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**REPORT OF THE UGANDA HUMAN RIGHTS
COMMISSION
TO THE UN COMMITTEE ON THE
INTERNATIONAL COVENANT ON CIVIL AND
POLITICAL RIGHTS**

MAY 2023

1.0 INTRODUCTION

The following report presents an assessment of civil and political rights in Uganda, focusing on the period 2018 and 2022. It provides an overview of key developments and achievements, highlights areas of concern and offers recommendations for the government of Uganda to address human rights challenges. Uganda has a legal framework in place to protect civil and political rights under the 1995 Constitution as amended. The Constitution of Uganda guarantees fundamental freedoms, such as the right to life, right to vote, liberty and security of person, freedom from torture, cruel, inhuman and degrading treatment, freedom from slavery, freedom of movement, equality before the law, right to marry, right to a fair trial, Freedom of thought conscience and religion, freedom of expression, assembly and association and the right to participate in public affairs.¹ Despite this, concerns persist regarding the implementation and enforcement of these rights.

The Uganda Human Rights Commission is also an A Status National Human Rights Institution established under the Constitution of the Republic of Uganda, 1995 (as amended) to promote and protect human rights in the Country. The UHRC is mandated under Article 52 of the Constitution to: Receive and investigate complaints on human rights violations; Visit places of detention such as jails, prisons and related facilities; Monitor the Government's compliance with international treaty and convention obligations on human rights; Conduct research, education and information to enhance respect of human rights; Recommend to Parliament effective measures to promote human rights; Create and sustain within society awareness on provisions of the Constitution; Educate and encourage the public to defend the Constitution against abuse and violations; Formulate, implement and oversee programmes intended to inculcate in the citizens awareness of their civic responsibilities and an appreciation of their rights and obligations as free people; Perform such other functions as may be provided by law.

¹ Chapter 4 of the 1995 Constitution as Amended

2.0 LEGAL AND INSTITUTIONAL FRAMEWORK

Uganda is a signatory to the International Covenant on Civil and Political Rights (ICCPR) which it ratified on 21st June 1995. In line with Article 2(2) of ICCPR, the country has taken steps to establish laws and other measures necessary to give effect to the rights recognized under the convention through legislative and institutional development.

2.1 Legal Framework

Uganda has enacted numerous laws on civil and political rights and these include Chapter 4 of the Constitution, the Uganda Peoples Defence Forces Act, 2005, Access to Information Act, 2005, Community Service Act, Cap 115, Employment Act, 2006, Labour Unions Act, 2006, Labour Disputes (Arbitration and Settlement) Act, 2006, Local Council Courts Act, 2006, Refugee Act, 2006, Prisons Act, 2006, Persons with Disabilities Act, 2006, Equal Opportunities Commission Act, of 2007, Penal Code (Amendment Act), 2007, Magistrates Courts (Amendment) Act, 2007, Local Governments (Amendment) Act, 2008, Arbitration and Conciliation Act, 2008, Trial on Indictment (Amendment) Act, 2008, Education (Pre-Primary and Post-Primary) Act, 2008, Prevention of Trafficking in Persons Act, 2009, Land (Amendment) Act, 2010, Domestic Violence Act, 2010, Female Genital Mutilation Act, 2010, Firearms (Amendment) Act, 2006, Whistle Blowers Protection Act, 2010, National Youth Council (Amendment) Act, 2010, National Women's Council (Amendment) Act, 2010, International Criminal Court Act, 2010, Presidential Elections (Amendment) Act, 2010, Electoral Commission (Amendment) Act, 2010, Computer Misuse Act, 2011, Transfer of Convicted Offenders Act, 2012, Prevention and Prohibition of Torture Act, 2012, Police (Amendment) Act 2006, Public Order Management Act, 2013, National Council for Older Persons Act, 2013, National Council for Disability (Amendment) Act, 2013, Anti-Pornography Act, 2014, HIV and AIDS Prevention and Control Act, 2014, Non-Governmental Organisations Act, 2016, Local Governments (Amendment) Act, 2015, Anti-Corruption (Amendment) Act, 2015, Anti-Corruption (Proceeds of Crimes) Act 2015, Registration of Persons Act, 2016, Children (Amendment) Act, 2016, Ant-Terrorism

(Amendment) Act, 2017, Immunization Act, 2017 and the Human Rights (Enforcement) Act, 2019 among others.

2.2 Uganda's Vision

Uganda Vision 2040,² that aims towards a transformed Ugandan society from a peasant to a modern and prosperous country within 30 years. The vision identifies good governance as the back bone of development processes which ensure services are delivered to citizens. It consolidates the tenets of good governance including protection of human rights, the rule of law, mindset change, human capital development, transparency and accountability and stipulates that the respect of human rights and fundamental principles are at the core of government interventions through Human Rights Based Approach (HRBA) in planning. To achieve Vision 2040 Uganda has developed three National Development Plans for the period 2010 to 2025.

