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Uganda Human Rights Commission Report for the 3rd Cycle of the Universal Periodic Review

August 2021

I. Background

1. The Uganda Human Rights Commission (UHRC) was established under the 1995 as Uganda's National Human Rights Institution (NHRI). In aggregation, the Commission has the mandate to monitor and report on the situation of human rights in the country and to investigate and provide judicial and administrative remedies for violations and abuses. In 2001, the Commission was accredited as an "A" status NHRI and has since then retained that status. In addition, since 2012 the UHRC has been voted the best NHRI in Africa. The Commission has a national-wide coverage, with its Headquarters in Kampala and a number of regional and field offices. The UHRC has since 2011 been involved the UPR processes concerning Uganda. In addition to supporting the Government of Uganda become a member of the Council, the UHRC has supported the Government in implementing the recommendations arising from the review and to discharge its obligations arising from the Treaty-Based Mechanisms.
2. Since 2011, the UHRC has been monitoring the implementation of the recommendations of the UPR. In 2016, Uganda received a total of 226 recommendations, out of which 148 were supported and 78 noted. The UHRC has been monitoring the implementation of the recommendations as detailed below.

II. Ratification and Domestication of International Instruments

Recommendations: 115.1, 115.2, 115.3, 115.4, 115.17, 116.4, 115.45, 115.46, 115.47, 115.48, 115.45, 115.24, 115.25, 115.26, and 115.23

3. Uganda is a party to several core human instruments, including United Nations and African Union treaties. Although, the country has not yet ratified the ILO Convention 189 as well as the Protocol to Prevent, Suppress and Punish Trafficking in Persons, some positive steps have been undertaken in this direction. These include implementing the Global Compact for Migration though with challenges in coordination mechanisms, signing bilateral agreements with Jordan, United Arab Emirates and Saudi Arabia for the protection of migrant workers, passing the 2017 Regulations for Labour Externalisation, establishing coordination mechanisms like the Directorate dealing with issues related to externalisation of labour at the Ministry of Gender, Labour and Social Development, establishment of the Trafficking in Persons task force with multi sectoral representation and establishing a unit that deals with the same in the Ministry of Internal Affairs. Uganda also enacted the Prevention of Trafficking in Persons Act 2009. The Act provides for the prohibition of trafficking in persons, creation of offences, prosecution and punishment of offenders, prevention of trafficking in persons, protection of victims of trafficking in persons and other related

matters. **There is however the need to strengthen the implementation mechanisms aimed enforcing measures against trafficking in persons efforts by among others ratifying ILO convention 189.**

4. The other conventions that Uganda should consider ratifying include major United Nations and African Union treaties such as the Second Optional Protocol to the ICCPR, 1989 (abolishing the death penalty), Convention for the Protection of All Persons from Enforced Disappearances, 2006; the Optional Protocol to the Convention on the Elimination of Discrimination against Women (OP-CEDAW), 1999, the Optional Protocol to the Covenant on Economic, Social and Cultural Rights (ICESCR-OP), 2008, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure(OP-CRC-IC), 2014, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT), 2002; the Protocol to the African Charter on the Rights of Persons with Disabilities in Africa, 2018; the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption, 1993; and the African Charter on Democracy, Elections and Governance, 2007, as well as making the Article 34(6) Declaration under the Protocol to the African Charter on Human and Peoples' Rights establishing the African Court on Human and Peoples Rights to allow NGO and individuals have locus before the Court.
5. On a positive note, the recommendation to adopt regulations to fully domesticate the Convention Against Torture were adopted in 2017. These Regulations define the procedure and give the form for the enforcement of the provisions of the Prevention and Prohibition of Torture Act. To demonstrate the political will to fight torture, the President is on record on several occasions such as May 2017 and August 2021 condemning the use of torture by security forces. These efforts were buttressed with the Inspector General of Police's statement on torture in the Uganda Police Force where the same was condemned and officers reminded of the individual liability that accrue from acts of torture. Several trainings of security forces have been organised by the UHRC in the period under review on human rights generally, and on the Prevention and Prohibition on Torture Act in particular.

