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**BY:**

**(The Right to Food Cluster Under the National Stakeholders' Forum for the UPR)**

Food Rights Alliance- FRA (which is the Convener of the Cluster), The Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI-Uganda)-(also Co-Convener of the Cluster), Caritas Uganda, Community Integrated Development Initiatives (CIDI) and National Youth Advocacy Platform (NYAP), Uganda Common Voice Farmers' Platform, Civil society budget advocacy group, Slow food Ug, Hunger project, Uganda forum for agricultural advisory services -UFAAS and Consumers' education trust –CONSENT, Eastern and Southern Africa small scale farmers' forum - ESAFF and National Coalition of Human Rights Defenders-Uganda

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## INTRODUCTION

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### a) About the Report Compilation Methodology and the Submitting Organisations

This report is a culmination of joint efforts and data contributions of the Right to food cluster under the National Stakeholders' Forum for the UPR- a loose network of over 300 NGOs dedicated to following upon on UPR mechanism. All these organisations, with varying experience and expertise are key actors in the advocacy of the right to food in Uganda and the attendant rights. The report was compiled through collection of data from the membership of the cluster. A draft report was presented and validated amongst the members leading to this particular final report. This particular cluster on the Right to Food was convened and co-convened by:

- I. **The Food Rights Alliance- FRA**-which promotes the realization of the right to food in Uganda through Advocacy, Knowledge Management and Capacity Development;
- II. **The Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI-Uganda)**. SEATINI is a Non-Governmental Organization that works to promote pro-development trade, fiscal and related policies for sustained equitable development and improved livelihoods in Uganda and the East African Community region through raising awareness, public interest litigation, building stakeholders' capacity and joint advocacy.
- III. **Other members of the cluster** include Caritas Uganda, Community Integrated Development Initiatives (CIDI) and National Youth Advocacy Platform (NYAP), Uganda Common Voice Farmers' Platform, Civil Society Budget Advocacy Group, Slow Food Ug., Hunger Project, Uganda Forum For Agricultural Advisory Services –UFAAS, Eastern and Southern Africa small scale farmers' forum and Consumers' Education Trust - CONSENT.

### b) Right to Food Related Recommendations From the 2<sup>nd</sup> Cycle Review, 2016.

Out of the 143 recommendations accepted by Uganda in the 2016 2<sup>nd</sup> Review, 2 recommendations focused on Right to Food related content. These recommendations included one from South Africa to the effect;

- I. 115.35. Strengthen implementation of the National Agricultural Policy to ensure access to food and address malnutrition (*South Africa*);
- II. 116.15 Adopt and implement, without delay, the draft Food and Nutrition Bill of 2008 and adequately finance school meal programmes, in consultation with all relevant stakeholders (*Haiti*);
- III. 115.112 Make efforts as set out in the Sustainable Development Goals, especially those related to...agriculture and nutrition (*Bangladesh*).

In this report, we examine the past 5 years since Uganda's second cycle review in 2016; in section one, we assess the progress in implementing the past recommendations that relate to the right to food and

in *Section 2*, the report highlights the emerging human rights developments within the same period. In *Section 3*, we also make specific recommendations concerning the right to food to the government of Uganda.

## **SECTION I: THE PROGRESS IN IMPLEMENTING THE PAST RECOMMENDATIONS**

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### **1.1 Progressive Steps towards Ratifying and domesticating International legal instruments that underpin the right to Food**

Uganda committed to upholding the right to food through the International treaties it ratified and soft law including; Agenda 2030; especially Sustainable Development Goal 2, International Covenant on Economic Social and Cultural Rights, 1966, African Charter on human and Peoples Rights, Convention on the Right of the child Comprehensive Africa Agricultural Development Program (CAADP). These have been domesticated through The 1995 Constitution of the Republic of Uganda under Objective XXII on food security and nutrition, VISION 2040 that have informed the development of several frameworks and government programmes such as; Poverty Alleviation Action Programme (PEAP), Plan for Modernization of Agriculture (PMA) among others.

