



ADVISORY ON THE RIGHT TO HEALTH

1.0 Introduction

The Uganda Human Rights Commission (UHRC) is the national human rights institution with the mandate to protect and promote human rights.¹ This mandate includes monitoring Government compliance with international treaty and convention obligations on human rights. In fulfillment of this mandate the UHRC may issue periodic reports on its findings on the state of human rights and freedoms in the country. In its 28th Annual Report on the state of human rights and freedoms the UHRC documented human rights concerns on the right to health including mental health, the cancer burden and drug and substance abuse. The UHRC continues to monitor the right to health and advise the Government as below.

2.0 Contextual Background

The right to health is a fundamental right provided for in various international and regional human rights instruments which Uganda has ratified.² Objective XX of the *Constitution of the Republic of Uganda* provides that the State shall take all practical measures to ensure the provision of basic medical services to the population.

¹ Article 52 of the Constitution of the Republic of Uganda.

² Article 12 ICESCR, Article 16 ACHPR, Article 12 CEDAW, and Article 24 CRC.

The right to health is interlinked with the enjoyment of other rights such as the right to life, rights of the family, rights of women, children and vulnerable persons such as the elderly, persons with disabilities and economic rights.

General Comment No. 14 on the Covenant on Economic, Social and Cultural Rights provides that the right to health must be understood as a right to the enjoyment of a variety of facilities, goods, services and conditions necessary for the realization of the highest attainable standards of health. The right to health is progressively realized, acknowledging constraints due to limits of available resources. However this progressive realization must be exercised without discriminations.

State parties have a duty to respect, protect and fulfil the right to health. The right to fulfill includes the obligation to facilitate, provide and promote.³

3.0 Observations

1. The UHRC notes that the Government has, since 2021, been progressively increasing the Health Sector Budget, with Financial Year 2025/26 seeing a significant increment (~8.1% of the national budget), doubling what it was in FY 2021/2022. In 2021, the budget stood at 2.5 trillion, but now stands at 5.87 trillion, a more than 100% increment.⁴ The Commission notes that Government should progressively endeavour to provide 15% of its budget towards the health sector. The Commission notes that the increment is intended, among others, to enhance maternal and child health services, as well as enhance disability-specific healthcare. This has, for instance, seen the rehabilitation of 11 hospitals and various health care centres. Also, additional funding has been allocated to maternity wards, staff training, and essential supplies, improved emergency obstetric care and postnatal services across public hospitals.

³ See General Comment No. 13, para 43.

⁴ Ministry of Finance, Planning and Economic Development, BUDGET SPEECH FINANCIAL YEAR 2025/2026.

2. The Government has embarked on upgrading and rehabilitating hospitals and health centres. Up to 65 HC IIIs and 45 IVs were equipped with modern medical equipment and facilities. Steps have also been taken to increase the number of public health centres. These stood at 11655 in FY 2018/19 and but increased to 1536 in FY 2022/23. This has resulted in 77% of communities now living within 3km of HC III.⁵
3. The Commission notes that recent developments in the donor environment have resulted in the withdrawal of donor support, disrupting the provision of some healthcare services in Uganda. Although support seems to have later been rationalised to maintain funding for life-saving situations vulnerable sections of the population, including persons living with HIV/AIDS are greatly impacted. The Commission notes that the Government has implemented a new staff structure with a view to providing more responsive and tailored services to the population. At regional referral hospitals, the structure is filled at an average of 25%⁶, attending to an average of 300 to 500 outpatients daily⁷. Medical interns are deployed throughout the year for practical training following their studies and provide medical services under supervision, to the hospitals and health centres.
4. The Commission notes that since 2021 there have been phased enhancement of salaries for health workers as well as for medical interns. We note the current stand-off regarding the facilitation of medical interns resulted from a proposed change in policy of Government regarding facilitation of medical interns that has resulted into threatened refusal to report for duty by the medical interns. The Commission notes that on 12th August 2026, medical interns identifiable by clinical coats were arrested along Parliamentary Avenue as they peacefully walked to Parliament to present a petition to the Speaker of Parliament. Eight (8) medical interns were arrested and charged on 14th

⁵ Uganda Intergovernmental Fiscal Transfers Statistics <https://ugift.finance.go.ug/health/>.

