation. Lastly, the joint submission was sent to the Office of the High Commissioner for Human Rights (OHCHR).

1.3 Normative and Institutional Framework

5. Uganda is a member to a number of international and regional legal instruments which address human rights issues. It has also domesticated or otherwise indicated its willingness to be bound by a number of international and regional instruments which protect human rights. Despite this, Uganda has been witnessing serious cases of human rights violations as well as the state's failure to implement and honour its obligations. Whence some of the issues we will mention in this submission.
6. Furthermore, during the last review Uganda accepted the recommendation to ratify the optional protocol belonging to the Convention on the Elimination of All Forms of Discrimination against Women, CEDAW, however this protocol is neither ratified nor signed yet. In addition to this, Uganda also accepted to enact the Marriage and divorce bill, however, to date this has not been implemented.¹ (Section 2.5.1 gives further information regarding this situation).
7. **We therefore call upon the government of Uganda to ratify CEDAW's optional protocol and enact the Marriage and Divorce bill by June 2017.**

2. MAIN ISSUES OF CONCERN

2.1 Poverty Reduction and the Right to Economic Justice

2.1.1 Limited Access to Financial Products and Services

8. Uganda is part of the International Covenant on Economic, Social and Cultural Rights, ICESCR, (ratified in 1987). Article 11(1) ICESCR provides that everyone has a right to adequate standard of living for himself and his family, including adequate food, clothing,

¹ A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda paragraph 112.8 (from United Kingdom of Great Britain and Northern Ireland) 112.23 (Norway), A/HRC/19/Add.1 Addendum, views on conclusion and/or recommendations, voluntary commitments and replies presented by the State under review, paragraph 17.

and housing. For one to realise her/his rights to food, clothing, and housing access to affordable financial services must be guaranteed.

9. We appreciate the actions taken since 2011. Those include establishing a youth livelihood fund and an agricultural credit facility. Maintaining the Microfinance support centre, as well as reviving the Uganda development bank. Additional, appreciated, actions are the recently amended Financial Institution Act that pave way for the development of Islamic finance, bank assurance and agent banking and the consideration to revive the cooperative bank in order to give equal banking opportunities to all citizens regardless of religion. The enhanced availability of affordable financing to viable projects in agriculture and micro and medium scale enterprises is also welcome.
10. In addition to actions above, alternative financial institutions (such as Savings and Credit Co-operative, SACCOs, and Savings and Loans Association, SLAs,) providing affordable financial services to low income earners and other rural initiatives funded by the government were promoted. Even so, there is still limited knowledge among a big part of the population of alternative options and modalities of financial access as well as on financial services.
11. In rural areas there is a limited access to financial literacy and formal financial services and overall there is still high rates of the population, which are unbanked. According to the World Bank 55 percent of the adult population (15 years and above) do not have a bank account,² whereas women represent the larger part of those.
12. **We therefore, call on the government of Uganda and the Ministry of Finance, Planning and Economic Development to facilitate branch opening in hard to reach the whole country including rural areas. To promote financial literacy by deliberate and consistent training and educational programs. As well as facilitate and promote linkage of tier four³ providers to commercial banks.**

² World Bank URL: <<http://datatopics.worldbank.org/financialinclusion/country/uganda>>, retrieved 07/03/2016.

³Tier four: These institutions are not regulated by the Bank of Uganda. They are not authorised to take in deposits from the public. However, they may offer collateralised or non-collateralised loans to the public.

2.1.2 Financial Laws and Regulations

13. Acknowledged and appreciated actions regarding laws and regulations in relation to finance since the last review cycle are the revision of the current cooperative laws in Uganda, the enactment of the money laundering bill in response to fraud, the finalising of a EAC, East Africa Community, cooperative bill draft for uniformity across the region and the regulation on mobile money transactions.
14. Even thus, there are still gaps in the regulations that needs to be plugged. At the moment fund owners and shareholders are losing money in the institutions without remedy. The institutions are losing money due to bad loans and there is no legal support system of recovery. Additionally, the alternative financial markets have varied lending structures, even within the same sector.
15. **We, therefore, urge the Ministry of Finance, Planning and Economic Development to ensure a strong regulatory body for alternative financial institutions. This should include establishment of a legal framework and supervisory system for SACCOs, by 2018, which can help to protect member savings and generate confidence towards SACCOs.**

