

PRESS STATEMENT: PROTECTION OF WORKERS AND HUMAN RIGHTS DEFENDERS FROM INTIMIDATION!!

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Page 2

All Pages

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For Immediate Release

LASPNET, a National network of 52 Legal Aid Service Providers in Uganda, is concerned about the alleged violation of workers' rights by a Flower farm called Royal Van Zanten and condemns the act of intimidation of Human Rights Defenders particularly FIDA-Uganda and others who are making efforts to offer support to the workers that were allegedly poisoned by the chemicals.

As has been continuously reported in the press since 14th October 2016, 82 workers at the farm were allegedly affected after being forced to enter a greenhouse within a few minutes of spraying with chemicals which caused them headaches, dizziness, skin and eye irritation, difficulty in breathing, abdominal pain and vomiting. Many collapsed and were rushed to the farm clinic. The reports indicate that when the symptoms persisted they were referred to a clinic outside the farm although denied to collect personal medical forms on instructions of RVZ, despite interventions by Uganda Horticulture Industrial Service Providers and Allied Workers Union (UHISPAWU).

Subsequently, the workers contacted the Uganda Association of Women Lawyers (FIDA-U) and Uganda Horticulture Industrial Service Providers and Allied Workers Union (UHISPAWU), the two organizations later transferred 46 women workers to a private hospital for tests and treatment and later to Kadic Hospital

The predicament of the workers of Royal Van Zanten, and others working in similar circumstances especially low skilled workers are not isolated incidences. Reports from the Union as narrated to lawyers show that majority of workers most of whom are young women, work under poor conditions with limited rest, unsafe environment such as exposure to chemicals which violates their rights contrary to the laws established namely;

Article 39 of the Constitution which provides for a Right to a Clean and Healthy Environment.

And section 13 of the Occupational Safety and Health Act 2006 makes it a duty of an employer to provide safe working conditions to his or her employee.

Further reports indicate that on 31st October 2016, after a press conference to condemn incidents on RZN farms was convened at FIDA offices in partnership with other organizations namely : Akina Mama Wa Afrika, Action Aid Uganda ; Solidarity Uganda; Uganda Horticulture Industrial Service Providers and Allied Workers Union (UHISPAWU), another meeting was called by the Minister of Trade, Industry and Cooperatives Hon Amelia Kyambadde describing what had happened at the farm as an isolated incident. She subsequently made personal attacks on individual human rights defenders calling their interventions a negative campaign by self-seeking individuals to put pressure on the flower farms to get out of business.

Similarly on 8th November 2016, the Minister and representative of the company took a decision to go to Kadic Hospital in Ntinda with an intention of removing the patients from there to Mulago Hospital. FIDA-U) and the Horticulture Union, were also forced to move to the venue to avert this decision. Their presence again attracted discomfort from the NOTU Secretary General Peter Werikhe, who abused and threatened the CEO of FIDA-Uganda

LASPNET is deeply troubled with the ongoing abuse and lack of respect for human rights defenders and outright impunity of persons in key positions .The human rights defenders are entitled to do their work and be protected from any harassment as provided for under article **1 of UN Declaration of Rights and Responsibility of individuals, groups and organs of society to promote and protect universally recognized rights and fundamental freedoms of 1998 (The UN Declaration on Human Rights Defenders).**

Suffice it to note that the aggrieved workers are entitled to legal representation. We would like all parties to note that FIDA-Uganda is an approved law chamber and thus are acting in their professional capacity to offer legal aid and other support services to their client. Their harassment is therefore a violation of principal 1 of the UN Basic Principles on the role of the Lawyer.

We are therefore appalled by the turn of events in this matter where Human Rights Defenders and Lawyers offering support are being attacked and forced to move patients /workers who have rights to seek medical treatment in a facility of their choice and to privacy as provided for under article 27 of the Constitution. We are also concerned with the continued violation of the legal profession in the course of their duty in Uganda which is unacceptable and against the democratic principles of a civilized society and rule of law. We condemn in the strongest terms: such levels of impunity, disregard for human rights and failure to accept responsibility to address the anomalies leading to health hazards by the flower farm. The harassment, threats and attacks on Human Rights Defenders and affected women workers are absurd, unfortunate, deplorable, and only meant to instill fear.

WE ARE DEEPLY CONCERNED that instead of Government, Royal Van Zanten and Human Rights Defenders sitting down to have an amicable solution to this matter, personal attacks are being levelled against Human Rights Defenders and other persons supporting the women to get justice.

WE ACCORDINGLY CALL UPON THE RELEVANT INSTITUTIONS TO TAKE THE FOLLOWING ACTIONS:

- 1. WE APPEAL TO THE GOVERNMENT OF UGANDA** as a member of International Labour Organization (ILO) to: Enforce the several laws under this Convention, national laws and protect the human rights of these workers: Exercise its mandate conferred upon it by the Constitution and the people to safeguard, protect and guarantee the rights of Ugandans as enshrined in the Constitution. Uphold the 'UN Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.' Accordingly in Article 1 and 12, the State is obligated to strive for the protection and realization of human rights and fundamental freedoms of all.
- 2. THE PARLIAMENT TO :** Pass the Human Rights Defenders Protection Bill into law and play its oversight role of government actions or lack of action including causing an independent investigation into this matter
- 3. ROYAL VAN ZANTEN TO:**

Put in place good working conditions, use the right chemicals and ensure that workers are protected from risks as according to Section 13 of the Occupational Safety and Health Act of 2006, which obligates employers to provide a safe working environment free from any hazardous substances.

Respect the Right of Association in accordance with Article 29 of the Constitution.

Respect the duties of Labour organisations as embedded under section 4 of the Labour unions Act of 2006.

Respect the privacy of their employees

- 4. TO THE MINISTER OF TRADE** to exercise her ministerial position without undue bias and with impartiality
 - 5. TO THE SECRETARY GENERAL NOTU:** To undertake his rightful mandate to protect the worker and not to betray their trust.
- As a Network of Legal Aid Service Providers, **WE REAFFIRM OUR COMMITMENT and RESOLVE TO STAND with and support FIDA**, other Human Rights Defenders and affected women workers in this matter.

FOR GOD AND OUR COUNTRY

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THE BOARD OF DIRECTORS ON BEHALF OF LASPNET