

CENTER FOR FOOD AND ADEQUATE LIVING RIGHTS

JUSTICE FOR ADEQUATE LIVING



ANNUAL REPORT 2020



MESSAGE FROM THE EXECUTIVE DIRECTOR



The year 2020 was full of challenges for most people as individuals and communities. COVID-19 caused many social-economic disruptions leading to grave social cohesion distortions resulting into hunger, suffering, morbidities and death. Many organizations including CEFROHT suffered serious challenges due to restrictions brought about by COVID-19 pandemic. Implementation of the programs was slowed down. We had to design new modes of delivery in order to keep track.

Those challenges notwithstanding, CEFROHT was able to celebrate a number of milestones in line with the organization's objectives which subsequently had a number of achievements in the year 2020. The notable achievements from the year included: Establishment of the first Advocacy Working Group (AWG) for promotion of healthy diets and prevention of Noncommunicable Diseases using the regulatory and fiscal measure. This is fundamental as there has been no such coalesced multisectoral platform to advocate for law and regulation of healthy diets in Uganda. In the same year we have been able to grow our social Justice and strategic litigation program.

In unprecedented way, we have pioneered the justiciability of the right to food in Uganda. We worked to build jurisprudence on the right to food in Uganda and East African region. We filed a COVID-19 food access case and against the violation of the right food in COVID-19 pandemic. The Judgement recognizes the right to food as a legal right in the constitution. We were able to give pro bono legal representation to over 30 women and other vulnerable persons like youths and girls. We supported 11,000 vulnerable households with food relief during the COVID 19 lock down.

These achievements would not have been possible without generous contributions from our partners; IDLO, AVAAZ Foundation, AHF, FIAN, Both Ends, IDLO and other individuals who personally made contributions to support our programs. We are honored because of your generosity.

And finally I want to thank the dedicated Board of Trustees, Directors and all staff who serve whole heartedly, working hard every other day to create a world where the right to adequate living for everyone is realized.

Sincerely:

Mr. Kabanda David
Executive Director



OUR PARTNERS

IDLO

AVAAZ

FIAN

SEATINI

AHF

VALIDITY

Both ENDS

GHENT UNIVERSITY

UNIVERSITY OF AMSTERDAM

Center For Strategic Litigation

African Institute for Energy

Governance (AFIEGO)

Network of Public Interest

Lawyers (NETPIL)

University of New York

**Global Network on the Right to
Food and Nutrition**

ACKNOWLEDGEMENT

Center for Food and Adequate Living Rights (CEFROHT) is highly indebted to all its partners listed here for the financial, technical support that has aided in the promotion of the right to food and adequate living rights. CEFROHT can only fulfill its mission by receiving such support from all of you that goes a long way in helping it to achieve its goal. Your continued aid is much appreciated by all our board members, CEFROHT as a team, and all those who benefit from our activities.



Our Mission

A world where the right to adequate Living for everyone is realized

Our Vision

To promote social justice in food, health and trade systems, through strategic litigation, legal-policy advocacy, community empowerment and capacity building.

Core Values

Integrity, Innovativeness, Social justice, Equity, Non-discrimination and Adequate Living

Our Strategic Objectives

- ▼ To frame and promote food, health and economic rights as constitutional entitlements and integrate human rights in policies, laws as well as operational frameworks in food, health and trade systems.
- ▼ To ensure trade and investments systems promote public interest, social inclusion, economic justice and human rights.
- ▼ To facilitate social justice in food, health and trade systems, through strategic and pro-bono litigation and access to justice in respect to violations related to food, health and economic rights.
- ▼ To enhance legal empowerment of communities, and capacities of duty bears and other stakeholders in economic rights, and the right to adequate food, nutrition and health.
- ▼ To grow an organisation that operates in an effective, efficient, professional and accountable manner.



Established in 2019, the Center for Food and Adequate Living Rights (CEFROHT) is one of the leading human rights NGOs working on issues of food, health, trade and investment.

