

5th December, 2014

FOR IMMEDIATE RELEASE

Kampala-Uganda – ‘We demand for the inclusion of the right to the highest attainable standard of Health in the current review process of Uganda’s Constitution’ – this was today’s demand from Civil society groups working on the right to health as they were making a submission to the Uganda Law reform Commission (ULRC) appealing to government to consider amending the constitution to include the right to the highest attainable standard of physical and Mental health.

While the National Objectives and Directive Principles of State Policy as provided for in the Constitution indicate Uganda’s commitment towards ensuring the provision of basic medical services to the population, these are not sufficient and cannot be enforced by courts of law.

The right to health is not sufficiently provided for in the constitution of the republic of Uganda. This has made it hard for the private sector, public policy makers, government and donors to invest pro-actively in the sector. Lack of an enabling legislation for service provision has worked against us because we cannot even hold government accountable for the promises, policies and budget allocations they make towards health. As a result, health is considered a moral obligation and not an aspect of rights with legal force.

Ugandans need to understand that by paying taxes to government, government is bound by a social contract to account back to the people on how resources are utilized. Our proposal therefore seeks to provides a legal framework for citizens to realize the right to health; access to basic medical and emergency treatment, reproductive health services including family planning, medicines, health information, social security for people who would otherwise not be able to afford health services among other health goods.

An express law in the constitution on health will in addition enable communities to demand their legal entitlements to health services from their immediate community duty bearers.

‘Two-thirds of Constitutions in the world have a provision addressing the right to the highest attainable standard of health including the right to health care services. By providing for provisions recognizing health rights, Uganda will be following in the steps of many progressive countries including Kenya, South Africa and lately Zimbabwe.’ –Says Mr. Mulumba Moses from the Center for Health, Human Rights & Development.

For details concerning submission of Civil Society Proposals on the right to health into the constitution, contact Ms. Mugisa Martha at mugisamartha@gmail.com and /or on Primah Kwagala at kwagalap@gmail.com or call 0414 532283 for details.