### **1.2 Development and amendment process of laws and policies**

In the period under review, the government of Uganda formulated a wide array of policies all aimed at increasing food availability, accessibility and adequacy in order to realize the Right to Food. These include ; the national seed policy (2018), National Fertilizer Policy (2016), National Agriculture Extension Policy (2016), National agriculture extension strategy (2016/2017-2020/21), National Irrigation Policy (2018), National Climate Change Policy, 2018, Uganda urban policy, 2017 and National Trade policy, National Organic Agriculture Policy (2019), Uganda Nutrition Action Plan II, NEMA Act, the National Seed Policy (2018), National Fertilizer Policy (2016), National Agriculture Extension Policy (2016), National Agriculture Extension Strategy (2016/2017-2020/21), National Irrigation Policy (2018), National Organic Agriculture Policy (2019) which all combined progressively provide the much need legal framework to guide operationalization of the agricultural sector and promote the right to food. The development and process of amendment of legislations and policies such as Drug Act, Land Acquisition, Resettlement and Rehabilitation Policy (LARRP 2019), Land Acquisition Bill (LAB 2019) and the Land Valuation Bill (2019) will provide parity in access to the right to food by stabilizing land rights among others.

**1.3** Further, Uganda adopted a multi sectoral approach to the realization of food and nutrition indicators. Therefore, several policies and guidelines have been developed and implemented to foster food accessibility, stability in food supplies, food utilization and addressing issues of adequacy in terms of safety and nutrition. The National adaptation plan for agriculture was adopted in 2018 aiming at increasing the resilience of Uganda's agricultural sector to the impacts of climate change, through coordinated interventions that enhance sustainable agriculture, food and nutrition security, livelihood improvement and sustainable development.

#### **1.4 Judicial affirmation of right to food as basic human right:**

The Government through the Judiciary should be commended for affirming the right to food as a basic human right and protected by constitution under national Objective XXII (b), (Article 8A and 45 in Uganda through the high court in the case for *Center for Food and Adequate Living Rights (CEFROHT) v Attorney General Civil Suit No.45/2020*).

#### **1.5 Development and implementation of food rights oriented programmes:**

The Government of Uganda has implemented various programmes towards increasing production, productivity, value addition and marketing. Some of these include; the Plan for Modernization of Agriculture (PMA), Development Strategy and Investment Plan 2011-2015 and Agricultural Sector Strategic Plan 2015/16 – 2019/20, Operation wealth creation, *Emyooga*, agricultural finance facility and the recently launched parish development model in 2021, all geared towards bringing to farmers planting materials, capital and other inputs so they can grow food they eat and thus improve nutrition and food security.

### **SECTION II:**

## **EMERGING CHALLENGES AND HUMAN RIGHTS DEVELOPMENTS SINCE 2016**

#### **2.1 The rising number of hunger-prone and undernourishment parts of the population;**

‘The right to adequate food is realized when every man, woman and child, alone or in community with others, has the physical and economic access at all times to adequate food or means for its procurement.’<sup>1</sup> Ugandans are still faced with both physical and invisible hunger. Of the estimated total population of 41 Million people in Uganda, 26% is living in a stressed food insecurity zone (IPC Phase 2)<sup>2</sup>. East Central with 1.88m has the highest population under this category; followed by the South Western region; 1.24million, Teso region-1.1 million and the West Nile region with 1.04million. Further 69% of the total population in the country is minimally food insecure (IPC Phase 1), 5% of the total population in the country is in Crisis (IPC Phase 3)<sup>3</sup>. Note should be taken that all regions in Uganda have a stressed population. In regard to urban variation, 17% of the population in Kampala is faced with acute food insecurity (IPC phase 3<sup>+</sup>)<sup>4</sup>, projected to be in acute phase in the last quarter of the year 2020. The situation was similar for other 11 urban centers assessed where 19% of the population on average were in acute food insecurity situation (IPC phase 3<sup>+</sup>) in need of urgent action.

**2.2** Overall, the prevalence of undernourishment (reflecting the share of the population with insufficient caloric intake below 2,200 kcal) remains high with nearly 40% of individuals in Uganda being classified as undernourished, and 16 percent of the households are chronically undernourished. This implies that Ugandans are unable to consume the minimum Required Dietary Intake (RDI) for light physical activity which is 2,200 kcal and are consuming only an average of 1,860 Kcal per day<sup>5</sup>. Currently, about 1.8 million children aged less than 5 years are stunted. At this pace, by 2030, approximately 11 percent of the population under five-years will be stunted.<sup>6</sup> It’s estimated that the

anemia levels increased from 49% in 2011 to 53% of children 6-59 months old and 33% of Women of Reproductive Age in 2018.<sup>7</sup>

### **2.3 Inadequate food for school children**

The situation of school feeding also portrays serious hunger with Northern and Western Uganda most affected. Only 34 percent of the children in the country receive meals while at school, with urban children (41%) being more likely to receive school meals than their rural counterparts at (32 %). The problem is more pronounced in Northern (14.8%) and Western (14.4%).<sup>8</sup> This lack of school meals has a direct impact on the productivity of the children while in school.