CEFROHT has focused on the use of legal tools, social accountability and human rights based approaches to promote social justice in food, health, trade and investment systems at national, regional and international levels to advance the right to a standard of living adequate for health and well-being in Uganda and Africa.

CEFROHT was founded to respond to challenges of inadequate wellbeing resulting from food insecurity and contamination, malnutrition, economic injustices as well as lack of a human rights-based approach to food, health, trade and investment systems.

CEFROHT strategically engages in legal aspects impacting adequate living rights through framing food, nutrition, health, trade and investment issues as constitutional claims and entitlements and also does legal & policy advocacy, community empowerment and action research using a human rights based approach to promote adequate living rights.



CEFROHT's partnership with Uganda Law Society to promote healthy diets and prevent NCDs using the law and fiscal policy



Our Thematic Areas



CEFROHT's activities throughout the year 2020 were given direction by its strategic plan and this plan is implemented through the organizations's three-pillar-program structure that includes Social Justice and Strategic Litigation, Advocacy and Partnerships and Community Empowerment and Capacity Building. Furthermore, each of these programs are aligned to a program goal of the strategic plan.

SOCIAL JUSTICE AND STRATEGIC LITIGATION

Under this program, CEFROHT conducts legal research and offers legal advisory on economic rights, rights to food, nutrition, and health. Through both strategic and pro-bono litigation, CEFROHT defines rights to adequate food, health, and trade, as well as redress to violations of such rights.

We also seek to promote access to justice by using quasi-judicial bodies like The Uganda Human Rights Commission (UHRC) and the Equal Opportunities Commission (EOC). Currently, CEFROHT is conducting 6 public interest cases on the right to food and livelihood filed in different courts in Uganda and East Africa. This includes the High Court of Uganda, The Constitutional Court, and the East African Court of Justice (EACJ).

At CEFROHT we promote access to justice by taking on pro bono cases where the right to food and livelihood have been violated. We take on pro bono cases such as where a breadwinner abandons their family and stops providing the basic needs.



ADVOCACY AND PARTNERSHIPS



CEFROHT, analyses all laws, policies, and practices impacting the right to adequate food, nutrition and health well being and engages duty bearers at all levels to make sure that the legal framework is used as a key driver for the realization of the rights to adequate living.

In the line of partnerships, we partners with other organizations at the international, regional and national levels to promote the right to adequate living and social justice, for example hosting public interest litigation fellowships from the Center for Strategic Litigation (CSL) Zanzibar, Tanzania, partnering with Validity Foundation and academic institutions.

COMMUNITY EMPOWERMENT AND CAPACITY BUILDING

Through the use of legal frameworks, this program empowers communities to practice equitable, regenerative and resilient farming systems including agro-ecology and main-streaming a human rights-based approach in all the food value chains.

It also legally empowers duty bearers and build their capacities in economic, food, nutrition, and health well-being rights.

Under this program, CEFROHT engages communities and the duty bearers at all levels including the judiciary and trains them on the right to economic, food, nutrition, and health well being and social accountability approaches.

It also engages communities in advocacy for their rights, and also empower communities in agriculture in livelihood projects and use of appropriate technologies for food and nutrition security.



FIAN

COVID-19 FOOD CASE APPEAL PROJECT

With support from FIAN international, this project aims to file an appeal against the decision in the Court of Appeal to promote the right to food through strategic litigation, advocacy, and by developing a training manual on the right to food.

Main Project Highlights

- Developing a manual on the right to food for judges, Policy makers and legal practitioners. CEFROHT developed Terms of reference (TOR) for the consultant to be hired in developing the manual on the right to food for judges, policy makers and legal practitioners. Advance of the first payment to the consultant commenced the development of the manual and completion is anticipated by the end of October upon which a balance payment will be issued.
- Filing an appeal to the decision in Miscellaneous Cause No. 75 of 2020 in the Court of Appeal. The Organization went on to file an appeal against the decision by Hon. Justice Esta Nambayo of the High Court in Miscellaneous Cause No 75 of 2020. The appeal was filled in the Court of Appeal.
- Filling application for a certificate of urgency and application to introduce new evidence in the appeal
- Media engagement and advocacy to popularize the Appeal and create awareness of the right to food.

