

PRESIDENT’S KEYNOTE ADDRESS ON THE INTERNATIONAL HUMAN RIGHTS DAY

Protocol

The Ag. Chairperson of the Uganda Human Rights Commission;
Dr. Katebalirwe Amooti Wa Irumba

Members of the Commission present;

Dignitaries and representatives present;

Distinguished guests;

Ladies and gentlemen;

Good morning to you all;

Introduction

- It is indeed an honor to stand before you on this important day as we celebrate human rights. Today, marks the 71st anniversary of the International Human Rights Day which also doubles as the birth of the Universal Declaration of Human Rights Charter.
- I bring warm regards from the Bar and the Council of the society. I thank the Commission for organizing this important event in these difficult times. I commend your dedication to this cause.
- I am one of the strongest proponents on the mentality that “We don’t need a statute to justify the rights of another person and why they should not be violated.”

- Just like our statutes point out, I strongly believe that these rights are “inherent” and by this very sense I understand the law only to confirm what is already entrenched in our very humanity. It is therefore reason enough for us to stand here today and celebrate this important day and what it means to us.

The Human Rights Commission and its role

- The Human Rights Commission is the epicenter for ensuring that every victim of a human rights violation is assisted as per their constitutional mandate on the protection of all human rights -- civil, political, economic, social and cultural.
- I applaud the Commission for this work because through this mandate, every door you open helps promote opportunity. Every right you secure is another brick in the building of a better world.
- Your efforts underscore how human rights are of value in themselves and should never be instrumentalized, and that they are also essential to advancing peace and human dignity, empowering women and girls, deepening development and sparking hope.

Human Rights under the various legal regimes

- The rights enshrined in the Universal Declaration of Human Rights and our statutes alike belong to everyone, everywhere. They are independent of nationality, gender, sexual orientation, race, religion, belief or any other status.

- Therefore prevention from violation of these rights must be a priority in everything we do. Human rights are therefore, in essence a template for building resilience and preventing crises.
- Every measure to uphold human rights helps ease tensions, deliver sustainable development and sustain peace. And I think we all stand witness to the recent violent incidents that happened because of an unexplained act of confinement by law enforcement agencies.
- This should be evidence enough to show us the will of people to fight against what they feel is wrong. And quote me right; I don't in any way or form condone the violence that happened but it was a unanimous eye opener showing us how a singular violation can cost a thousand other lives, property and livelihoods.
- Sometimes rights are defined as privileges, but when used in the context of "human rights," it describes something more basic. The entitlement of fundamental rights that every individual, simply because they are a human being is, called human rights.
- A human is born with these rights which are present until his death. All humans on this planet are entitled to these rights. These rights are effective for everyone, irrespective of who they are, where they are from or how they choose to live their lives. These rights were developed to protect from anyone who wanted to harm or violate someone.

Human Rights vis a vis COVID-19

- There isn't a test that has been tough to maneuver like the COVID-19 pandemic. It has unearthed a plethora of human rights issues that emerged from all corners of the country and the world at large.
- As we continue fighting against the looming COVID-19 pandemic, special attention must also be drawn to the underlying human rights violations that have been overshadowed by the pandemic; a crisis that has since been referred to by the United Nations as the "Shadow Pandemic".
- Several reports have indicated a drastic rise in cases of sexual, gender based, and domestic violence since the outbreak of COVID-19. A **World Vision's Child Protection Facilitator** at the **Bidibidi Refugee Settlement**, says that since **March 2020**, they have registered **19 cases of teenage pregnancy, 6 cases of child marriage, 5 defilement cases, 4 child-to-child sex cases and 2 cases of forced marriage**¹.
- Survivors have limited information and awareness about available services and limited access to support services.
- In some countries, resources and efforts have been diverted from violence against women response to immediate COVID-19 relief. According to the "**Sexual and Reproductive Health and Rights Challenges among**

¹ <https://www.wvi.org/stories/uganda/covid-19-aftershocks-teenage-pregnancy-rise-refugee-settlements>

Ugandan Youth during COVID-19 Pandemic lockdown,” An online Cross-Sectional Study,² Out of **724** participants, **203 (28%)** reported not having information and/or education concerning sexual and reproductive health (SRH). About a quarter of the participants **(26.5%)** reported not having testing and treatment services of Sexual transmitted Infections available during the lockdown. Lack of transport means was the commonest **(68.7%)** limiting factor to access to SRH services during the lockdown followed by the long distance from home to health facility where to get the services **(55.2%)**, cost of services **(42.2%)** and curfew **(39.1%)**. Sexually transmitted diseases were the commonest **(40.4%)** challenge relating to SRH during this lockdown followed by unwanted pregnancy **(32.4%)** and sexual abuses **(32.4%)**. The Multivariate Regression Analysis shows that challenges were more prevalent among the co-habiting youth.

- In lieu of the looming human rights violations, the need for access to justice was one that presented a big challenge as victims lacked the necessary resources to aid their legal issues during the lock down. Additionally, Lawyers and the judiciary were not designated as essential service providers leaving a big lacuna in the essential rights of fair hearing

²https://www.researchgate.net/publication/343303111_Sexual_and_Reproductive_Health_and_Rights_Challenges_among_Ugandan_Youth_during_COVID-19_Pandemic_lockdown_An_online_Cross-Sectional_Study

which are also non-derogable under Article 44 of our Constitution.

Stakeholders' role

- In light of the foregoing, it is therefore incumbent upon stakeholders to implement national and international human rights provisions.
- Also creating ways for the citizens to seek help on breach of their rights.
- Non-governmental organizations should hold publically accountable, governments that commit human rights violations. On behalf of individuals or groups, organizations bring lawsuits to protect human rights.
- As enforcement is directed to the fight against CoVID-19, focus should also be given to the shadow pandemic that has been created as result of CoVID-19 as has been explained above.

ULS' Role in Upholding Human Rights

- What, therefore do we stand for as the premier Bar Association of Uganda? To be a proficient Bar association in fostering access to justice, the rule of law, and good Governance in Uganda.
- I would like to applaud government on the efforts made in ensuring that human rights are respected. Most notably the promulgation of the Human Rights Enforcement Act, 2019.

- I implore you that lets us not stop at passing the laws that matter but ensure that we live up to the aspirations and goals of these laws to promote human rights for everybody.
- In lieu of this, the Uganda Law Society also believes that the passing of the Legal Aid Bill into an Act by government will be crucial in ensuring access to justice, particularly for the most vulnerable, indigent and marginalized of society.
- The Uganda Law Society remains committed to its mandate of upholding the rule of law and human rights. It is in this regard that the ULS launched its third quarterly state of the Rule of Law Report highlighting several key rule of law issues that sought the attention of the government and non-government actors alike. The ULS has also just come from hosting its Annual Pro-bono day celebrations where lawyers offered free legal advice to the clients and public.

Conclusion

- As the Uganda Law Society, we therefore pledge to live up to the aspirations of our mandate to uphold the rule of law and human rights. As stakeholders, we hold the blazing candle of hope for the majority that expect justice as nothing short of this has ever been expected of us.

Thank you for listening to me.

Happy International Human Rights Day

PHEONA WALL

PRESIDENT