Uganda has performed fairly well in implementing the recommendation to be update with respect to the submission of national reports to treaty bodies. For instance, despite the challenges caused by the COVID-19 pandemic, Uganda was able to submit the CRC report in March 2020. Nonetheless, there are still overdue reports. These include the report under the African Charter on the Rights and Welfare of the Child (ACRWC), the CEDAW Report pending since 2014, the OP-CRC-AC report pending since 2013, the OP-CRC-SC report pending since 2013; and the Initial and subsequent reports under the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. **It is necessary for concerted efforts to ensure submission of the overdue reports and timely reporting at international, regional and domestic human rights reporting mechanisms.**

6. In achieving harmonisation of domestic laws with treaty obligations, several laws and legal provisions have been declared unconstitutional for violating not only the constitutional provisions but also the international human rights standards.¹ The Uganda Law Reform Commission is yet to harmonise the laws to reflect these decisions, although the laws continue to be treated as amended by the judgements. With respect to a system in Parliament

¹ For example, the case of *Human Rights Network and four others v Attorney General, Constitutional Petition no. 56 OF 2013*), declared Section 8 of the Public Order Management Act (POMA), unconstitutional, *Oloka-Onyango & 9 Ors v Attorney General* (Constitutional Petition-2014/8) [2014] UGSC 14 (01 August 2014) declared the enactment of the Anti- Homosexuality Act unconstitutional, *Centre for Health, Human Rights & Development & Anor. v Attorney General* (Constitutional Petition-2011/64) [2015] UGCC 14 (30 October 2015) declared the use of derogatory words in respect of persons with mental disability a violation of the United Nations Convention on the rights of Persons with Disabilities (CRDD) and unconstitutional.

to control conformity of laws with human rights commitments, the UHRC continues to provide expert guidance on the human rights compliance of the several Bills before Parliament during the enactment process. Some recommendations are adopted whereas others are not. The Human Rights Committee of Parliament also provides guidance in the legal drafting process. **The Uganda Law Reform Commission ought to expedite the process of reviewing laws to reflect the judgements that declare provisions unconstitutional.**

III. Civil and Political Rights

Recommendations: 115.22, 115.5, 115.6, 115.7, 115.86, 115.88, 115.87, 115.102, 115.19, 115.103, 115.101, 115.82, 115.83, and 115.84.

7. Although some progress has been made towards the enactment of the Legal Aid Policy and Bill, the same have not been passed into law. Legal Aid service provision continues to be largely NGO and donor led. With respect to transitional justice, Uganda passed the National Transitional Justice Policy in June 2019. There is however need to pass an enabling law to fully implement the policy. The Transitional Justice Bill is in draft form. It therefore remains crucially important to expedite the passing of the legal aid Policy and Bill as well as the transitional justice law.
8. As indicated above, Regulations under the Prevention and Prohibition of Torture Act were enacted in 2017. The UHRC continues to conduct relevant trainings on torture. For example, in 2019 capacity building on the law was conducted for the security forces and judiciary officers. In 2019, the Uganda Police Force (UPF), commendably, adopted a Human Rights Policy. The goal of this Policy is to strengthen the observance of human rights in Police. However, despite efforts to eradicate torture through individual liability for law enforcement, and institutional mechanisms of holding perpetrators accountable, instances of violations still exist. **The UPF should fully implement its Human Rights Policy, investigate and prosecute perpetrators of torture as a criminal offence rather than an administrative wrong. There is also need to pass the Witness Protection Law that would ensure better prosecution of civil and political rights and other violations.**
9. With respect to the freedom of assembly, the Constitution in Article 29 guarantees the right to peaceful assembly and demonstration, to petition unarmed. There have been challenges regarding permission and notice. These were partly a subject of litigation and in May 2020, the Constitutional Court in the case of *Human Rights Network-Uganda & Ors vs Attorney General* [Constitutional Petition No. 56 of 2013) annulled section 8 of the Act, thereby removing the wide discretionary powers of the Police to grant permission for assembly.. This case is now on appeal. Since March 2020, the Government has adopted a couple of regulations as part of the response to combat the spread of the COVID-19 pandemic. Although these were a welcome development, the challenge is that they were enforced by security forces using excessive force and sometimes selectively. These regulations can still be enforced using proportionate and reasonable force.
10. The Government has taken steps to ensure that people participate in political and public affairs. In addition to ensuring regular elections, the Government has through the National Development Plan III (NDP III) created the Community Mobilisation and Mind set Change programmes. The same aims at enhancing public participation in government programmes. It is recommended that this programme is rolled out fully in the next five years. In spite of the above progress, there are legal constraints that hamper full participation of people in affairs of governance which need to be addressed. In 2016, the Non-Governmental Organisation Act was passed and has in some ways challenged citizen participation in their affairs. For example, in August 2021, the Commission notes that 54 NGOs were closed, and others indefinitely suspended for non-compliance with the same law. **There is need to review the NGO Act to ensure it is in line with international, regional and domestic human rights**

standards.

