



LASPNET

LEGAL AID SERVICE PROVIDERS' NETWORK

The Secretariat
Plot 10, block 75 balintuma Road Mengo.
Kampala – Uganda.

Thursday 25th June 2020



Our ref: LASP 050-2020



**The Right Hon. Prime Minister
& Chairperson of the National Task Force COVID19,**
P.O Box 341,
Kampala (Uganda)

Dear Sir,

**RE: LASPNET PETITION TO GOVERNMENT TO CONSIDER RE-OPENING
SCHOOLS AND ALL HIGHER INSTITUTIONS OF LEARNING AMIDST THE
ONGOING PARTIAL LOCKDOWN**

Warm greetings from the Legal Aid Service Providers Network (LASPNET)!

On behalf of the Network, and its Strategic Partners, I hereby forward to you our **Petition to Government to consider re-opening Schools and All Higher Institutions of Learning amidst the ongoing partial lockdown.**

We appreciate your selfless service and look forward to your positive attention to our request.

Yours faithfully,

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**Dr. Sylvia Namubiru Mukasa
Chief Executive Officer**

**CC: The Hon. Minister of Education and Sports,
CC: The Hon. Minister of Health,
CC: The Hon. Minister of Gender, Labour and Social Development,
CC: The Chairperson National Council of Higher Education
CC: The Chairperson Uganda Human Rights Commission
CC: The Chairperson Uganda National Teachers Union**



*Received Human Rights Commission
FR 26/6/2020*

Email: secretariat@laspnet.org

Website: www.laspnet.org

1. Abantu for Development Uganda
2. Acid Survivors Foundation of Uganda
3. Action Against Violence
4. Action for Poverty Reduction and Livestock Modernisation in Karamoja
5. African Prisons Project
6. Avocats Sans Frontieres
7. African Centre for the Treatment and Rehabilitation of Torture Victims
8. Association of Human Rights Organisations
9. Centre for Legal Aid
10. Centre for Public Interest Law
11. Community Justice and Anti-corruption Forum
12. Community Legal Action and Integrated Development
13. Defence for Children International
14. Facilitation for Peace and Development
15. Foundation for Human Rights Initiative
16. Human Rights Awareness and Promotion Forum
17. Human Rights Center Uganda
18. Inter Religious Council of Uganda
19. Justice and Rights Associates
20. Kamuli Community Based Paralegals Association
21. Land and Equity Movement in Uganda
22. Law and Governance Advocates-Uganda
23. LDC Legal Aid Clinic
24. Legal Action for Persons with Disability
25. Legal Aid Project of the Uganda Law Society
26. Micro Justice Uganda
27. MIFUMI
28. Muslim centre for justice and Law
29. National Union for Dis Uganda
30. Platform for Labour Action
31. Public Defender Association of Uganda
32. Public Interest Law Clinic
33. Refugee Law Project
34. Retrak Uganda
35. Street Law Uganda
36. Top Legal Aid Project

P.O. Box 6488, Kampala-Uganda



**PETITION TO GOVERNMENT TO CONSIDER RE-OPENING SCHOOLS AND
ALL HIGHER INSTITUTIONS OF LEARNING AMIDST THE ONGOING
PARTIAL LOCKDOWN**

**The Right Hon. Prime Minister & Chairperson of the National Task Force
COVID19,**

The Hon. Minister of Education and Sports,

The Hon. Minister of Health,

The Hon. Minister of Gender, Labour and Social Development

Background

The Legal Aid Service Providers Network (LASPNET) is a national member-based NGO of 55 Legal Aid Services Providers (LASPs) spread across 80 districts in Uganda. The Network has 7 Honorary members comprising of Judges of the High Court; Founder Members and JLOS key stakeholders. LASPNET aims at providing strategic linkages and collaborative support to Legal Aid Service Providers as well as improve Access to Justice for the poor and vulnerable in Uganda. LASPNET together with the undersigned members and strategic partners is pleased to share with the Right Hon. Prime Minister, Hon. Ministers of Education and Sports and Health, an appeal requesting to consider lifting the ban on closure of Schools and all Higher institutions of Learning amidst the partial lockdown.

LASPNET and its partners are cognizant that COVID 19 has had unprecedented impact on different sectors of world economies which include among others Health, Business and Trade; Education; Construction and Transport. We therefore applaud the Government of Uganda for putting up a spirited fight to mitigate the spread of COVID-19. Government's demonstrated efforts were evident through issuing several directives by His Excellency the President which among others included banning public transport and closure of offices, schools and higher institutions of learning. However, Government has systematically lifted the lockdown and re-opened other sectors, the fate for the Education sector is still hanging in balance. That is to say, Schools and Higher Institutions of Learning remain closed for now four months without any certainty of re-opening soon.

In accordance with its mandate, the Ministry of Education and Sports initially established a Task Force on Education to support continuity of learning and re-opening of schools amidst COVID-19 and further developed the Preparedness and Response Plan (PRP). We note that the plan was very timely and provided comprehensive strategies through which learners could cope with their studies

remotely. Other key interventions explored by the Ministry of Education during the COVID lockdown included: the distribution of writing and reading materials at the district and sub county levels to facilitate home schooling and long-distance learning. The Ministry further collaborated with the Media to facilitate E-learning through visual and print platforms. All these were timely and appropriate measures deemed fit in phase I of the COVID lockdown. However, these need to be adjusted to suit the current trends of COVID19 intervention bearing in mind that the Education system follows strict Annual Plan.