### **2.4 Right to food for Refugees**

With nearly 1.4 million refugees and asylum-seeker including 867,000 South Sudanese and 403,000 Congolese sheltering in Uganda as of January 2020, Uganda plays hosts to the largest refugee settlements in the World. Unfortunately, as of 2020, all refugee settlements were classified in IPC Phase 3 (Crisis)<sup>9</sup> with the worst affected being Bidididi, Imvepi, Kyangwali, Palabek refugee camps where 35% or more experiencing food security crisis or higher levels of food insecurity.

### **2.5 Right to food of Prisoners**

The quantity and quality of food served to inmates compared to the recommended dietary scale is inadequate. Prisoners are fed on Posho, beans and salt and additional food like silverfish (mukene) is provided to prisoners living with HIV to help boost their immunity<sup>10</sup>. While only Posho and beans are served, some prisons were not serving all the three meals in a day. The quality of the food served does not meet all the basic food nutrients necessary for the requisite health and strength of the inmates. These conditions violate the prisoners' basic human rights to adequate and nutritious food as well as impair their wellbeing. Additionally, there is inadequate provision of clean drinking water in some prisons, which leads to inmates drinking unclean water.

### **2.6 Impact of COVID 19 on Food security**

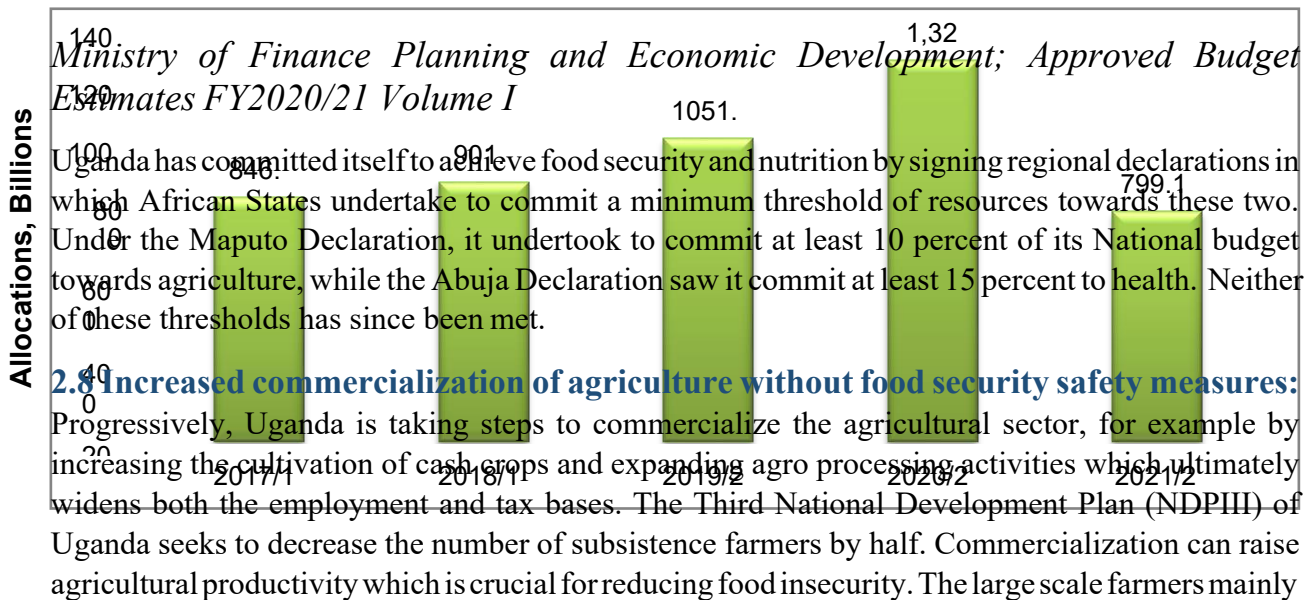
Due to the advent of COVID 19 and its associated preventive standard operating procedures adopted by the government of Uganda such as national lockdown which paralyzed all activities, 6 out of 10 Ugandans had a worsened food intake, 4 out 10 households reported having planted less, 7 out of 10 were worried running short of food; 3 out of 4 reported increased food prices. Despite of this, Uganda registered a minimal decline in the prevalence of undernourishment in the total population from 41.4% 2015-2017 to 41.0%; 2016-2018.<sup>11</sup>