11. Measures have been put in place to fully guarantee the independence of the Judiciary in line with 128(1) of the Constitution. In June 2020, Parliament passed the Administration of Judiciary Act, 2020. The main object of this law is to strengthen the independence of the Judiciary. The promulgation of this law is a progressive move. However, to fully achieve the objects of the law, it is important that it is fully implemented in a timely manner. Also, to enhance access to justice, the long overdue elections of local councils were held in 2018 which made the Local Council Courts fully constituted and operational. It is however still necessary to build the capacity of the members of these courts in legal matters and to ensure that they have the relevant tools to effectively adjudicate cases.
12. Uganda has a blossoming media, with many media houses operational. Nonetheless, media freedom violations remain rampant for journalists reporting on sensitive issues. There are allegations of illegal detention of journalists and other violations. The UHRC has investigated some of these and profiled some cases of journalists who have been harassed. The Commission however notes that it is hard to identify suspects and conclude case. In many cases victims never follow up. It should also be noted that on many occasions the security forces have taken remedial measures in response to attacks on journalists by some of their officers. For instance, in April 2021, as a response to reports of attacks on journalists by the army, the Uganda Peoples Defence Forces (UPDF) held a friendly football mat with the media fraternity.
13. In the area of juvenile justice, there have been efforts to implement child friendly court sessions, reduced child detentions and efforts to reduce cases of children in conflict with the law by for example diverting children off the streets. According to the Justice, Law and Order Sector (JLOS) Annual Report 2017/18, the national diversion rate stood at 76.3 per cent. Diversion is harder to implement for street children who lacked proper parental or guardian authority to follow up on the children. In 2019, UPF together with UNICEF launched guidelines for ensuring that minors who commit petty offences are diverted to non-judicial bodies. It is important for these guidelines to be implemented and integrated in the law.

IV. Elections and Press Freedoms

Recommendations: 111.108, 115.109, 115.104, 115.105, and 115.87.

14. The government has taken steps to implement electoral reforms in response to the 2016 Supreme Court recommendations. In 2019, various laws were passed. These include The Electoral Commission (Amendment) Act, 2019, the Political Parties and Organisations (Amendment) Act, 2019, the Presidential Elections (Amendment) Act 2019 and the Parliamentary Elections (Amendment) Act, 2019. . The new laws, among others, introduced the following provisions: allowing the use of technology, aligning the age qualifications for contesting in light of the constitutional amendment, amending timelines for holding Presidential elections and management of presidential election petitions; streamlining the time for holding campaigns in Presidential Elections, regulating access to State-owned media by presidential candidates which should be equal access, and providing for a code of conduct for political parties and organisations.
16. In spite of the above reforms. The 2021 Presidential and Parliamentary Elections were conducted amidst a host of challenges. This included the challenges posed by the Covid-19 pandemic. In March 2020, in response to the pandemic, Uganda announced a lockdown with a host of measures, which included restricting public gatherings. The Political Parties' and Organizations' (Conduct of meetings and Elections) regulations were passed in July 2020.

Later, it was announced that elections would be scientific, conducted only through the media and on internet. The Commission notes the internet shut down experienced on 13th January 202, right before the 14th January 2021 general elections. The commission notes that there were incidents where police used force disproportionately to disperse campaign gatherings held in contravention of the guidelines.

V. Women Rights, Equality and non-discrimination

Recommendations: 115.60, 115.54, 115.55, 115.69, & 115.77 115.97, 115.56, 115.57, 115.8, 115.52, 115.49 115.62, 115.63, 115.64, 115.65, & 115.66, 115.51, 115.9, 115.13, 115.10, 115.76, 115.74, 115.7, 115.11, 115.18, 115.72, 115.73 & 115.13, 115.91, 115.61, 116.9, 115.37, 115.21, 116.18, 115.80, and 115.139.

15. A comprehensive study to establish the situation of persons with albinism is ongoing to inform adoption of an appropriate strategy. Relatedly, the Commission noted a decline in services rendered to persons living with albinism like provision of sunscreens in the Covid-19 lockdown periods as efforts were diverted to containing the pandemic. This needs to be rectified so that the rights of the vulnerable are respected even amidst the pandemic.
16. To protect the rights of women from violence, the implementation of progressive laws such as the Domestic Violence Act, the Prevention of Female Genital Mutilation Act, the Prevention in Trafficking in Persons Act, among others is ongoing. Indeed, most of these laws are in recognition of the supremacy of the Constitution that prohibits such practices and cruel and degrading treatment. Indeed, sensitisation and other strategies aimed at enforcing the FGM Act and ending child marriage are still ongoing with varied levels of success given the socio-economic dynamics that fuel the harmful practices. The Commission has however been organising trainings, assisting former FGM surgeons to give up the practice and get alternative sources of livelihood in a bid to implement the FGM Act.
17. The concerns related to investigation of SGBV cases have been addressed by reviewing of Police Form 3 to allow registered midwives and clinical officers to examine victims of SGBV. This is to enable expeditious investigations in places with no medical doctors. Other developments include organising special SGBV court sessions for defilement cases presided over by Magistrates Grade I in Teso, Lango, Acholi and Karamoja sub-regions. In addition, the Sexual Offences Bill, 2019 was passed in May 2021 and the same now awaits presidential assent. It is hoped that this law will enhance access to justice for SGBV survivors.