2.2 Food Security and the Right to Food - the Role of Agriculture

2.2.1 Enabling Environment for Small Scale Farmers to Boost Agricultural Production for Household Incomes and Food Security

16. As demonstrated elsewhere, in this joint submission, Uganda is a state party of ICESCR, which states that everyone has a right to adequate standard of living for themselves and their family, including adequate food, clothing and housing stated in article 11 ICESCR.
17. According to the 2015 Global Hunger Index the Ugandan situation is ranked as “serious” and 25 percent of the population is undernourished.⁴ Uganda is one of the countries that has a critical nutrition situation for young children due to a deterioration of household

⁴ 2015 Global Hunger Index (GHI) URL: <<http://ghi.ifpri.org/countries/UGA/>>, retrieved 15/01/2016.

food security,⁵ whereas children in rural areas suffer substantially higher rates of malnutrition and chronic hunger. The region Karamoja is the worst affected, where up to 45 percent of the households in the region are currently food insecure, moderately or severely.⁶

18. Over 85 percent of Ugandans live in rural areas, including millions of farmers. Many of these farmers are prevented to benefit from the country's steady economic growth due to inadequate infrastructure investment; limited access to farm inputs, extension services and credit; limited technology as well as trade and marketing support; fake seed and agrochemicals; and heavy dependence on rain-fed agriculture and natural resources.⁷ These challenges and issues are still present even though the government in the past few years has pursued previous policies and strategies under the Plan for Modernization of Agriculture, PMA, which is a multi-sectoral framework that is aiming at transforming subsistence farming to commercial agriculture. Although we appreciate these actions, since it proves that the government has realised that it is an issue, we are still concerned over the situation as the agricultural challenges persists in Uganda. Further issues are for example, in addition to above, low production and productivity; weak implementation of agricultural laws and policies; weak public agricultural institutions; and weak regulation of the seed and agricultural input systems.

19. Through the Development Strategy and Investment Plan (DSIP) 2011-2015, which were designed in line with the Comprehensive Africa Agriculture Development Programme, the Ugandan government acknowledges the potential of the sector that, through a growth in productivity, could contribute to increased incomes and improved livelihoods, permitting more citizens to turn to skilled labour, entrepreneurship, and other productive sectors as the source of their livelihoods. Currently private enterprises are the main agents of agricultural development, from farmers and micro-entrepreneurs to local

⁵ Regional FSNWG update, September 2015 URL:

<http://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/1_Presentation-FSNWG%20September%20Update%202024.09.2015.pdf> retrieved 15/01/2016.

⁶ Food Security & Nutrition Assessment- Karamoja Region Uganda, Executive Summary July- August 2015. The Republic of Uganda, UNICEF, World Food Programme.

⁷ Food Security Portal Uganda, URL: <<http://www.foodsecurityportal.org/uganda/resources>>, retrieved 15/01/2016.

manufacturing companies and multinational enterprises. However, the DSIP has had minimal impact due to the fact that it lacked a strategic focus driven by the state to compliment markets especially where they fail or are missing (e.g. labour markets in rural areas). The sector, however, has stagnated for the past five years due to government bureaucracy and a lack of access to quality inputs, finance, markets and skills education. Vocational training institutes for agriculture are few, underfinanced and in some regions (like the North) virtually non-existent. DSIP has not delivered in terms of employment creation in rural areas. The government capacity is generally weak and the political and economic situation further undermined effectiveness.

20. In order to create an enabling environment for small scale farmers to produce more for their families and meet the market demands we request the Ministry of Agriculture, Animal Industry and Fisheries in conjunction with the Ministry of Trade Industry and Cooperatives to ensure the development of robust and sustainable market systems for agricultural products by investing in services such as agricultural extension and warehousing as well as removing all constraints to agricultural production and marketing, by 2019, in order to honour its commitment to ICESCR.

