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Profile

The actual number of Maragoli in Uganda is not readily available since rather than being a named category they were considered under 'others' in the two most recent Ugandan censuses. Leaders from Kiryandongo District and the community estimate the Maragoli population to be between 25,000 and 30,000. Maragoli are found in Kiryandongo District, in Bunyoro sub-region, Midwestern Uganda. They basically occupy at least a parish comprised of two to three villages. Some are scattered within the Kigumba Town Council, the main town council for Kiryandongo District.

Maragoli have lived in Uganda for over a century and until recently had experienced few serious problems either with the communities where they had settled or with the government. Although they were absent from the national schedule in the 1995 Constitution and the amended schedule in the 2005 constitutional amendment that list the tribes of Uganda, they continued to enjoy the same rights as other Ugandan citizens. This, however, changed when the government introduced registration and issuance of identity cards as measures to identify citizens two years ago.

History

The origins of the Maragoli people in Uganda are not recorded in detail in historical sources. It is known that at some point Maragoli migrated from Ethiopia via Southern Sudan to the area through the South Sudan-Uganda border into the West Nile and Bunyoro sub-regions. There may be more Maragoli residing in Western Kenya, but others may always have been present in Bunyoro sub-region in Western Uganda, some distance from the Kenyan side. The areas they occupy are also home to other ethnic groups like Banyoro, who are the majority, as well as Acholi, Langi and Alur communities. One group is believed to have come to the place they now occupy more than a

century ago (around 1901) during the construction of the Uganda Railway. Another group is known to have moved later in the 1950s.

Maragoli were resettled onto the land they now occupy by the Bunyoro Kingdom which controlled this part of Uganda. They have maintained various cultural practices such as their burial rites to date and still speak their own language, although they are also fluent in Runyoro, the language commonly used in the area where they reside.

Current Situation

The current difficulties of the Maragoli community began in 2015 when the government introduced a mass national registration of Ugandan citizens and issued each person a national identification card under a newly constituted National Identification and Registration Authority (NIRA). It is at this point that the Maragoli for the first time were put at risk of statelessness due to the withholding of their identity cards.

Most Maragoli during the registration exercise were advised to register as Banyoro, the dominant ethnic group in the area, to avoid any potential difficulties around the fact that their ethnic group was missing in the national schedule of the 1995 Constitution and the 2005 amendment that recognized 65 tribes in Uganda, all members of which are entitled to Ugandan nationality. Many did so but others refused, not wanting to be overshadowed by the Banyoro and seeking their own identity as an ethnic group with an established history in the area.

Those who registered for national identity cards as belonging to other groups like Banyoro and Alur, at the advice of the district authorities, expected to be issued with their cards like other Ugandan citizens. Their cards were, in fact, produced and were released to the District at the Office of the NITO (National Information and Technology Officer). All those who went to collect their identity cards were able to collect them -- with the exception of those believed to belong to the Maragoli community despite registering as other groups, whose cards were instead withheld. Other Maragoli who registered also as Banyoro or other groups outside Kiryandongo district received their cards.

Maragoli leaders took a number of steps to try to solve the problem with the NIRA, but to date their difficulties remain ongoing and the majority of cards have not been issued. They have petitioned the Speaker of Parliament, the President, the Attorney General and the Ministry of Internal Affairs, but all in vain. While these efforts did result in a letter from the Ministry of Internal Affairs in which the Minister instructed the NIRA to urgently issue identity cards to Maragoli, respecting advice from the Attorney General, pending a constitutional amendment for their inclusion in the national schedule as a recognized Ugandan community. However, this seems to have been ignored or disputed at the local level as the cards have yet to be issued. The President directed the Ministry of Justice and Constitutional Affairs in Uganda to include the Maragoli in the constitutional amendment. Both directives were not adhered to and the Maragoli still have their identity documents withheld.

As a result of their lacking identity cards, Maragoli experience discrimination in many areas such as access to health services, especially when referred to hospitals, as proof of identity is routinely demanded before treatment. Indeed, almost every aspect of service provision for Ugandan citizens is dependent on the possession of valid identification: for example, employment at the district level, opening of bank accounts, loans, government income programmes such as Youth Livelihood Funds and women's funds. This was not the case before the rollout of national identity registration requirements and the resulting questions as to their status and nationality. This can leave individuals at risk of being denied a range of rights, regardless of their previous position. For

instance, one Maragoli community member belonging to a school management committee was not allowed to be a signatory to the school bank account because he could not provide an identity card: he told MRG that he was thus denied a leadership position.

Recently, the country also embarked on the registration of under-16 year olds through the NIRA, who will also be provided with children's identity cards. However, the children of Maragoli whose cards are withheld have also been discriminated against. One of the requirements to register children was to produce the identity cards of their parents for their own registration and since they could not, they too were not registered.

NIRA officials have advised Maragoli people to secure citizenship through naturalization. The community however has declined this option for several reasons: firstly, because it would represent an admission that they are foreigners, which they contest, having been born in Uganda with generations of ancestors predating the country's independence. Furthermore, naturalization does not offer the guarantee of permanent citizenship since it can be revoked by an act of parliament. They see the refusal to issue identity cards as part and parcel of a package of rising discrimination against them and consider that naturalization would further entrench their secondary status in the country.

Ways Forward

An important avenue for resolving the community's predicament is the tribunal case opened by Uganda's Equal Opportunity Commission (EOC). Maragoli must therefore be mobilized to support the case and give evidence to the EOC and other actors to ensure an effective and positive judgment. Currently, the EOC has taken it up as a case of discrimination which according to the Equal Opportunity Act 2007 they are mandated to investigate and hear. The case could result in a recommendation or an order if discrimination is found to have occurred.

A number of measures could be undertaken to support this:

- Undertake a rapid assessment to establish the exact details about the Maragoli NIRA issues. This could also assist in establishing a clearer picture of why the NIRA withheld the identity cards and the reasons they continue to do so, despite letters from the various ministries and offices.
- Mobilize the Maragoli community through their leaders. This should include educating them on their rights, registration processes and the potential strategies they could pursue to ensure their issues are resolved.
- Organize strategic meetings between the Maragoli leadership with relevant government offices to promote dialogue. Meetings could be held seeking to clarify and progress the issue targeting points of influence: NIRA, Attorney General, Internal Affairs, Constitutional Ministry, Parliamentary Legal Committee and others. The Maragoli community, in partnership with Minority Rights Group, already has the support of the local council (LC 5) of the District which is keen to get this divisive issue for their community swiftly resolved.

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