Context and issues emerging

The above measures notwithstanding, we are concerned that the E-learning platforms have certain limitations regarding inclusion, geographical location, concentration levels, practicability especially for Science lessons and the mode of facilitation which doesn't offer learners the opportunity to engage with the facilitators into deeper understanding of different concepts. Furthermore, we have continuously observed that E-learning is very expensive especially where learners cannot access enablers such as Televisions; Radios; Computers and Phones and Internet infrastructure. Although the Government had promised to distribute TV Sets as well as Radio to different homesteads to aid E-learning, we opine that this might be costly and not effective hence culminating into wastage of Tax payers' money.

Needless to note that internet costs remain exorbitant with higher charges on the Over the Top Tax (OTT) and Data bundles. In addition, E-learning is constrained by frequent power interruptions and the fact that it cannot favor learners with special needs such as visual and hearing impairments. In reference to media report generated from our Call Centre and Situational room, the continued closure of Schools and Higher institutions of Learning has exposed children and learners to emotional stress; rape; defilement; early marriages and unwanted pregnancies as evidenced in hotspot districts such as Iganga and Kamuli in Eastern Uganda.

Suffice it to note, the continued closure of schools has put at stake the livelihoods of many teaching and non-teaching staff in Schools and Higher institutions of Learning. This is because majority of these staff especially in private schools have not received their salaries since the lockdown and closure. This information is validated by reports from the Situational Room where we have so far received 100 cases of teachers in Kasangati decrying the lack of basic necessities such as Food. We however note that neither Government nor the responsible institutions have come out to handle the plight of such teachers through providing them with the necessary relief items.

On that note therefore we contend that it is not true as reflected in the 17th Presidential Address of 22nd June 2020 that stakeholders are against their children going back to School. On the contrary, we stakeholders working in the CSO space and closely with communities, have been requested by parents and teachers to voice out their concern of reopening up Schools and Higher institutions of Learning so that

the learners can resume school adding that their children are at high risk of contracting the COVID pandemic since they spend most of the day on the road and in crowded places such as businesses, offices and other town centres. This therefore suggests that keeping children in school under strict adherence of the Standard Operating Procedures is much safer and would lower down their risk to contract the pandemic than in their homes.

We would like to further draw your attention to the fact the above limitations and closure of Schools and Higher Institutions of learning undermine the Right to Education as enshrined under Article 13 of the International Covenant on Social, Economic and Cultural Rights (ISECR) and Article 30 of the 1995 Constitution. The continued lockdown of schools exposes children and students to risks which are contrary to **Section 7** of the Children Act as amended in 2016 that protects children against any harmful practices and decisions.

This PETITION THEREFORE wishes to draw the attention of responsible stakeholders in Government to the urgency to reopening of Schools and all Higher Institutions of Learning to enable Learners to continue with their education and Teachers to work under strict guidelines and adherence to the Standards Operating Procedures.

Recommendations:

It's in this regard that LASPNET with its members and strategic partners would like to propose the following recommendations to the National Task Force through your honorable offices as below;

To National Task force

- a. To engage H.E the President as he continues to ease the lockdown to apply a waiver on Students and pupils in School and all Higher Institutions of Learning and allow them resume school under strict Guidelines and Standard Operating Procedures.
- b. To provide relief support to Teachers and support staff under the arrangement of Private schools and Higher institutions of Learning.

To the Ministry of Education and Sports

- a. To work with School Management Committees in Schools and all Higher Institutions of Learning to boost internal security school structures so as to stop external walk-ins and visitors who may pose a risk to the candidates.
- b. To address structural limitations for E-learning including internet and power connections where need arises for such facilities.
- c. To issue stringent guidelines to protect parents from exploitation by Private schools through demanding them to pay school fees for the previous as well as unnecessary School fees/tuition increments.

To the Ministry of Health:

- a. In the event that the Schools and all Higher Institutions of Learning are re-opened to provide especially to Government funded schools and institutions

free Temperature monitors, Sanitizers, Masks, Soap and Disinfectants among others.

- b. To do routine monitoring and testing in Schools and Higher Institutions of Learning to ensure that there is compliance with the Ministry of Health Guidelines.
- c. Continue to sensitize Learners about the measures in place to stop the spread of COVID 19 by putting up reminder posters especially in conspicuous places within the School premises.

To the Uganda National Teachers Union (UNATU):

- a. To engage Heads of Schools and Teachers to ensure compliance with Ministry of Health Guidelines in schools especially hand-washing, fumigation and social distancing.
- b. To engage Government and ensure that Teachers' arrears and salaries are paid in order to improve their welfare during and after the lockdown.

To the Uganda Human Rights Commission:

- a. To document the extent to which the right to education has been violated during the lockdown and advise responsible MDAs appropriately for future interventions.

In conclusion, we the undersigned contend that it is possible to have the children especially in the candidate classes return to school under strict measures and safeguards in place to protect them against COVID-19.

THEREFORE, it is our prayer that our recommendations above are given due consideration in order to safeguard the future of thousands of our children in candidate classes.

FOR GOD AND MY COUNTRY

We the undersigned:

1. Legal Aid Service Providers Network (LASPNET)
2. Network for Public Interest Lawyers (NETPIL)
3. Community Justice and Anti-Corruption Forum (CJAF)
4. Uganda Christian Lawyers Fraternity (UCLF)
5. Muslim Centre for Justice and Law (MCJL)
6. Uganda Girls' Guide Association (UGGA)

Dated this 25th day of June 2020

CC: The Chairperson National Council of Higher Education (NCHE)

CC: The Chairperson Uganda Human Rights Commission (UHRC)

CC: The Chairperson Uganda National Teachers Union (UNATU)