2.2.2 Agricultural Budget Allocation

21. Uganda is a Member State to the Maputo Declaration on Agriculture and Food Security in Africa⁸. The declaration contains several important decisions regarding agriculture, but prominent among them was the commitment to allocate at least 10 percent of the national budgetary resources to agriculture and rural development policy implementation within five years. We are deeply concerned regarding this commitment and actions taken since the last review cycle. The allocation to the agricultural sector was reduced (from 6.5 percent) to just under 3 percent in 2015, at the same time the budget reading in the same year 2015 reinstated 18 percent Value Added Tax (VAT) on agricultural inputs with view of widening tax base, and this raised a lot of concern for the sector, which the government gives a low priority.

⁸ Maputo Declaration on Agriculture and Food Security in Africa (Assembly/AU/Decl.7(II)) 2003.

22. **Since agriculture still is the backbone of Uganda's economy and employees 80 percent of the population, we call on the government to honour its commitments under the Maputo Declaration and thereby gradually increase its national budget for agriculture and rural development to 10 percent by 2020.**

2.3 Right to Adequate Housing

23. Since the first review cycle a project aiming to combat the adequate housing issue has been adopted. It is a collaboration between UN habitat, Ministry of Land, Housing and Urban Development (MoLHUD) and DFCU bank. The project, the Kasooli project, is located in Tororo. One million USD was asserted for the project (from UN habitat and DFCU bank) and the budget increased for 2015/2016 when Shelter Afrique contributed to MoLHUD. In addition, the government of Uganda has implemented programmes such as: Transforming the Settlements of the Urban Poor: A Secondary Cities Support Programme (TSUPU) and Uganda Support to Municipal Infrastructure Development Program Project (USMID), aimed at increasing housing stock and improving urbanisation in Uganda. These have been supported by World Bank, Cities Alliance and other international development partners.
24. Even thus these efforts, adequate housing still remains an issue, and even though the right to decent accommodation was mentioned in Uganda's national report 2011, nothing was reported on what the government has specifically done in relation to this right.
25. The housing situation in Uganda at the moment is unsustainable and since 2012 it has a backlog of 1.6 million housing units, hence 900,000 units are inhabitable and 700,000 units are temporary structures. An average household in Uganda has five members, which means that the backlog can covers as much as 8 million people. In addition, Uganda has a recurrent housing deficit of 100,000 units per year. This points to the lack of baseline data on housing stock. There are also no set targets by the government to address the housing backlog. Cases where there are targets are not aligned to the national development plan, NDP, 11.

26. Uganda's population of over 37 million⁹ is growing, and estimated to be about 49 million by 2022, which results in an even bigger housing need. To be more precise 3 million additional housing units will be needed.¹⁰
27. In the NDP 11 housing is categorised as human capital development, but it is more than just bricks and mortar. Decent and affordable housing is the key to other vital rights, such as clean and safe water, hygiene and sanitation, health, food, security and livelihoods.
28. Moreover, an attempt to combat this issue is to contribute with 1 percent to housing finance from the National Social Security Fund. This will create an opportunity for Ugandans to access funds to build their own homes at affordable rates. At the moment the funding for this is very low, only 0.37 percent of the national budget.
29. **We call upon the Ministry of Lands Housing and Urban Development to pass and implement, by December 2017, the National Housing Policy, which will regulate the housing sector more efficiently. We also request the government to gradually increase the housing budgetary allocations to 3 percent by 2019, both at national and local government level, to enable implementation of policy frameworks in a participatory manner. In addition, we call upon the government to institute a housing fund for access to affordable housing finance packages more so for low income earners.**

2.4 Right to Land and Forceful Evictions

2.4.1 Land Tenure

30. The government's proposal to recognise customary tenure system to be a part of other systems and establish land registry system for certification of land is appreciated. However, this has not been implemented. In addition to this, it was noted in the last review cycle that indigenous groups that held land under customary tenure did not have

⁹ CIA Uganda URL:< <https://www.cia.gov/library/publications/the-world-factbook/geos/ug.html>>, retrieved 07/01/2016.