### **2.7 Low Budgetary Allocations to the Agricultural Sector and its adverse impact on the right to food**

This situation above is as a result of many factors, these include; Low spending to the agriculture sector without specific target to the small scale farmers. Uganda committed to the international

instruments like the Maputo declaration and Malabo declaration of 2003 and 2014 respectively which key amongst its commitments was adequate financing of agricultural services in order to enhance food security. However, despite these efforts, of ensuring that Ugandans have right to adequate food and nutrition, Government has continuously failed to prioritize the budgetary allocations to right to food enablers in her budget. For instance, the budgetary allocations to agriculture in FY2020/21 was UGX 1,360 Billion (3.8%)<sup>12</sup> and is set to increase to UGX 1.686 Billion (3.77%) in FY2021/22 budget which is short of the commitment made in the Maputo Declaration. Failure to adequately allocate resources towards the right to food enablers puts Uganda at risk of not achieving the 2<sup>nd</sup> Sustainable Development Goal (SDG) of ending hunger, achieving food security and improved nutrition and promotion of sustainable agriculture; and SDG 12.3 of halving per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses by 2030.

**Budget allocation to the agriculture sector (% of the total budget) 2017 – 2022**





pursue plantation agriculture mainly in cash crops and livestock. Uganda's major agricultural commodities include sugarcane, coffee, tea, cassava, maize, beans, ground nuts, rice, and bananas. Coffee and tea are traditional cash crops grown mainly for export, while maize, beans, groundnuts, and rice are the primary agricultural commodities traded locally and within the EAC and COMESA region. However, in some regions of the country, smallholder farmers are venturing into cash crop production. For instance in the Eastern region, smallholder farmers opt to use their land to grow sugarcane for income generation at the expense of food security.

## **2.9 Limited access to agriculture extension services**

Whereas there has been progress in provision and delivery of agricultural extension services, there are several unmet farmers' demands for these services that need to be affectively addressed. According to the Ministerial Policy Statement FY 2018/19, Ministry of Agriculture Animal Industry and Fisheries (herein after MAAIF) recruited 3,854 (77%) extension workers at district and sub-county levels out of the initial target of 5,000 extension workers. As a result, the current ratio of extension worker to farmer is 1: 1,800 whereas the recommended is 1:500 (the approved structure is 13 officers at district level and 3 extension staff at sub-county level). The 5,000 extension staff were for 116 districts in FY2015/16, but districts have since increased to 128. This is an addition of 12 districts and 94 sub-counties that has led to inadequate staffing levels both at the district and sub-counties (BMAU, 2019). The lack of access to these services negatively impacts on skills transfer and increase in productivity of the farmers at the rural country level.

**2.10** Although the Uganda Constitution under National Objective and directive principle of state policy XXII, requires the state to encourage people to grow and store food, establish food reserves and encourage proper nutrition through mass education the country is faced with a challenge of the absence and privatization of national strategic food reserves and absence of seed banks. Also, it is concerning that no significant steps have been designed to address food and nutrition gaps in the country.

**2.11** Furthermore, the cost of food production, loss and wastage remains high due to inadequate financing towards agricultural research, post-harvest storage and handling, water for production among other needs in the agricultural value chain. For instance, Uganda's food loss ranges between 30 and 40 percent for grains and other staples; 30 and 50 percent for fresh-fruits and vegetables. And yet 69% of Ugandans are food insecure.

**2.12** Uganda lacks a law aimed at specifically advancing efforts to realize the right to food. Instead, there are scattered pieces of legislation which touch on the various facets of the right to food. At the policy level, whereas, as noted earlier, the country fares better unfortunately, there is limited implementation of these policies. The architecture and institutional framework for food and nutrition is very weak to give accountability and with limited capacity on enforcement of standards across the food chain. Regarding the institutional framework, many duty bearers are not aware of their mandate, while among those who are aware, many hold the erroneous view that implementation of the right is a duty of UN agencies.

## **2.13 Heightened Land Evictions that affects subsistence farmers**

Government has continued to pursue development policies/programs that force subsistence farmers off the land without arrangements to ensure their livelihood and therefore their access to food. The case of the Kaweri farming communities in the district of Mubende is a good example: The Uganda Government evicted subsistence farmers from land and allocated it to a German firm to grow coffee. Hundreds of subsistence farmers were evicted from land where they earned their livelihood and therefore the right to food. No viable alternative was found for the farmers. This is just one example out of the many that have happened especially in the quest for the industrialization programme that seem to be favored by the government through its programmes at the expense of agricultural land hence threatening food security.