Some challenges however persist and have aided early marriages and SGBV. These include the inconsistencies in laws regarding the age of consent for some types of marriages like the Hindu Marriage and Divorce Act, the Marriage and Divorce of Mohammedans Act and the Marriage of Africans Act with the constitution and the children's (amendment) Act. Some of those laws allow marriage of children while others are silent on the age of marriage, both of which is problematic. This is despite the constitutional age of consent being 18 years. The Marriage Bill would have reconciled this but has been shelved for a while. In June 2015, Uganda adopted the National Strategy to end child marriage and teenage pregnancy (2014/15-2019/20). This strategy should be coupled with legislative reform to achieve its aspirations **The Law Reform Commission needs to review the laws above to bring them in conformity with the Constitution.**

18. The Office of the Prime Minister has been coming up with policies and practices to achieve harmonious relationships between the host communities and the refugee communities. Dialogues continue to be held and sensitisation sessions to address these challenges.

19. The issue of disability quotas had been flagged in the period under review. Section 9(6) of the Persons with Disabilities Act, 2020 now mandates the Minister of Gender, Labour and Social Development in consultation with the National Council for Disabilities and Employer's representative to establish and publish employment quotas for persons with disabilities at least once in every two years. This awaits implementation.
20. To minimise the challenge of street kids especially in Kampala, the Kampala City Council Authority passed the Kampala Child Protection Ordinance of 2019, that penalises actions aimed at encouraging children to remain on the street.

The other challenge facing children include section 59 of the Prisons Act, 2006 which permits infants or children to remain with imprisoned mothers, and yet the same provision is incompatible with General Comment on Article 30 of the African Charter on the Rights and Welfare of the Child which prohibits imprisonment of a mother with a child. There is need for the state to devise alternative measures to avoid children being incarcerated with their mothers. **There is therefore need to amend the Prison Act to bring it into conformity with the international and regional standards that prohibit incarceration of children with their parents. In the meantime, the Justice, Law and Order Sector ought to devise mechanisms of enforcing the standards.**

VI. Statelessness and the Right to Nationality

Recommendations: 115.99, 115.100, and 115.133.

25. The Registration of Persons Act, 2015 provisions are inconsistent with Articles 7(1) of the United Nations Convention of the Rights of a Child (CRC) and 6(2) of the African Charter on the Rights and Welfare of the Child as it does not provide for the registration of children of refugees born in Uganda.

The Registration of Persons Act additionally mandates the registration of all birth. However, section 35 that requires the father of the new-born baby to appear before the registrar before his name is included on the registration certificate is regressive and incompatible with Article 7 of the CRC and Article 10(b) of the AFRWC that requires all births taking place in Uganda to be registered. This provision is likely to affect the rights of children borne by single mothers, founded and adopted children, especially. This provision needs to be repealed. **The Registration of Persons Act needs to be amended to be brought in conformity with international and regional human rights standards.**

26. By 2020, Uganda was host to approximately 2.2 million refugees and forced migrants across 12 districts. These are mainly from South Sudan, the Democratic Republic of Congo, and Ethiopia. Uganda is to also host refugees from Afghanistan. Uganda continues to be the leader as a host of forced migrants in the region and third in the world. The government continues to partner with NGOs to improve access to health, access to food and water as well as to protect refugee women against SGBV and ensuring that they access justice in the different settlements. In 2018, the United Nations Commission for Refugees commissioned an assessment of rule of law, access to justice and security needs in refugee settlements and host communities in Arua and Isingiro districts. The study profiled the access to justice needs of women and among others recommended gender-sensitivity in policing the settlements. This and other recommendations need to be implemented.

VII. Economic, Social and Cultural Rights

Recommendations: 115.136, 115.134, 115.135, 115.138, 115.37, 115.142, 115.111, 115.112, 116.16, 115.16, 115.120, 115.113, 115.114, 115.119, 115.118, 115.122, 115.121, 115.123, 115.1125, 115.127, 114.126, 115.128, and 115.35.