¹⁰ Ministerial Policy Statement for Lands Housing and Urban Development 2013/2014-2017/2018.

documentation regarding ownership. The Land Act of 1998 established a mechanism to acquire a certificate of customary ownership, hence this provision has still not been implemented. As a result of this, there are rampant land conflicts at all levels and it is especially of big concern in northern Uganda where land wranglers and disputes is a big problem.

31. **We strongly urge the Ministry of Lands, Housing and Urban Development to ensure support and guarantee secure land tenure system, which facilitates sustainable use of resources and land management. In order to achieve this, we call on for the government to allocate resources for the implementation of the National Land Policy, which seeks to synchronise all existing land legislation.**

2.4.2 Land Evictions

32. Uganda's government, over the years, has put in place legislation regulating land ownership e.g. Land Act 1998 (Ch. 277), Land Acquisition Act 1965 (Ch. 266) and Regulation of Titles (Ch. 230). However, the government has not taken affirmative actions to address land conflicts. There is no comprehensive policy and legal framework guiding land and housing evictions in Uganda, which has resulted in gross violation of human rights during numerous evictions in Uganda.
33. One of these numerous evictions took place in Kampala February 2013. Over 1000 residents of Kampala's Nsambya Railway Quarters were evicted from their homes to pave way for the redevelopment of the land by a foreign investor. Hence some of these lost property, their neighbours, the culture of sharing and the culture of pooling resources to make it through another day. In May 2014 Land wrangles led to evictions in Lamwo district of northern Uganda. Thirteen households were evicted, without notification or time to relocate, from Laguri village in Ywaya Parish in Padibe West Sub County on orders of Kitgum Grade I magistrate. The Laguri Village LC1 Chairperson says residents lost household property, food supplies and equipment, livestock and colossal sums of money during the eviction.

34. Moreover, in January 2015 Nabagereka Primary School, located in Kisenyi, Kampala, was demolished. The court bailiffs, which demolished the school, claimed that the land had been leased to a private investor (Boost Investments), while the current tenant was not given time to remove their property. This led to a lost vital equipment and teaching materials of the government as well as 1443 children lost the ability to go to school, since they do not afford private schools in the city. Accordingly these land evictions can violate several rights, they do not only deprive people of their land but also the right to education, right to liberty and right to life, as some of the evictions have ended in death.
35. **We, therefore, urge the Ministry of Lands, Housing and Urban Development to develop eviction guidelines by 2020. In addition, we call upon the Ugandan government to institute a country-wide resettlement strategy that addresses land and housing evictions as well as a resettlement due to natural disasters.**

2.5 Equal Rights for Women and Men

2.5.1 Women's Rights and Non-Discrimination

36. During the review in 2011 Uganda accepted the recommendation to put in place a comprehensive strategy including review and formulation of legislation, to modify or eliminate traditional practices and stereotypes that discriminates women.¹¹ In June 2015 the Ministry of Gender Labour and Social Development in partnership with UNICEF launched the National Strategy for the Elimination of Child Marriage and Teenage Pregnancies. The national strategy articulates the principles, strategic objectives, actions, coordination mechanisms, and resources that will ensure effective implementation of the actions/interventions to end child marriage and teenage pregnancy. However, more work needs to be done in regard to the popularisation, funding and implementation of the strategy so as to achieve the desired goals. We appreciate the action taken, however we are still concerned, since very little actions, except the above strategy, has been taken to eliminate stereotypes and traditional practices that discriminates women.

¹¹ A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda paragraph 111.4 (from Poland).