2.3 Institutional Framework

2.3.1 Government Ministries and Agencies

A Human Rights Cabinet Sub-Committee and Inter-Ministerial Committee have been created to provide policy and technical guidance for the government. At a sectoral level, the Human Rights and Accountability Working Group has been created within the Justice Law and Order Sector (JLOS) to provide in-depth consideration of human rights issues and ensure accountability in service delivery within the sector. The security forces that is to say the Uganda People's Defense Force (UPDF), Uganda Police Force (UPF) and Uganda Prison Services (UPS) have also established Directorates of Human Rights and Legal Services, Human rights Desks have been established in the Ministry of Justice and Constitutional Affairs (MOJCA) and Ministry of Foreign Affairs (MOFA) to coordinate implementation of the proposed National Action Plan (NAP) on Human Rights, compliance and reporting to regional and international mechanisms; and in the Office of the Directorate of Public Prosecutions and Chieftaincy of Military Intelligence (CMI) to

² National Planning Authority, Uganda Vision 2040

streamline human rights within their policies, plans, programs and interventions. Focal point persons appointed across all MDAs to address implement the HRBA to planning.

2.3.2 Uganda Human Rights Commission (UHRC)

Uganda has also made institutional developments by establishing institutions like the Uganda Human Rights Commission (UHRC) under the 1995 Constitution as Uganda's National Human Rights Institution (NHRI).³ The Uganda Human Rights Commission (UHRC) is a statutory body established under the Constitution of Uganda to promote and protect human rights in the country. The UHRC plays a vital role in ensuring the respect, promotion and fulfilment of human rights for all individuals in Uganda. It does this through monitoring and investigating human rights violations, receive complaints, initiate investigations, visit places of detention to assess the conditions and treatment of detainees and make recommendations for redress, public education and awareness to promote a culture of human rights in Uganda and empower citizens to claim their rights hence contributing to the enforcement of human rights education in in the school curriculum through the National Action Plan for Human Rights Education in Uganda of 2016–2021. The Commission also serves as an advisory body to the government, parliament and other institutions on matters concerning human rights.

It provides recommendations and guidance on legislative and policy reforms to ensure compliance with human rights standards. It also advises on international human rights obligations and engages in advocacy to influence policy changes. The UHRC can initiate legal proceedings or intervene in court cases involving human rights violations. It can act as a complainant or amicus curiae (friend of court) to assist in protecting human rights and ensuring justice for victims by engaging in legal interventions to enforce human rights principles.

³ Article 51 and 52 of the 1995 Constitution as Amended

UHRC conducts research on various human rights issues including emerging challenges and trends. It then publishes reports and studies on its findings, highlighting human rights violations, systemic issues and recommendations for improvement contributing to evidence-based advocacy and policy development in Uganda. Lastly, UHRC collaborates and partners with both state and non-state actors to enhance its effectiveness. Lastly, the Commission was accredited as an 'A' status NHRI in 2001 a position it has retained to date and was also voted the best NHRI in Africa. UHRC has offices in both the urban and rural areas in order to bring services closer to the people leaving no one behind.

2.3.3 Equal opportunities Commission (EOC)

Uganda has also established the Equal opportunities Commission to promote and safeguard equal opportunities, non-discrimination and affirmative action for marginalised individuals and groups in Uganda.⁴ Its primary mandate is to eliminate discrimination and ensure equal opportunities for all individuals in various aspects of life, including employment, education, access to public services, participation in political and public life and social inclusion. The Commission works towards creating an inclusive society where every person can fully exercise their rights and contribute to national development without facing discrimination based on gender, age, disability, ethnicity, religion or any other grounds. The Commission raises awareness on the importance of equal opportunities, respect of diversity and fostering a culture of inclusivity. It also monitors state compliance by assessing government policies, laws and regulations. Investigates complaints of discrimination and provides redress for the same. The Commission plays a vital role in building a more inclusive and equitable society in Uganda.

2.3.4 Judicial service Commission (JSC)

The Judicial Service Commission is responsible for the appointment, discipline and removal of judicial officers, including judges.⁵ It ensures the independence and impartiality of the judiciary, which is crucial for protecting human rights. The JSC also

⁴ Article 32 of the 1995 Constitution

⁵ Article 146 of the 1995 Constitution

deals with complainants against judicial officer and promotes ethical conduct within the judiciary.

