



Ministry of Gender, Labour and Social Development

Submissions for the 11th session of the UN Open-Ended Working Group on Ageing

Social Protection and Social Security

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Introduction

Social protection is a right and is enshrined in the Constitution of the Republic of Uganda .For instance Chapter four of the Constitution provides for protection and promotion of fundamental human rights and freedoms. The Constitution enjoins the State to take affirmative action in favour of marginalized groups including older persons.

There are specific laws that address issues of risks and vulnerabilities as well as regional and international instruments Uganda is a party to. The specific laws include the National Social Security Act, The Uganda Retirement Benefits Regulatory Authority, The Pensions Act, The Domestic Violence Act, The Employment Act, The Succession Act, The Land Act and the Persons with Disabilities Act among others.

The regional and international frameworks include; the East African Common Market Protocol which permits workers to move freely within the territories of partner states. Uganda endorsed the Ouagadougou Declaration and Plan of Action. The plan calls for improvement and strengthening of the existing social protection schemes and extending it to the workers and their families currently excluded. Uganda is also a signatory to the Livingstone Call of Action (2006)which obliges African States to put in place costed plans for the implementation of Direct Income Support Programmes.The African Union Social Policy Framework (2008) calls on Member States to recognize that social protection is a state's obligation, with provisions in national legislations.

The above policies, laws and obligations demonstrate Uganda Government's commitment to provide social protection to all citizens. In this regard, the Government of the Republic of Uganda fully supports the inclusion of the focus area of social protection and social protection in the proposed United Nations Convention on the Rights of Older Persons. This will commit Government to support social protection and social security policies and programmes.

Scope of the right

Older persons have a right to social protection and social security without any discrimination. This is how older persons will be able to effectively participate in matters that affect their lives and enjoy their human rights. The Uganda constitution ,The National Council for Older Persons Act, The Equal Opportunities Act, The Pensions Act, The National Social Security Fund Act and the Uganda Retirement Benefits Regulatory Authority Act are some of the relevant laws in the bid to promote and protect the rights of older persons in Uganda.

Availability and non –contributory schemes for older persons. The above mentioned laws are relevant. Accessibility including older persons coverage by social security systems, eligibility criteria and affordability of contributions. The National Council for older persons Act, The Pensions Act and the National Social Security Fund Act are in place to address accessibility issues.

State obligations

The states parties should ensure that older persons have access to support in application processes for social security and social protection. States parties should ensure that older persons have access to effective Complaint and Appeal Mechanisms to seek redress for practices that deny their right to social security and social protection. There should be decentralized delivery of pensions.

Special considerations

- There should be decentralized delivery of pensions
- There should be legislations to facilitate the rights of older persons
- Older persons should be enabled to fully participate in the design of their programmes intended for them
- Policies and programmes for older persons should be evidence and rights based
- Public –private partnerships should be enhanced

Implementation

Tailor made social protection should develop to address diverse needs of older persons

Social pensions should be based on ages of older persons. For instance the support should increase with age such that persons aged 80 years and above should be paid more

The main challenge is discrimination of older persons by other age groups. There is generally lack of well trained personnel in gerontology and geriatrics in African countries.