37. As an illustration, educational books in primary and secondary school still communicate stereotypes. Though not explicit, educational materials seem to fan inequality in household labour distribution, what profession a man or woman can or cannot pursue and who can make decisions, among other areas. For example, the silent message is that women are responsible for the domestic work and that men are the heads of household and bread winners. Furthermore, stereotypes are also communicated through some school cultures such as having boys as the head prefect and girls as the assistant head prefect. Ministry of Education needs to be sensitised about the educational material and adapt a gender sensitive approach to materials and curriculums. This is vital since the things children are taught are often carried on into adulthood. It is therefore of great importance to eliminate stereotypes and practices that encourage inequality, particularly at an early age.
38. Another issue related to traditional practices that is unfavourable for women and girls is that sons are the automatic heirs of their parents' estate. It is highly unlikely that a parent will bequeath their inheritance to a daughter, especially land which is the main capital for production in Uganda. The argument advanced is that women will be married and inherit property of their husbands. This is of great concern since it results to unequal conditions for men and women.
39. We are cognisant that Ugandan laws stipulate that women and men in Uganda have equal property rights, including the right to acquire, inherit, maintain and dispose of properties. However, currently only 27 percent of registered land is owned by women. Although 70 percent of the women are engaged in agriculture and less than 20 percent, of those, control outputs from their efforts. Women comprise of the majority of labour force in the agricultural sector. We are greatly concerned with the application of the customary laws and other oppressing laws against women, especially on matters related to inheritance, marriage and property ownership.
40. Although Uganda's statutory laws grant men and women equal rights to land and other property regardless of their marital status, application of these laws has been mired by a number of factors. First, legal pluralism that stems from the recognition of both

customary and statutory land tenure in the Constitution and the Land Act results in multiple conflicts between customary and statutory laws, which are often not mediated by statutory provisions as prescribed in the Constitution. The application of statutory laws is further complicated by a number of factors, including lack of knowledge of the laws and poor access to justice. The weak institutional capacity of the legal system, particularly in rural areas, also prevents effective enforcement and administration of the laws.

41. Women's lives and livelihoods, and those of their families, and ultimately the nations, are tied to land. Because of their gender roles in providing food and fuel for the family, it is very important that women's land rights are protected and promoted, and their tenure security assured. It is only in protecting women's land rights that women's productivity can increase, and in turn the health and wellbeing of the family will improve.
42. During the last review Uganda also agreed to implement the recommendation, to harmonise civil, religious and customary legislations in regards to CEDAW, with special attention to revise and amend the current version of the bill on Marriage and Divorce.¹² However, four years later, the Marriage and Divorce Bill has still not been passed, which means women are not given the same property rights as men, as well as polygamy is still legal, for men. However, even if the current Marriage and Divorce Bill were to pass it will still allow followers of the Islamic faith to practice polygamy.
43. **We therefore call on the government to take immediate appropriate measures to eliminate all forms of discrimination against women in line with the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). In doing so, the government should, with immediate effect, put in place a comprehensive strategy and effective legislation to eliminate practices that discriminates females. Hence the government of Uganda should implement the 2014/-2020 National Strategy to End Child Marriage and Teenage Pregnancy. In addition to this, the**

¹² A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda paragraph 111.29 (from Mexico).

Ministry of Education should review and engender the curriculum and instruction materials.

44. **Moreover, we call on the Ugandan government to pass the Marriage and Divorce Bill by June 2017, which among other provisions proposes married persons and cohabitants to make arrangements as to how property will be owned at, during and after dissolution of marriage. In addition, we recommend that the National Land Policy which obligates government to provide for joint spousal co-ownership of family land and home should be implemented by 2019. We also recommend the government to establish a land fund for women to enable them to own and control land, to engage cultural institutions to popularise the Land (Amendment) Act (2010) and to promote ownership and inheritance of land by women and girls.**

2.5.2 Female Genital Mutilation

45. We acknowledge the action taken in 2010 to prohibit female genital mutilation, FGM, through the Female Genital Mutilation Act. However, during Uganda's first review it was noticed that the implementation of the prohibition of the FGM Act of 2010 was not effective.¹³ Six years after the act was introduced it is yet to be effectively implemented. There is a gap between practice and law. A big multiplicity of issues remains in order to see the effective implementation of the FGM Act. The women whose (financial) livelihood is dependent on FGM have not been offered alternative income options; low levels of awareness exist in these communities on the harmful effects of FGM; men look at uncircumcised women as children and therefore cannot marry them causing more women to do it. All these point to misinformed socio-cultural beliefs and practices which need to be effectively targeted for redress in order for the entire community men, women, girls, and boys to support the end of FGM.