27. In 2020, the National Development Plan II expired and in its place the NDP III 2020/21 – 2024/25 was adopted with the guidance of UHRC. The National Planning Authority conducted diagnostic studies and assessments. In the field of human rights, it was established that NDP II had been guided by the Human Rights Based approach (HRBA) to development. In spite of this, the HRBA had not adequately be established in sectoral plans and local government processes. It is therefore necessary for the implementation of NDP III to fully integrate the HRBA. Uganda is on course to implementing NDP III. The UHRC has also trained District Planners on a human rights based approach to the implementation of the development plans.
28. The National Action Plan on Business and Human Rights was approved by cabinet and now awaits implementation.
29. As far as improving people’s standards of living is concerned, Government has adopted several programmes for this purpose. This includes the Women Empowerment Program, the Youth Livelihood Program, the ‘emwooga’ seed funds for the youth entrepreneurship programmes, the Operation Wealth Creation, the Parish Development Model to improve service delivery and alleviate poverty.
30. The Government is committed to implementing Agenda 2030 and the SDGs and submitted its report in 2020. All Government development programmes are pegged on these and have mainstreamed the SDGs. Indeed, the NDP III, is guided by the SDGs and these are reflected in the M&E Framework. The NDP is guided by the theme “Sustainable Industrialization for Inclusive Growth, Employment and Wealth Creation”. The only challenge though is that the Government is yet to complete the process of adopting the programme-based plans that should draw on the NDP. This needs to be expedited.
31. Steps have been adopted to address the challenges arising from rapid urbanisation and the resultant challenges. In 2016, Government adopted the National Housing Policy among others intended to address the housing needs of urban populations. The UHRC also commissioned a study in 2017 on land disputes and human rights in selected regions; tracing the nexus. In addition, Government has adopted Eviction Guidelines to stem evictions which happen without following the law and international standards. Parliament also passed the Landlord Tenant Bill in 2019. This Bill is however yet to be assented to by the President. This needs to be done for the law to become operational. It is also important to provide resources for the National Housing Policy to be implemented.
32. The Government passed the Health Sector Development Plan 2015/16-2019/20 in line with the National Health Policy II (NHP, 2010/11- 2019/20). The Ministry of Health also passed and is implementing the Patients’ Charter to respect the rights of patients. One of the challenges though is that the Health Budget still falls below the recommended threshold of 15% of the National Budget. In financial year 2020/21 the health sector has been allocated 2.7 trillion which is an improvement from the sh. 2.5 trillion allocated in FY 2019/20. In FY 2019/20 the health sector accounted for 8.9% of the national budget down from 9.2% in FY 2018/19. Uganda has been applauded by the WHO for its early Covid-19 pandemic response that minimised cases of severe hospitalisation and death. **Efforts should continue to be made to progressively increase the health sector funding to the recommended 15% of the national budget standard.**

33. To reduce maternal mortality, in 2017 Government adopted and started implementing the Maternal and Perinatal Death Surveillance and Response Guidelines, among other initiatives. These Guidelines put in place several measures to ensure that mothers get the services they deserve, up to the local level. By 2017, the maternal mortality rate dropped from 387 in 2016 to 375. In August 2020, the Constitutional Court in the case of *Center for Health, Human Rights and Development vs Attorney General* (Petition No. 16 of 2011 ruled that failure to provide supplies and neglect of mothers in labour was a violation of reproductive health rights. The Court among others relied on international human rights standards.
34. Efforts by the Uganda AIDS Commission aimed at prevention, early testing and treatment, provision of PEP and PrEP, fighting stigma, reaching out to key vulnerable populations continue to play a critical role in the fight against HIV. Uganda has also made strides towards universal health coverage by improving infrastructure, implementing access to health through public-private partnerships, among other initiatives, with varying degrees of success. It should be noted, however, that HIV, like many conditions, has been affected by the COVID-19 lockdowns which have made it hard for those affected and infected to access services.

Also, efforts continue to be implemented to promote education, including infrastructural development, increased gross and net enrolment rates at primary, secondary and tertiary education levels. According to a recent evaluation of UPE by the National Planning Authority; 556 parishes in the 13 regions do not have a government school. The challenges that need to be addressed include the following: more equitable infrastructural development, government taking over the school feeding policy given the correlation between school retention rates and school feeding. There is also urgent need to fast-track the passing of the school Health Policy to enable a healthy environment for better enrolment and completion rates, especially for female learners. The Government additionally needs to adopt, implement and popularise remote learning policies aimed at continued education during the pandemic and lockdowns. These must be cognisant of the levels of vulnerability of learners and should be inclusive, for all, including children with disabilities.

