



A JOINT PRESS STATEMENT PRIORITIZE THE RIGHT TO DIGNITY AND LIVELIHOOD OF WOMEN WORKERS IN COMMERCIAL INVESTMENT SCHEMES. A CALL TO GOVERNMENT AND INVESTORS

8th March 2022

We, Civil Society Organizations (CSOs) working on women, land, health, labour rights and development related issues, wish to register our apprehension for the continued violation and abuse of workers' rights especially the women workers by investors in commercial investment schemes.

Our concerns are informed by the fact that increasingly commercial investment schemes are becoming synonymous with human and environmental rights violations. In a number of commercial investment schemes i.e. factories, flower firms, and plantations, women's rights are violated.

Illegal land evictions are rampant in the districts of; Kiryandongo, Kassanda, Mubende, Mityana, Wakiso, Kalangala, Nakasongola, Abim, Napak, Kotido, Mukono, Kayunga, Kaberamaido, Bunyangabu, Kyankwanzi and Mbale with limited and inadequate government intervention.

Land-based investments are dispossessing and evicting communities from their land to grow the same cash crops i.e. sugarcane, maize, coffee, palm fruits, soy bean as those of the displaced communities. They then convert the initially self-sustaining and food secure communities into landless, poorly paid casual labourers thereby depriving them of their means of livelihood and the right to live in dignity. There are power imbalances between the investors and the host communities especially the women thereby creating a situation of impunity on the part of the investors.

The workers especially women, in factories and plantations work under very precarious conditions. They are subject to work without or with inappropriate Personal Protective Equipment which exposes them to hazardous chemicals.

There is rampant casualization of labour with no contracts, on daily wages, unfair dismissal from work, no access to either annual leave or maternity leave; very heavy work load whether by a woman or a man among others. This challenge pertains also in other countries in East Africa and Africa at large. The workers' situation is worsened by the wages paid in absence of a minimum wage paid given the unfair

existing Minimum Wage of Uganda Shillings 6,000 a rate which has not been reviewed since 1984.

It is our considered view that this situation has been proliferated and aggravated by the existence and absence of appropriate legal frameworks to ensure the protection of citizens and the environment against investment related human rights violations.

We note specifically, that a number of investment related policy frameworks in Uganda are blind to the protection of Economic, Social and Cultural Rights. Specifically, the Investment Code Act, 2019 despite recently being amended still has many gaps for example does not provide for a requirement for Human Rights Impact Assessment to be undertaken by investors prior and during the implementation of investment projects. It does not provide for a Performance Requirement measures and Due diligence. The Employment Act, 2006 also does not protect workers against casualization of labour.

Uganda has signed a number of Bilateral Investment Treaties (BITs), of which 6 are in force. The treaties focus on protecting the rights of investors at the expense of citizens' rights. As such, investors have not been held accountable for the acts they have committed in violating people's rights and environmental rights. This lacuna in our investment related policy frameworks has hit harder on women workers since they have limited capacity and ability to understand and negotiate better employment terms.

In a bid to attract investments, Government markets Uganda's labour as cheap and has given investors a lee-way to degrade Ugandans especially women.

It is against this background that SEATINI Uganda, CEFRONT, PLA, NOTU, FRA, GRAIN, Coalition of Human Rights Defenders and UCCCA wish to call upon the Government of Uganda and investors to prioritize citizens' right to dignity and livelihood of women workers over profits. Therefore, we call upon the Government of Uganda to address gaps in all investment related legal frameworks to ensure the protection of rights of women workers, community and environmental rights.

Specifically, Government of Uganda should;

1. Urgently review the Investment Code Act, 2019 to address the challenges associated with Largescale Land Based investments to include Human Rights Impact Assessment, Performance Requirements and specifically enforce the African Union Guidelines for Largescale Land Based Investments and the UN Guiding Principles on Business and Human Rights.
2. Review the Employment Act, 2006 and the Occupation Health and Safety Act, 2006 to protect people's (workers' and communities') right to dignity and livelihood.
3. As an active member of the International Labour Organization (ILO) and signatory to Minimum Wage-Fixing Machinery Convention No. 131 domesticated in Minimum Wages Advisory Board and Wages Councils Act; the Government of Uganda should implement the 2015 Recommendations of the Minimum Wages Advisory Board to enhance the protection of workers from exploitation. In addition, we also call upon the Government to expedite the process of ratifying the ILO Convention No. 190 and align the legal framework to address violence and harassment in the world of work.
4. Review all Bilateral Investment Treaties (BITs) in order to balance between protection of the rights and obligations of the people/citizens and the environment on one hand and the protection of the rights and obligations of the investors on the other hand.
5. Investigate into the situation of workers in commercial investment schemes such as factories, flower firms, and plantations with a view to secure redress for the affected persons.
6. Investigate into the situation of land dispossession of communities by commercial investment schemes with a view to secure redress for the affected persons and communities.
7. Direct all investments to take up the responsibility of providing workers, both casual and staff workers with proper and adequate personal protective gear for protection against the exposure to various injuries during their work
8. Ensure that each district has a labour officer who is equipped and capacitated to deliver on their duties and responsibilities.
9. Expedite the process of ratifying the ILO Convention no.190 and align the legal framework to address the violence and harassment and in the world of work.
10. Mainstream the Principles in the National Action Plan on Business and Human Rights in the Binding laws such as the Investment Code Act, 2019.



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