46. It is also important to sensitise the community and make them aware not only of the law but also about the dangers with the practice in order to change the customs and the societies view on FGM, thus one should not be stigmatised for not being circumcised.

¹³ A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda paragraph 111.46 (from Poland).

There are incidences of where men do not want to get married to uncircumcised women. In addition, it is not just a national dilemma but a regional one, since there are evidence showing that there is a large flow of women and girls crossing the Kenyan border to practice FGM and then return later to avoid the law enforcement officers. It is thus of great importance that Uganda together with their neighbouring countries collaborate to combat FGM.

- 47. We urge the government of Uganda to honour its commitment and ensure effective prevention of FGM by establishing a body under the Ministry of Gender, by 2018, in charge of coordinating the implementation of FGM Act. In addition the government of Uganda should put in place more strict punishments for perpetrators of FGM as a way of dissuading communities from the practice.**

2.5.3 Sexual and Gender Based Violence

48. As a result of the Human Rights Council's nineteenth session, in 2011, Uganda agreed to prevent, investigate and prosecute sexual and gender based violence towards all women.¹⁴ However, we are deeply concerned about the prevalence of sexual and gender based violence, SGBV, as well as the lack of awareness regarding it and regulations/laws in place for combating it by both the citizens and the authorities. We appreciate the actions taken regarding establishing the gender violence desks at police stations, however there are not enough of them, since every station does not have an established desk. Neither are the assigned officers well equipped on how to deal with GBV cases. Additionally, the police gender desks need to be complemented with other tools and mechanisms to enforce the law. The methods could include having community based response mechanisms to cases of GBV and a comprehensive monitoring and follow up mechanism of the cases.

49. Moreover, the legal support for women in the magistrate courts are very limited, there are few lawyers (one per magistrate court), which is not enough to handle the cases efficiently. To be able to fully investigate, and also prevent, there is a need to have

¹⁴ A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda paragraph 111.52 (from Chile).

protection mechanisms in place such as shelters for survivors of SGBV. Most of the ones currently in place are few and are run by NGOs and not the state.

50. Furthermore, Uganda also accepted to ensure implementation of laws protecting women from violence including sexual harassment.¹⁵ In order to accomplish that it is necessary to have a law prohibiting rape within the marriage. The absence of this regulation hinders women from being protected from sexual violence, within their home and it is also degrading for women, since it implies that the husband has the right of sex whenever he wants, without the wife's consent which intrudes the women's rights. Hence the current legislation is inadequate to combat sexual and gender based violence because of the exclusion of marital rape and the narrow definitions of rape and circumstances of sexual assault or harassment.

51. We call upon the Ugandan government to ensure effective implementation of laws in regards to sexual and gender based violence, including the Domestic Violence Act 2010, and pass the Sexual Offences Bill by 2018 as well as to offer adequate preventive and protection mechanisms for survivors of sexual and gender based violence.

2.6 Additional Human Rights

2.6.1 Right to Health

52. According to the 2014 Uganda HIV and AIDS Country Progress Report¹⁶, Uganda has registered a 27 percent decline in new HIV infections for the period 2010 to 2014 but is still classified as a high burden country with high numbers of persons living with HIV. There are concerns that those living with HIV do not have adequate access to treatment and that this leads to orphans and increased vulnerability for children living in families where parents or guardians are living with HIV. In Uganda stigmatisation and

¹⁵ A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda paragraph 111.45 (from Czech Republic).

¹⁶ 2014 Uganda HIV and AIDS Country Progress report, Uganda Aids Commission, 2015.

Could be found at URL:

<http://www.unaids.org/sites/default/files/country/documents/UGA_narrative_report_2015.pdf>

discrimination of the infected and/ affected remains a big problem as such individuals are excluded from potential spaces for socio-economic development.

53. During the first review cycle Uganda accepted the recommendation to create health insurance scheme for the poor including increased access to sexual and reproductive health services,¹⁷ unfortunately no actions with visible results are made. The Minister of health states that the issue is under discussion, hence it has not reached the parliament yet.