In order to further promote the right to food, promote public awareness and to popularize the appeal, the organisation engaged different media houses and conducted the following activities;

On the 10th of July 2020 the organization held a press conference with different media stations to brief the media about the case. The media personnel who came for the press conference were from 31 media houses.

On the 10th of July 2020 the Executive Director on behalf of the organisation appeared on one of the most popular stations and programs NTV Uganda news explaining to the public what the organization sought for and why the appeal was Important to protect and promote the right to food.

On the 20th of July 2020, Executive Director appeared on Urban TV and held a talk show where he briefed the public about the case and its progress.

CEFROHT also engaged two radio stations (CBS & Radio One). On each radio station, 3 talk shows were broadcasted where the public was briefed about the appeal and public concerns on food safety and food security especially during this period of COVID-19.

KEY	PARTICULAR	MARKING
1	Notice of Appeal and statement showing address of service by the Appellant and Respondent	A
2	Notice of Appeal and statement in support of motion	B
3	Respondent's affidavit in reply	C
4	Appellant's supplementary affidavit	D
5	Respondent's supplementary affidavit in reply	E
6	Appellant's Affidavit in Reply	F
7	Appellant's written submissions	G
8	Respondent's written submissions	H
9	Documents admitted as evidence	I
10	Proceedings	J
11	Adjournment	K
12	Order	L
13	Notice of Appeal	M
14	Application for Certificate of urgency	N
15	Written submissions for application for certificate of urgency	O
16	Certificate of urgency	P
17	Certificate of correctness	Q

Dated at Kampala this 10th day of July 2020

COUNSEL FOR THE APPELLANT

DRAWN AND FILED BY
DOROTHY NAKOUBA
Plot 652 Sorima House, Gayaza/Kaligi

FEES PAID 2,200,000/179303
RECEIPT NO. 10107220
DATE 10/07/2020
DEPOSIT NO. 10107220
RECEIPT NO. 10107220
SIGNATURE 10/07/2020



The International Development Law Organization (IDLO)

Promoting Healthy diets through legal empowerment and social accountability mechanisms, using human rights based, participatory, and multi-sectoral approach.

FIRST QUARTER: JULY – SEPTEMBER 2020

Main Project Highlights

A multi-sectoral and stakeholder Advocacy Working Group (AWG) that is composed of members from government, CSOs, media and academia that uses the human rightsbased approach to promote healthy diets has been established to strengthen multi sectoral partnerships between stakeholders.

Advocacy Strategy on healthy diets and physical activity drafted and adapted by AWG. This document will act as a guide to AWG advocacy and a guide for engaging duty bearers and the community.

Increased public awareness on promotion of the regulatory and fiscal policies for healthy diets and prevention of NCDs due to unhealthy diets. This was achieved through 5 Television live talk shows and 28 posts on social media platforms that reached out to a total of 7,989 people and engaged 1,072 people.

SECOND QUARTER: OCTOBER-DECEMBER 2020

Main Project Highlights

Multi-sectoral partnerships between stakeholders as composed by the Advocacy Working Group (AWG) has been strengthened to advocate for healthy diets reforms. This was achieved through AWG initiatives. The AWG conceptualized developed, endorsed and sent a letter to Uganda National Bureau of Standards (UNBS) with proposals to amend the East Africa standards (EAS) on nutrition labelling to incorporate WHO-FOPL recommendations.

The UNBS Standards Directorate - the Food and Agriculture Division has already taken up to discuss our proposals in their Annual Work Plan for 2021. Further, the AWG took part in a fiscal policy dialogue with the Ministry of Finance, Planning and Economic Development (MoFPED) on using sugar sweetened beverages (SSB) taxes to promote healthy diets.

Public Engagement Plan (PEP), and policy briefs on four policy areas prioritized by the Government of Uganda under the RECAP Programme (restriction of marketing foods and non-alcoholic beverages to children, fiscal policies for diet, in particular effective sugar-sweetened beverage (SSB) taxation, promotion of physical activity and nutrition labeling, including front of pack labelling) drafted and adapted by AWG. These documents will guide the AWG advocacy with duty bearers and the public. The documents are undergoing further review by IDLO and will further be reviewed by WHO.