35. Government passed the National Integrated Early Childhood Development Policy and Action Plan (2016-2021) which recommends establishment of ECD centres at every primary level and support to community ECD initiatives. This needs to be strengthened by legal reform. The obligation on ECD initiatives under the Education (Pre-primary, Primary and Post Primary) Act of 2008 lies on parents and guardians which many vulnerable families cannot afford. Additionally, the law needs to be amended to bring it into conformity with Article 11(6) of the African Charter on the Rights and Welfare of the Child that allows pregnant girls to remain in school.

VIII. National Human Rights Institutions and mechanisms

Recommendations: 115.36, 115.39, 115.40, 115.42, & 115.43, 115.41, 115.27, 115.28, 115.29, 115.30, 115.31, & 115.32, 115.33, 115.34, 115.141, 115.92 & 93, and 115.90.

36. The National Children Authority (NCA) was established in May 2016 by the Children (Amendment) Act No. 9 of 2016. The Authority provides a structure and mechanism for proper co-ordination, monitoring and evaluation of policies and child rights programs relating to the survival, development, protection and participation of the child and for other connected matters.

37. The strengthening of human rights institutions has been achieved to a larger extent albeit with some challenges such as the delay in the appointment of office bearers which affects the quorum and function of the UHRC. The Commission was affected by the death of the Chairperson, the Late Hon. Medi S. Kaggwa and some Commissioners as this affected its capacity to carry out some of its functions. This has however been rectified as of July 2021 when a new Chairperson Mrs. Mirriam Wangadya was appointed by the President. The same progress is noted with the Equal Opportunities Commission (EOC). The UHRC has grown in coverage, and staffing during the period of review. In addition to the head office, the Commission currently has 12 field offices, 10 regional offices with 2 more in final stages of being opened in Kabale and Lira districts. The staffing capacity as of 2020 stands at 240 staff out of the approved 287 positions.
38. Progress has additionally been made towards financial independence of the UHRC in line with the Paris Principles. In the financial year 2017/2018 for example, the government increased funding for UHRC's civic education activities to the tune of UGX 2.26 billion. It also provided UGX 2.73 billion under domestic arrears to clear arrears in staff costs for the financial year 2015/2016. In FY 2018/2019, the total funds available to the Commission amounted to UGX 24,509,000,000 (Twenty-four billion five hundred and nine million). In the same year, the government provided 79% while development partners gave 21%, which was an increase from the 15% they provided in the last FY 2017/18. In 2019/20, the government approved UGX 22,200,000,000 which was at 85.1% while development partners supported it with 14.9%. These developments are in line with the 2017 presidential directive of increasing the UHRC funding and weaning it off donor assistance for independence in operations. Although more financial resources are still required to for example make the salaries of the staff of the institutions competitive and reduce staff turnover, progress has been noted.
39. The Commission continued to State and Non state actors (including members of the Justice, Law and Order sector, security agencies, among other players) on various human rights thematic areas. These included torture, sexual and gender based violence, human rights based planning, harmful cultural practices, among others issues. The mode of human rights education and training include Barazas, media, radio talk shows, among others.
40. On the concern of strengthening policies for human rights protection, the NAP on Human Rights awaits approval from cabinet. The Process undertaken to come up with the draft was consultative and it is hoped that once approved, the NAP will go a long way in improving the human rights situation in the country. The revised NAP on Women awaits cabinet approval.
41. The concern of fighting corruption by levelling the playing field in public procurement, several strides have been made in this direction generally. These include the operationalisation of the Leadership Tribunal, the amendment of the Leadership Code Act, in 2017 and 2021 to mandate all public officers at all levels to declare their assets and liabilities. Specific to procurement, the Public Procurement and Disposal of Assets (PPDA) Act was amended in 2021 to provide for the functions of the Authority and of the Board of Directors of the Authority; for electronic records and communication; the aggregation of procurement requirements; marginalised groups under reservation schemes; to remove the Authority from the administrative review process; to provide for the appointment of a registrar of a Tribunal; to provide for the powers of the High Court in procurement proceedings; to amend the Kampala Capital City Act and the Local Governments Act with respect to procurement and for related purposes. These amendments are aimed at making the procurement process fairer and competitive and elimination of corruption.

XI. Rights of Human Defenders

Recommendations: 115.44, 115.110, and 115.94, 115.95, 115.21.