### **SECTION III: RECOMMENDATIONS TO GOVERNMENT OF UGANDA TO IMPROVE RIGHT TO FOOD**

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1. Government should establish a Food Emergency Preparedness system and National Food Reserves in the various parts of the country especially those most vulnerable communities prone to famine and other disasters such as the COVID-19 pandemic.
2. Government of Uganda should consider establishing a vulnerability country register to aid and guide food distribution processes under circumstances where the most vulnerable to hunger are to be supplied with food supplies especially in situations of disasters such as the COVID-19 pandemic.
3. The Government of Uganda should undertake institutional reform of the Agricultural, food and nutrition sector by among other initiatives transforming the current Division of Food and Nutrition in the Ministry of Agriculture, Animal Industry and Fisheries into a Department and additionally facilitate the development and operations of the relevant Food and Nutrition Committees at National and Local Government Levels to oversee efforts geared towards food security across the country.
4. The Government of Uganda should fast track the adoption, passing and enactment of all the pending legislation and planning frameworks that relate to the right to food including among others, the Food and Nutrition Bill-2019, National Food And Drug Bill, the Land Acquisition Bill, 2018, Land Acquisition and Resettlement Policy, Land Valuation Bill into law and to operationalise the implementation of the current Food and Nutrition Policy, irrigation master plan, and the Nutrition Action Plan.
5. The Government should progressively increase the budgetary allocation to the agro-industrialization program to at least 10% in line with the Maputo Declaration on Agriculture and Food Security of 2003 and also adequately allocate resources to combat food loss and wastages across the value chain specifically on post-harvest handling and storage interventions.



6. Further, Government should consider consolidating and transferring to Uganda Development Bank all smallholder agriculture funds (*Microfinance Support Centre, Operation Wealth Creation, Youth Livelihood Program and Uganda Women's Entrepreneurship Programme, ACF, agricultural insurance scheme*) currently scattered under different institutions and programs. This will reduce duplication, rationalize operational costs and outcomes. The criteria for accessing funds should be simplified so that small scale farmers can access such funds.

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<sup>1</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR)". *Office of the United Nations High Commissioner for Human Rights. Retrieved 02 July 2021.*

<sup>2</sup> Integrated food security phase classification 2017; <http://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1027031/?iso3=UGA>

<sup>3</sup> Integrated food security phase classification 2020; <http://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1152896/?iso3=UGA>

<sup>4</sup> Integrated food security phase classification 2020; <http://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1152896/?iso3=UGA>

<sup>5</sup> Based on the USAID framework for HDDS for measurement of household food access, the 'average HDDS in the richest 33 percent of households can serve as a guide for setting the target level of HDDS' (Swindale and Bilinsky, 2006); from the UNPS, the average HDDS for this group was estimated at 9.2.

<sup>6</sup> Uganda Household and Demographic Survey: <https://dhsprogram.com/pubs/pdf/FR333/FR333.pdf>, 2016.

<sup>7</sup> State of Uganda Population Report <http://npcsec.go.ug/wp-content/uploads/2013/06/SUPRE-2018-.pdf>, 2018.

<sup>8</sup> Uganda National Panel Survey 2018-2019: <https://datacatalog.worldbank.org/dataset/uganda-uganda-national-panel-survey-2018-2019>

<sup>9</sup> Integrated Food Security Phase Classification 2020; <http://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1152896/?iso3=UGA>

<sup>10</sup> The Monitor, 'Without A Balanced Diet, Inmates On ARVS Are At Risk Of Slow Recovery,' October, 2011 [www.monitor.co.ug/uganda/magazines/healthy-living/without-a-balanced-diet-inmates-on-arvs-are-at-risk-of-slow-recovery-1501458](http://www.monitor.co.ug/uganda/magazines/healthy-living/without-a-balanced-diet-inmates-on-arvs-are-at-risk-of-slow-recovery-1501458)

<sup>11</sup> Kansiiime et al. 'COVID-19 Implications On Household Income And Food Security In Kenya And Uganda: Findings From A Rapid Assessment,' [www.sciencedirect.com/science/article/pii/S0305750X20303260](http://www.sciencedirect.com/science/article/pii/S0305750X20303260)

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