MoFPED adopted all the recommendations in the fiscal policy brief presented by AWG during the policy dialogue in view of amending Excise Duty Act on SSB taxes. The recommendations are up for further scrutiny and CEFROHT & AWG will follow up with Parliament.

Regional advocacy for healthy diets promoted among implementing partners. KELIN advised and provided CEFROHT with a sample letter to their Kenya Bureau of Standards on nutrition labeling standards for EA.

Progress towards increased public awareness on promotion of the regulatory and fiscal policies for healthy diets and prevention of NCDs due to unhealthy diets. This was achieved through 2 Television live talk shows and 43 posts on social media platforms that reached out to a total of 6,206 people and



BothEnds

LIFE BEFORE PROFITS

Oil palm Uganda Ltd (OPUL) is under a Private-Public Partnership with the government of Uganda to implement a palm oil project in Uganda. However, under this investment, there are no social or human rights investments safeguards and many women working in these investments have been subjected to human rights violations and many women working in these investments have been subjected to human rights violations and other worker's rights are under emanate threat.

To this end, CEFROHT with support from BothEnds is undertaking a strategic litigation case for the protection of adequate living rights of affected workers (women) working in Kalangala Palm Oil Plantations (commercial investment schemes) under the auspices Vegetable Oil Development Project with BIDCO and Wilmar Plantation as Oil Palm Uganda Ltd (OPUL) a BIDCO subsidiary. The case was filed for orders that the respondent amends the Investment Code Act, 2019 to include protection of human rights, requirements for social impact assessment, human rights due diligence and the right of the state to monitor and regulate investments in public interest. Similarly a declaration that the respondent's failure to protect, promote and fulfil the economic rights of women employees in commercial investment schemes in Uganda is a violation Article 40 (1) (a),(b),(c) and (4) of the constitution of the Republic of Uganda.



COVID-19 EMERGENCY SUPPORT PROJECT

The Center for Food and Adequate Living Rights (CE-FROHT) with support from the Aids Healthcare Fund (AHF) offered both legal and food support to the persons living with HIV/AIDS during the COVID 19 lock down in Kasangati Town Council.

Main Project Highlights

▼ Provision of legal support during COVID-19

The legal team filed a strategic case for all people to get food during the COVID-19 lockdown. The prices of food commodities had increased and the lockdown was implemented in all districts of Uganda. However the government of Uganda decided to distribute food in only Kampala and some parts of Wakiso District without guidelines on how the distribution would be done. This left out many people in other districts of Uganda and some parts of Wakiso without food during the lockdown. It is on this note that court recognized the right to food is a right and should be enjoyed by all Ugandans.

The legal team also responded to individual requirements. It reached out to the children whose mothers were arrested during the COVID-19 lock down for violating the curfew rules. The children were left home alone and in one of the households, was headed by a 15 year old girl who was struggling to fend for her six siblings after their mother who used to vend fruits in Kampala was arrested and sent to prison. Their mother was the sole bread winner of the family since their father got crippled in an accident and was taken back to Gulu district in Northern Uganda.

▼ Provision of legal support during COVID-19

The team managed to reach out to 400 households with food support.



COVID-19 EMERGENCY FOOD SUPPORT IN PARTNERSHIP WITH AVAAZ FOUNDATION

During the Country-wide lockdown due to COVID-19, CEFROHT with support from AVAAZ foundation reached out to the vulnerable people in communities and supplied them with food relief items utilizing the local council leadership to identify individuals who were experiencing acute hunger in their jurisdiction.