42. The Human Rights Defender's Protection Bill, 2020 was tabled in Parliament in July 2020. It is hoped that if the passing of the same is expedited, this will go a long way in protecting the rights of HRDs. Uganda launched the National Initiative for Civic Education in March 2019 that should contribute to raising awareness on challenges faced by HRDs.
43. On the issue of the safety and security of HRDs, two legislations continue to impact the rights and activities of human rights defenders. These are the NGO Act, 2016 which requires NGOs to register with the District NGO Monitoring Committee (DNMC) to be allowed to operate in a particular district, the permission comes with signing a memorandum of understanding to that effect. NGOs can only operate in new districts with approval from the NGO Board after consultation with the DNMC. The NGO Act under section 7 additionally grants wide discretion to the NGO Board to revoke licences of NGOs. NGOs are not allowed to participate in partisan politics or activities that are likely to be prejudicial to the security of the country or interests of the indigenous persons. These grounds are broad and subjective and can be interpreted to limit the rights of human rights defenders to associate. The threats over the reporting period included closure of media houses like red pepper publications Ltd, and Radio Maria, Unity FM. These threats against HRDs additionally led to self-censorship. These threats and violations were worse where female HRDs were concerned. There is absence of conclusive investigative reports which has denied the victims an effective remedy.
44. To address some of these concerns, the UHRC established a HRDs desk to receive complaints related to the work of HRDs. This is in line with its mandate of complaints management including investigations and tribunals; monitoring and inspections; human rights education; and creating awareness and sensitising the citizenry about their rights, obligations and respect for the rule of law, among others. Other Ministries, Departments and Agencies (MDAs) such as Uganda Police force, Ministry of Finance, Planning and Economic Development, Uganda Prisons Services have either established human rights desks, officers or departments that could be used to receive, process and deal with HRDs related complaints.

Addendum: Summary of Recommendations

I. Ratification and Domestication of International Instruments

115.1, 115.2, 115.3 – Enhance ratification of human rights treaties

115.4 – Adopt Prevention and Prohibition of Torture Regulations

115.17 – Ratify ILO Convention 189 on Domestic Workers

116.4 – Ratify Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption

115.45, 115.46, 115.47, 115.48, 115.45 – Strengthen Cooperation with Treaty Bodies by submission of overdue reports

115.24, 115.25, 115.26 – Continue to harmonise domestic legislation with human rights instruments.
115.23 Create in Parliament process to control conformity of laws with international rights commitments.

II. Civil and Political Rights

115.22 - Speedily enact laws and policies on legal aid and transitional justice
115.5, 115.6, 115.7 – Implement Prevention and Prohibition of Torture Act and systems to prevent torture.
115.86, 115.88 – Police, DPP and UHRC to investigate acts torture and hold perpetrators accountable.
115.87 – Conduct full transparent investigation on alleged cases of excessive use of force by security agencies
115.102 - Strengthen measures to end any possibility of alleged police brutality, arbitrary arrests and politically motivated prosecution of opposition leaders
115.19 Ensure that the enforcement and implementation of laws to respect and protect the freedom of expression and peaceful assembly.
115.103, 115.101 – Take measures to guarantee the right to peace assembly and avoid violation of right by police, and in implementation of Public Order Management Act
115.82 - Ensure the separation of power and the independence of the judiciary.
115.83 - Ensure the full functionality and adequate resourcing of levels 1 and 2 local council courts
115.84 - Prioritize implementation of the Child Justice Strategy and the National Diversion Guidelines for children in the criminal justice system

III. Elections and Press Freedoms

111.108 – Carry out electoral reforms as proposed by the Supreme Court and election observers
115.109 – Ensure transparency and independence of the Electoral Commission and prevent misuse of state resources for campaign financing
115.104 – Improve transparency of electoral processes, ensure equal conditions for all candidates, prevent obstruction of the media and internet and investigate electoral fraud
115.105 - Adopt reforms to address problems identified by election observers including having inclusive and transparent appointment of Electoral Commission
115.87 – Conduct full and transparent investigations into alleged cases of excessive use of force, especially during and after the 2016 elections, ensuring accountability for possible human rights violations

IV. Women Rights, Equality and non-discrimination

115.60, 115.54, 115.55, 115.69, & 115.77 115.97 – Establish an information and prevention strategy to combat the discrimination against the albino population in the country and thoroughly investigate attacks on persons living with albinism and bring to justice perpetrators
115.56, 115.57 - Promote national efforts aiming at achieving gender equality and women's empowerment on the political and social level, continue to improve its policies to protect the rights of women
115.8, 115.52, 115.49 115.62, 115.63, 115.64, 115.65, & 115.66 - Abolish all discriminatory laws and practices in accordance with international obligations under the Convention on the Elimination of All Forms of Discrimination against Women, punish violations and raise awareness about patriarchal attitudes and deeply entrenched stereotypes
115.51 - Continue with efforts to advance the rights of women and combat discrimination against women and girls, in particular to achieve equal access to education and prevent girls dropping out of school
115.9 - Enact laws that enhance equal access to property rights for women
115.13 - Effectively implement relevant laws governing sexual and gender-based violence
115.10 - Ensure the effective implementation of the Act of 2010 on female genital mutilation

115.76, 115.74, 115.7, 115.11, 115.18, 115.72, 115.73 & 115.13 - Eliminate all harmful traditional practices and stereotypes, including female genital mutilation, effectively implement relevant laws governing sexual and gender-based violence

115.91 - Strengthen police training on how to investigate SGBV including against children, and ensure that perpetrators of these acts are appropriately prosecuted

115.61 - Take active measures to eliminate GBV against women, specifically refugee women, and take immediate appropriate measures to eliminate all forms of discrimination against women, in line with CEDAW.