⁶ Findings by the UHRC during monitoring of regional referral hospitals in Uganda conducted in August 2026.

⁷ As per statistics obtained by UHRC from regional referral hospitals in August 2026.

August 2026 with being a common nuisance on a public road and remanded to Luzira Prison.⁸

4.0 Human Rights Concerns

4.1 Right to health

The Commission notes that the Government has an obligation to respect, protect and fulfill the right to health. Government should make every effort to remove any structural impediments to the realization of the right to health. *General Comment No 14 of the Covenant on Economic, Social and Cultural Rights* highlights that the right to health care is assessed under the 4As framework of *accessibility, acceptability, affordability and availability*. The duty to ensure the availability of the right to health means that state parties must guarantee that functioning public health and health care facilities, goods, services, and programs exist in sufficient quantity and proper working order throughout their entire territory. This includes the obligation to train and pay medical professionals meaningfully. The Commission notes the measures taken by Government towards realization of this obligation and calls on both medical workers and the Government to address any concerns respectfully and meaningfully without depriving the population of access to health care services.

4.2 Right to pay for medical interns

The Commission notes the stand-off between the Government and medical interns as to whether or not medical interns are employees entitled to pay or students on apprenticeship. The Commission notes that the Government is in the process of developing a policy for regulation of facilitation of medical interns. The Commission advises comprehensive and participatory consultation in the resolution of this standoff between Government and the medical interns bearing in mind the staffing gaps that hospitals operate within which inevitably requires medical interns to work long hours, the requirement for

⁸ Daily Monitor Newspaper dated 14th August 2026 accessed online at www.monitor.co.ug on 17th August 2026.

health workers to be easily accessible at all times and the personal safety of health professionals. The Commission notes that policy should be informed by the unique context of the health system in Uganda while applying international human rights standards and obligations. The Commission further notes that a prolonged impasse disproportionately affects the most vulnerable persons in the community and calls for respectful and speedy resolution by the parties.

4.3 Freedom of conscience, expression, movement, religion, assembly and association

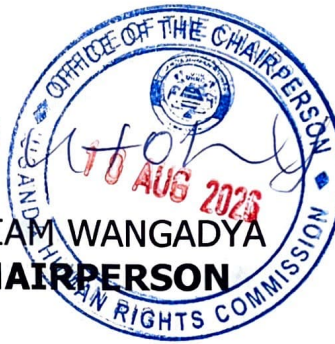
The Commission notes that the right to freedom of conscience, movement, assembly and association is guaranteed under article 29 of the Constitution of the Republic of Uganda including freedom of press and other media. The Commission notes that the exercise of this right is vital in a democratic society to peaceful and meaningful resolution of societal issues. The Commission calls upon the Government in the exercise of its duty to protect the enjoyment of this right for all persons and to promote safety for citizens to exercise public speech. The Commission notes that citizens enjoy the right to peacefully demonstrate and the State has an obligation to protect the exercise of these rights for all persons including health professionals. The Commission notes that arrests should be undertaken strictly in accordance with the law, with due regard to applicable procedural safeguards, particularly in the context of existing pressures on the criminal justice system, including prolonged pre-trial detention and prison overcrowding.

Recommendations

1. Government should continue to engage meaningfully with the leadership of the medical interns to resolve the stand-off regarding facilitation of interns to ensure that the right to health of the most vulnerable populations are protected and promoted.

2. Duty bearers should fulfil their obligation protect and promote the right of health workers and other workers and citizens to assemble and demonstrate together with others peacefully and unarmed and to petition competent authorities for redress.


MARIAM WANGADYA
CHAIRPERSON



18th August 2026