Main Project Highlights

- ▼ Reached out to a total of 4,960 vulnerable families with food support (maize flour and beans), in three districts.
- ▼ Each vulnerable family received 7.5kgs of maize flour and 3.5kgs of beans.
- ▼ Therefore, a total of 37,200kgs of maize flour and 18,600kgs of beans were distributed in the three districts.
- ▼ A total of 4,858 families were reached using the CEFROHT community motorcycle food delivery system to avoid inter-person connection due to COVID-19 and 102 families in Namulaba were directly picking food from community shops.
- ▼ 862 families in Mukono District of which 102 families picked food directly from community shops
- 1,896 families in Kampala District and
- 2,202 families in Wakiso District.

- ▼ Food relief distribution according to vulnerability was as follows;

1,610 families with persons living with HIV/AIDS

1,035 families headed with elderly persons

122 families headed by children

1214 families with pregnant women

979 families with teenage mothers

- ▼ The emergency food support helped vulnerable families who used to skip days without food, to have a meal for the month of July.
- ▼ The project prompted and helped vulnerable families realize the right to survive, livelihoods and the right to food.
- ▼ The project reassured families hope and protected humanity.



ACHIEVEMENTS AND CHALLENGES

3.1.0 PROMOTING ECONOMIC, OCCUPATIONAL SAFETY AND

During the year 2020, the program was informed by a number of legal actions in promoting economic, occupational safety and health rights in investment schemes.

Under social justice and strategic litigation, the following achievements were registered during the year;

Filed and is pursuing a public interest litigation case in the Constitutional Court to declare sections of the PPP Act that restrict access to information and limit public participation in procurement as unconstitutional

Filed and is pursuing a case at the High Court of Uganda Civil division to hold the government accountable for failing to protect human rights in commercial investment schemes around Uganda and awarding tax incentives without any due regard to law.

Filed and is pursuing a public interest litigation case in the High Court Civil division to protect the rights of miners to work under safe and healthy conditions and hold the government accountable for failing to enact a NAP to eliminate mercury use in ASM.

Filed and is pursuing a public interest litigation case at the East African Court of Justice

3.1.1 PROMOTING SAFE FOOD AND NUTRITION RIGHTS AS WELL AS

Hence, the organization under this program came up with several legal actions to challenge the status quo and the following below are achievements realized;

Filed and pursuing a suit in the High Court of Uganda to hold the Uganda Communications Commission and Attorney General accountable for failing to restrict marketing Junk foods and SSBs to children which violates their right to food and right to health.

Filed and pursuing a public interest case to hold the government accountable for failing to regulate the proper use of glyphosates and other agro-chemicals which violates the right to food, right to health and the right to a clean and healthy environment.

Filed and pursuing public interest case to protect the right to food for all vulnerable persons in Uganda during COVID-19 and to hold the government accountable for failing to establish food reserves.

Filed and pursuing a public interest case at the high court to protect the



3.1.2. INFLUENCING LAWS AND POLICIES FOR REALIZATION OF ADEQUATE LIVING RIGHTS

(a) Healthy diets promotion

CEFROHT with support from IDLO has continued to influence the promotion of healthy diets and physical activity as a measure against the alarming rates of NCDs in the country. In July 2020, the organization established a multi-sectoral Advocacy Working Group (AWG) on healthy diets that uses legal tools to promote healthy diets in Uganda, developed an advocacy strategy on healthy diets and four policy briefs on; nutrition labelling, SSB taxes, marketing restrictions and physical activity. In November, 2020 the policy brief on fiscal policy & SSB taxes was presented to MoFPED and all recommendations were picked for presentation before the Parliament. These indulged; excise tax on SSBs to be designed in a manner to be imposed on the basis of sugar content other than per liter of the product, categorization of non-alcoholic beverages products and to apply specific taxes to each category, reform of the existing SSB excise tax that meet public health objectives as well as to channel at least 40% of revenues collected from tax payments from health related activities to fund health initiatives other than paying all into centralized revenue.

CEFROHT has also created public awareness via electronic media on human rights & marketing of unhealthy diets, potential health impacts of HFSS (unhealthy diets) & its relation to NCDs, effects of unregulated HFSS markets, current SSB excise tax & nutrition labeling on consumption patterns & health, and proposed reforms as well as effects of physical inactivity, importance of physical activity and proposed reforms. As a result, CEFROHT has received 8,911 responses from the public in view of supporting the policy reforms that are proposed.