116.9 - Strengthen the enforcement of the Domestic Violence Act and adopt the Sexual Offences Bill

115.37 - Put in place strategies and implement the action plan to more effectively combat child, early and forced marriage

115.21 - Amend the Children (Amendment) Act in line with the Convention on the Rights of Persons with Disabilities, aiming at mainstreaming the rights of children with disabilities across all programmes, and provide the necessary resources for their protection

116.18 - Increase the job quota for people with disabilities

115.80 - Continue to develop strategies to protect children, including measures to ensure that children living in the street and in foster care institutions have the right to live in a family and have access to health and education

115.139 Continue to implement socioeconomic and development policies for safeguarding the rights of youth

V. Statelessness and the Right to Nationality

115.99 - Exert further efforts to ensure that all children born in the national territory are registered

115.100 - Adopt measures to reduce the number of children without birth registration

115.133 - Continue its efforts to improve the livelihood of refugees and IDPs by taking measures aimed at further improving the health-care system in refugee settlements, ensuring that all refugees attain the highest level of access to health services

VI. Economic, Social and Cultural Rights

115.136 – Expediate implementation of National Development Plan

115.134, 115.135 – Implement the Guiding Principles on Business and Human Rights, adopt National Plan for Business and Human Rights

115.138 – Ensure that companies exploiting natural resources with affected communities

115.37, 115.142 – Continue to promote sustainable economic and social development and efforts to improve economic

115.111 – Continue strengthening social security for most vulnerable and seek international assistant cooperation

115.112 – Make efforts as set out in SDGs on poverty, education, health, agriculture and nutrition

116.16 – Enact and implement national urban policy to address problems of urbanisation

115.16, 115.117– Continue to develop the health system, cooperate with countries in health sector

115.120 – Strengthen standardisation of the health management information system

115.113, 115.114 – Increase budget for health to ensure full and equal access in line with Health Development Plan, also particular attention to adolescents, reproductive health and family planning

115.119, 115.118 – Intensify efforts to reduce maternal and child mortality

115.122 – Implement Abuja Declaration on Roll Back of Malaria and enact National Health Insurance

115.121 – Pursue national efforts to combat HIV and provide health services for all

115.123, 115.1125, 115.127, – Continue efforts and measures to maintain education for all, policies for access in rural areas and marginalised areas

114.126, 115.128 – Increase the enrolment rate of children and achieve gender opportunities and for all vulnerable

115.35 Strengthen implementation of the National Agricultural Policy to ensure access to food and address malnutrition.

VII. National Human Rights Institutions and mechanisms

115.36 - Accelerate the establishment and functioning of the National Children's Authority to prevent and combat violence, exploitation and other degrading practices

115.39 - Give continuity to strengthening national human rights institutions and mechanisms

115.40, 115.42, & 115.43 - Provide adequate funding for the national human rights institution and reduce its reliance on external sources

115.41 - Continue to strengthen its national human rights and democratic institutions

115.27, 115.28, 115.29, 115.30, 115.31, & 115.32 - Continue to implement the National Action Plan on Human Rights to, among other things, strengthen the capacity of the Government and of citizens when it comes to protection and promotion of human rights

115.33 - Fully implement the National Gender Policy Action Plan

115.34 - Enhance efforts to implement the National Action Plan on Women, in particular their participation and integration in the economy

115.141 - Step up the fight against corruption, including in ensuring a level playing field and competitive bidding in public procurement

115.92 & 93 - Continue making efforts in the field of training and education in human rights for law enforcement agencies

115.90 - Create permanent and sustainable programmes for education and training in human rights for public officials, particularly members of the armed forces, the police and the judiciary, emphasizing protection for the most vulnerable groups.

VIII. Rights of Human Rights Defenders

115.44 - Maintain and strengthen measures to enhance the promotion and protection of human rights

115.110 - Explicitly recognize the legitimacy of the work carried out by human rights defenders, publicly support their work and provide protection for them

115.94, 115.95, 115.21 - Ensure that civil society organizations and human rights defenders can operate in a safe environment and that all allegations of intimidation, harassment and violence are fully investigated, punish perpetrators