



# FACT SHEET

## Health and Human Rights in Uganda



World Health Organization

### Commitments to the right to health

Uganda has ratified a wide range of international and regional human rights treaties related to the enjoyment of the highest attainable standard of physical and mental health ('right to health'), including the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the African Charter on Human and Peoples' Rights (ACHPR). International commitments to human rights, including the right to health, provide a guiding framework for legislation, policies and programming at national level.

The **Constitution of the Government of Uganda (1995)** provides among its social and economic objectives that the State shall ensure that all Ugandans enjoy rights and opportunities and access to education, health services, clean and safe water, work, decent shelter, adequate clothing, food, security, pension and retirement benefits. However, the right to health is not incorporated among the operational articles. The Constitution includes provisions against discrimination and provisions relating to specific groups, such as the rights of women, children, persons with disabilities and minorities.

### Strategic directions

Uganda's Poverty Eradication Action Plan (PEAP) 2004/5 – 2007/8 does not incorporate human rights as a cross-cutting issue. Nevertheless, the PEAP states that the Government is committed to maintaining high standards of human rights. The PEAP will be replaced by a five-year **National Development Plan (NDP)**, which will outline overall policy objectives and development strategies. Partners have proposed that the plan incorporates a human rights-based approach in order to strengthen the focus on inclusion and accessibility for all.

The National Health Policy (NHP) 1999 and the Health Sector Strategic Plan II (HSSP II) 2005/2006 – 2009/2010 constitute a common strategic framework for all stakeholders. The Ministry of Health is currently finalizing the **National Health Policy II** and the **Health Sector Strategic Plan III** with the participation of health development partners and civil society organisations (CSOs), including human rights and gender equality advocacy groups. The NHP I and the HSSP II referred to rights in relation to specific health issues. The HSSP II also expressed a commitment to build individuals' and communities' awareness of their rights. Stakeholders have noted the importance of explicitly confirming Uganda's commitment to the right to health in the NHP II and the HSSP III and to ensure that strategic planning is guided by human rights standards and principles.

### Capacity building and sensitization

In recent years, the Government, health development partners and CSOs have taken steps towards integrating a human rights-based approach to health, resulting in important synergies. Human rights and gender focal points have been appointed in the Ministry of Health.

In 2006, a health and human rights capacity building workshop was organized by the **Ministry of Health (MoH)** with support from the World Health Organization (WHO) and the UN Office of the High Commissioner for Human Rights (OHCHR). The workshop discussed the linkages between health and human rights and explored how human rights can be used as a tool for the analysis, implementation and monitoring of the Uganda Health Sector Strategic Plan II. The workshop brought together a large number of participants from the MoH, other Ministries, the Uganda Human Rights Commission, district officials, professional associations, academic institutions, UN agencies, bilateral agencies, NGOs and Village Health Teams. The workshop initiated a dialogue on health and human rights and encouraged closer partnership between different stakeholders.

The former **UN Special Rapporteur on the right to the highest attainable standard of health ('right to health')**, Professor Paul Hunt, has carried out two country missions to Uganda at the invitation of the Government. The March 2005 mission focused on neglected tropical diseases and the February 2007 Mission addressed how the Swedish International Development Cooperation Agency (Sida) contributes to the realization of the right to health in Uganda.

During the 2007 visit of the Special Rapporteur a stakeholders' meeting was organized by the MoH, WHO, OHCHR and Sida. The objectives of the meeting were to sensitize participants to the right to health; review progress made towards implementation of the recommendations from the 2005 mission; and provide a human rights analysis of the Health Sector Strategic Plan II. The recommendations have contributed to the 2008 mid-term review of the Health Sector Strategic Plan II, which for the first time included a human rights and gender study.



The **Obalanga Human Rights and Health Care Association** in Amuria district (formerly Katakwi district) is a rare example of a grass root organization advocating for health rights. The community is affected by lymphatic filariasis and other neglected tropical diseases.

Since 2005, the **WHO Country Office** has initiated and supported various activities promoting a human rights-based approach to health, with support from Sida. During 2005-2007, a WHO health and human rights officer provided specific technical assistance in this area. The position was again filled in 2009. WHO will continue working with the Ministry of Health and other stakeholders to ensure attention to human rights in the design and implementation of health policies and programmes.

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In September 2008, the **Uganda Human Rights Commission (UHRC)** officially launched its Right to Health Unit. The former Special Rapporteur on the right to health, identified the UHRC as the national mechanism with “most promising possibilities” to monitor and ensure accountability of the implementation of the right to health in Uganda. The Unit has been operational since 2007 and has given specific

focus to policies, programmes and projects relating to neglected tropical diseases. It has also supported trainings on a human rights-based approach for health professionals. The Right to Health Unit is mandated to monitor compliance by the Government of Uganda with the right to health. The Unit operates under the UHRC’s Monitoring and Inspections Directorate.