(b) Business environments and human rights promotions

In July 2020, CEFROHT in partnership with SEATINI conducted a media retreat on primacy of human rights in trade and investment systems. So far, 17 stories has been reported by media practitioners on upholding human rights while doing business nationally and internationally which has raised public awareness on the same.

CEFROHT has formed partnerships with; FIAN international, AVAAZ Foundation and Both Ends to promote adequate living rights in trade and investment schemes. As a result, 13 engagements with policy makers were held, 4 public interest cases filed, and created awareness to 55,550 people via media on business and human rights. Therefore, public and policy makers' support towards legal and policy reforms has been sought.

(c) Campaigns on use of legal tools for promotion of the right to food, livelihood and farmers' rights.

CEFROHT has created public awareness on the use of legal and social accountability tools for promotion of the right to food, the right to livelihood and farmers' rights. CEFROHT reached out 301,055 people via 15 TV talk shows, 22 radio live talk shows and 8 press conferences and has also reached out to a total of 289,000 people via CEFROHT's social media platforms. As a result, CEFROHT has received over 7,554 calls from vulnerable in need of legal aid of which 6,913 clients have been given legal advice while given probono litigation services to 641 clients of which 86 clients have been bailed out of prisons.



3.1.3. EMPOWERING RURAL COMMUNITY ON AGRO-ECOLOGICAL PRACTICES FOR SAFE FOOD AND FOOD SECURITY.

CEFROHT mobilized, engaged and trained rural farmers in Kyankwanzi and Buyende districts in agro ecological land use aspects including the use of locally available alternatives to agrochemicals such as green , compost and farm yard manure, Use of environmentally friendly indigenous knowledge such as local concoctions of hot pepper, ash, tobacco, moringa leaves as alternative for pesticides and proper application of traditional practices such as mulching, use of cover crops, good spacing, ridges and others as alternatives for soil and water management.

Over 100 households were reached in the project with focus on the female headed households who were more exposed to the danger of food insecurity and malnutrition.

The program promoted the growing of fast maturing and nutritious crops such as pulses and vegetable and in that regard all beneficiary households were provided with 25kgs of soy bean as a starter package for growing of nutritionally rich and fast maturing crops. These were also trained in proper ways of growing soy bean and later organized to access market for the harvested soy bean and other crops. At the end two growing seasons, there was a record of visible improvement in incomes, nutrition and food security status of the beneficiaries of the project. Many beneficiaries can now afford to purchase good quality inputs on their own, manage the farms but also take care of basic needs of their families through the sale of farm produces and engagement in commercial off-farm activities. The project continues with identification of fresh vulnerable households every after two harvesting seasons but also continuous monitoring of the progress made by earlier beneficiaries.

On the other hand, local governments have become more response to the needs of the vulnerable since the demands of the vulnerable have been considered in their development plans and strategies.

3.3 LESSONS LEARNED

- ▼ The emergency food support is commendable.

It reassured the vulnerable households of their right to survive and dignity. However, it requires to go beyond the quick survival support and consider the rebound assistance.