54. We therefore call upon the Ugandan government to fulfil their commitment to enhance access to sexual and reproductive health services by gradually increasing the health budget to reach 15 percent, by 2019, in line with the Abuja declaration¹⁸. It is also urgent to increase budget allocation to primary health care to reduce disease prevalence and to create a health insurance scheme for the poor.

2.6.2 Civil Rights Violations

55. In the previous review cycle Uganda accepted the recommendation to ensure that human right defenders can perform their duties free from harassment and intimidation in line with international standards.¹⁹ Nonetheless, laws that limit freedom of assembly still exists for example the Public Order Management Act, which does not honour the commitment since human rights defenders cannot freely demonstrate or meet. The Non-Governmental Organizations Act assented to the President on January 30, 2016 places numerous restrictions on the operations of non-governmental organisations. Additionally, the brutality by the police is another issue that hinders human rights defenders to freely work in a safe environment. The recent clamp down of the media; the internet, arbitrary arrests and the heavy presence of the police and army in communities during the 2016 general elections have been seen as violations on civil rights.

¹⁷ A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda paragraph 111.92, 112.41 (from Belgium).

¹⁸ Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases (OAU/SPS/ABUJA/3) 2001.

¹⁹ A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda paragraph 111.76 (from Slovakia).

56. Uganda also accepted a recommendation in the first review cycle to integrate human rights instruments into domestic law.²⁰ However, it is crucial that the Human Rights Commission is independent from the government. The President, has thereby, the power through the constitution to appoint the Human Rights Commission. In order to work effectively and raise issues of human rights concern, it is necessary that the commission is not influenced by the state. The Human Rights Commission should be an independent body to enable them apply for funding elsewhere as well as to enable them fulfil their mandate to educate people about human rights.

57. We therefore call on the government to honour its commitments and ensure that human rights defenders can perform their duties free from harassment and intimidation in line with international standards. Additionally, make the current Ugandan Human Rights Commission an independent body, by 2018, which is not appointed or influenced by the government.

²⁰ A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda paragraph 111.1 (from Chad).

REFERENCES

Printed Sources:

2014 Uganda HIV and AIDS Country Progress report, Uganda Aids Commission, 2015.

Could be found at URL: <

http://www.unaids.org/sites/default/files/country/documents/UGA_narrative_report_2015.pdf>, retrieved 29/01/2016.

A/HRC/19/16 General Assembly, Human Rights Council Nineteenth session Agenda item 6, Universal Periodic Review, Uganda

A/HRC/19/Add.1 Addendum, views on conclusion and/or recommendations, voluntary commitments and replies presented by the State under review.

Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases (OAU/SPS/ABUJA/3) 2001.

Could be found at URL: <http://www.un.org/ga/aids/pdf/abuja_declaration.pdf>

Food Security and Nutrition Assessment- Kamaroja Region Uganda, Executive Summary July-August 2015. The Republic of Uganda, UNICEF, World Food Programme.

Maputo Declaration on Agriculture and Food Security in Africa (Assembly/AU/Decl.7(II)) 2003.

Could be found at URL: <<http://www.nepad.org/system/files/Maputo%20Declaration.pdf>>

Ministerial Policy Statement for Lands Housing and Urban Development 2013/2014-2017/2018.

Electronic Sources:

2015 Global Hunger index (GHI) URL: <<http://ghi.ifpri.org/countries/UGA/>>, retrieved 15/01/2016

CIA Uganda URL :< <https://www.cia.gov/library/publications/the-world-factbook/geos/ug.html>>, retrieved 07/01/2016

Food Security Portal Uganda, URL: <<http://www.foodsecurityportal.org/uganda/resources>>, retrieved 15/01/2016.

Regional FSNWG update, September 2015 URL: <

http://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/1_Presentation-FSNWG%20September%20Update%2024.09.2015.pdf> retrieved 15/01/2016.

World Bank URL: <<http://datatopics.worldbank.org/financialinclusion/country/uganda>>, retrieved 07/03/2016.