**Table: International and regional human rights treaties and ratification and reporting status of Uganda**

| Human rights treaty | Year of adoption  | State parties | Treaty body | Ratification / accession of Uganda                                  | Uganda's reports to treaty bodies   | Article where right to health is recognized |                                 |
|---------------------|---|---------------|-------------|---|-------------------------------------|---|---------------------------------|
| CERD                | International Convention on the Elimination of all Forms of Racial Discrimination                             | 1965          | 173         | Committee on the Elimination of Racial Discrimination               | 1980                                | 2001  | Art. 5 (e) (iv)                 |
| ICESCR              | International Covenant on Economic, Social and Cultural Rights  | 1966          | 160         | Committee on Economic, Social and Cultural Rights                   | 1987                                | No report submitted                         | Art. 12                         |
| ICCPR               | International Covenant on Civil and Political Rights  | 1966          | 164         | Human Rights Committee  | 1995                                | 2003  | -                               |
| CEDAW               | Convention on the Elimination of All Forms of Discrimination against Women                                    | 1979          | 186         | Committee on the Elimination of Discrimination Against Women        | 1985                                | 2000 (1992, 1994)                           | Art. 11 (1) (f), 12, 14 (2) (b) |
| CAT                 | Convention against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment                     | 1984          | 146         | Committee Against Torture   | 1986                                | 2004  | -                               |
| CRC                 | Convention on the Rights of the Child   | 1989          | 193         | Committee on the Rights of the Child                                | 1990                                | 2003 (1996)                                 | Art. 24                         |
| ICRMW               | International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families | 1990          | 42          | Committee on Migrant Workers  | 1995                                | No report submitted                         | Arts. 28, 43 (e) and 45 (c)     |
| ICPPED              | International Convention for the Protection of All Persons from Enforced Disappearance                        | 2006          | 13          | Committee on Enforced Disappearances                                | Signed (2007) but not yet ratified  | N/A   | -                               |
| CRPD                | Convention on the Rights of Persons with Disabilities   | 2006          | 64          | Committee on the Rights of Persons with Disabilities                | 2008                                | No report submitted                         | Art. 25                         |
| ACHPR               | African Charter on People's Rights  | 1981          | 53          | African Commission on Human and Peoples' Rights                     | 1986                                | 2008 (2000, 2006)                           | Art. 16                         |
|                     | Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa                 | 2003          | 21          | African Commission on Human and Peoples' Rights                     | Signed (2003), but not yet ratified | N/A   | Art. 14                         |
| ACRWC               | The African Charter on the Rights and Welfare of the Child  | 1990          | 41          | African Committee of Experts on the Rights and Welfare of the Child | 1994                                | No report submitted                         | Art. 14                         |

## Recommendations from treaty bodies

Once a government ratifies a human rights treaty, it is obliged to submit periodic reports to a treaty monitoring body. Treaty bodies are comprised of independent experts mandated to monitor the measures taken by governments to implement their human rights obligations. The treaty bodies engage in a dialogue with the government on its implementation of the human rights treaty. They also provide recommendations which can be used to guide priority setting and programme implementation. Some examples of recommendations from treaty bodies to the Government of Uganda are listed below:

### Committee on the Elimination of All forms of Discrimination Against Women (CEDAW)

- To reinforce programmes of sexual and reproductive health education for both girls and boys and to provide safe and affordable contraceptives;
- To enhance efforts to address female genital mutilation in order to eradicate this harmful traditional practice.

### Committee on the Rights of the Child (CRC)

- To provide children with disabilities with access to adequate social and health services;
- To strengthen efforts to combat HIV/AIDS, including through awareness raising campaigns, and to prevent discrimination against children with and affected by HIV/AIDS.
- To ensure that professionals working with and for children with disabilities are adequately trained.

### Committee on the Elimination of Racial Discrimination (CERD)

- To provide disaggregated data on access to health care, housing and employment by persons belonging to ethnic and national minorities.

Uganda is yet to submit a report to the Committee on Economic, Social and Cultural Rights. The ICESCR is widely considered as the central instrument of protection for the right to health in international human rights law.

**Health and Human Rights:**  
WHO: <http://www.who.int/hr>  
**Human rights in Uganda:**  
UHRC: <http://uhrc.org>  
OHCHR: <http://ohchr.org>  
<http://www.ohchr.org/EN/Countries/>

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