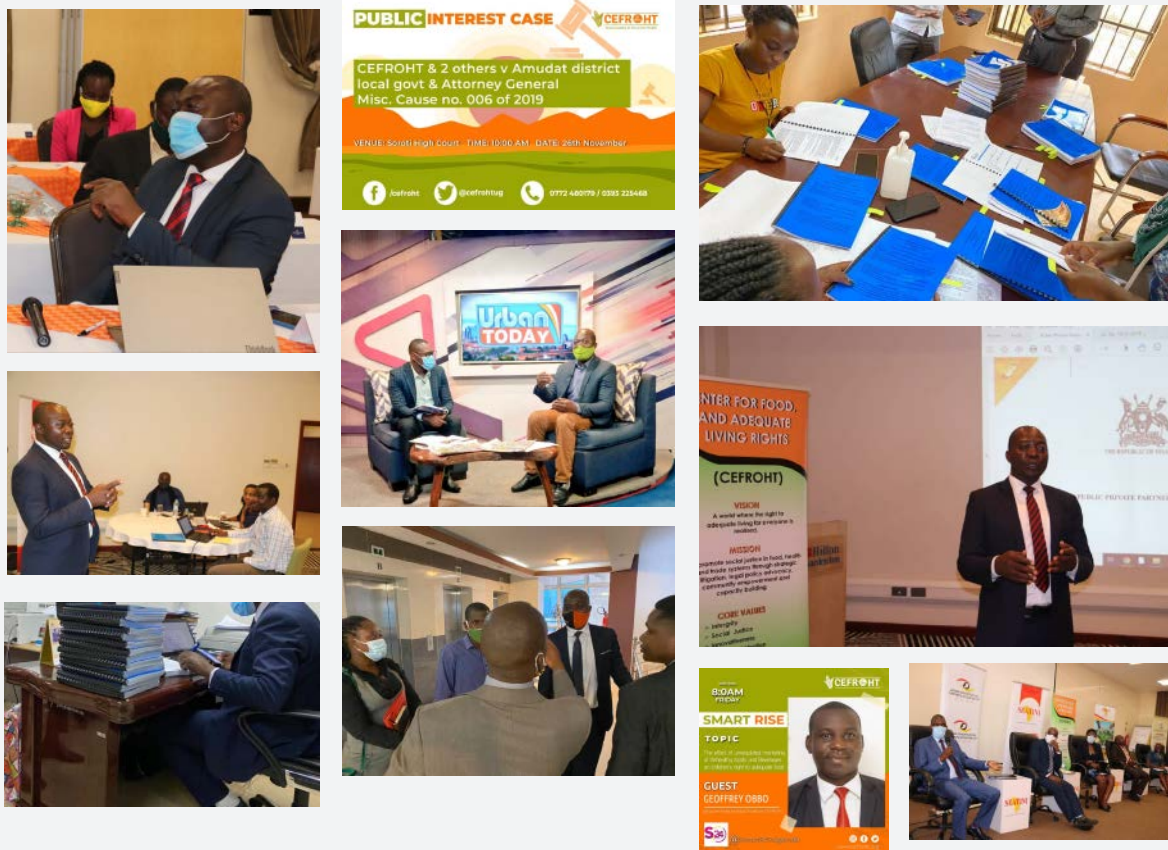
CEFROHT have learned the need for this since many people in particular teenage mothers and women pronounced to feed self although they have no such means because much of their savings have been depleted during COVID-19 lockdown.

- ▼ CEFROHT recognizes that networks and taskforces are critical in facilitating collective learning, collective action and influencing. However, group cohesion requires constant facilitation and individual organization's interest to pursue group activities. This lesson is drawn from CEFROHT's work as hosts and coordinator of ULS-FNC.

- ▼ Given the changing human needs and its environments in food, health, trade and investment systems, it requires corresponding policy landscape, thus there is need for constant and extensive capacity building and movement building for food, trade and investment.



4.1 CEFROHT IN PICTURES



4.2 CEFROHT TEAM



KABANDA DAVID
EXECUTIVE DIRECTOR



KIDDU GONZAGA
DIRECTOR QUALITY
ASSURANCE



NABBANJA ANN. H
OPERATIONS MANAGER



OBBO GEOFFREY. D
Program Manager, Social
Justice & Strategic Litigation



NKASIIMA JANET
PROGRAM MANAGER
ADVOCACY & PARTNERSHIPS



NYAPENDI JANET. M
PROGRAM MANAGER
COMMUNITY
EMPOWERMENT &
CAPACITY BUILDING



GWENNIE PATIENCE
LEGAL OFFICER



LUBEGA JONATHAN
LEGAL OFFICER



WAMALA D. BENJAMIN
IT & COMMUNICATIONS
OFFICER



NAKADDU MASTULA
ADMINISTRATIVE ASSISTANT



TWIKIRIZE SCOVIA
ACCOUNTANTS ASSISTANT