2.3.5 Inspectorate of Government (IG)

The IG is tasked with fighting corruption and promoting good governance in Uganda.⁶ It investigates allegations of corruption, abuse of office and mismanagement of public resources. By combating corruption, the IG contributes to the protection of human rights by promoting transparency, accountability and efficient public delivery. The IG works closely with the leadership code tribunal.⁷

2.3.6 Electoral Commission (EC)

The EC is responsible for organizing and conducting free and fair elections in Uganda.⁸ It ensures that citizens can exercise their right to vote and participate in the democratic process. The EC plays a vital role in protecting the political rights of individuals and fostering democratic culture in the country. These constitutional bodies work independently and collaboratively to protect and promote human rights in Uganda. They play a crucial role in ensuring accountability, upholding the rule of law and fostering a culture of respect for human rights in the country.

2.3.7 The National Identification and Registration Authority (NIRA)

The mandate of NIRA is to create, manage, maintain and operationalize the National Identification Register by registering all citizens of Uganda, registering non-citizens of Uganda who are lawfully residents in Uganda, registering births and deaths, assigning a unique National Identification number to every person registered.⁹

⁶ Article 223 and 225 of the 1995 Constitution

⁷ Article 233 of the 1995 Constitution

⁸ Article 60 and 61 of the 1995 Constitution

⁹ Registration of Persons Act 2015

2.3.8 Courts of law

The judiciary is an independent branch of government and operates separately from the executive and legislative branches.¹⁰ The role of the courts of law in Uganda include the following: - dispute resolution, interpretation and application of laws, adjudication of matters, protection of rights and liberties enshrined in the Constitution, conduct constitutional review, hear appeals and promotion of alternative dispute resolution mechanisms like plea bargaining, mediation and arbitration. Over all, courts in Uganda uphold the rule of law and ensure access to justice by providing an independent and impartial forum for the resolution of legal matters.

In the case of **Charles Onyango Obbo and Andrew Mujuni Mwenda vs Attorney General Constitution Appeal No.2 of 2002**. Justice Mulenga held that Article 10 of the ICCPR provides for freedom of thought, opinion and expression and the key role they play in good governance. In the case of **Uganda vs Thomas Kwoyelo Constitutional Appeal No. 01 of 2012** The lead judge, Justice Katureebe, relied on Article 6 of the ICCPR that provides that ***"Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."*** *This is echoed by Uganda's Constitution, Article 22 (1) which also guarantees the right to life....* Article 2 of the Constitution provides that the constitution is the supreme law of Uganda and shall have binding force on all authorities and persons throughout Uganda and renders any other law or any custom inconsistent with any of the provisions of the Constitution, void to the extent of the inconsistency. Article 287 of the Constitution provides for the continuation of treaties and conventions to which Uganda is a party. In **Constitutional Petition No 56 of 2013 Human Rights Network and four others versus Attorney General**, Court declared that Section 8 of the Public Order Management Act, that gave powers to an authorized police officer to prevent the holding of a public meeting unconstitutional as it was contrary to Article 29 of the Constitution.

¹⁰ Articles 126, 128 and 129 of the 1995 Constitution

3.0 STATE REPORTING ON THE IMPLEMENTATION OF THE ICCPR

The UHRC takes note of the Government's efforts to comply with its international treaty body obligations by submitting the initial and periodic reports to the ICCPR on the status of implementation of the rights contained there under in the Covenant. This submission for the International Covenant on Civil and Political Rights is comprised of a brief background on update on Governments compliance with ICCPR recommendations, a session on emerging human rights concerns and a conclusion. The submission has been a culmination of UHRC annual and special reports arising from the human rights situation in the country and other official government reports.

3.1 STATUS ON ICCPR THEMATIC AREAS AND RECOMENDATIONS

3.1.1 Right of men and women of marriageable age to marry and to found a family

The Ugandan Government has made efforts to address issues of discrimination against women for instance the 1995 Constitution of the Republic of Uganda prohibits 'laws, cultures, customs or traditions which are against the dignity, welfare or interest of women or which undermine their status also provides for affirmative Action for women and girls among others.'¹¹ In addition, in a bid to promote equal rights of men and women the Government enacted the Succession (Amendment) Act, 2022 which accords women equal rights with men in conformity with the Constitution. The Act uses gender neutral language to ensure equal application of the law irrespective of gender and this has cured discrimination based on gender. It also entitles a spouse to the family home whether a will exists or not and any attempt at or eviction is an offence, thus repealing the previous position that hitherto meant that a surviving female spouse would lose her matrimonial home upon the likelihood of her remarriage while the law was silent on what happened to a surviving male spouse.

¹¹ Article 33(6), Article 21 and 32 of the Constitution of the Republic of Uganda

Despite the fact that the Constitution prohibits discrimination there are still laws that have discriminatory provisions and these include: the Customary Marriage Registration Act Cap 248 and the Hindu Marriage and Divorce Act Cap 250 which authorize marriage of girls under 18 years of the age, while the Marriage Act and the Marriage and Divorce of Mohammedans Act Cap 252 do not specify the minimum age for marriage. The express or tacit authorisation of the marriage of persons under the age of 18 years under the laws contravene the Constitution and the Children Act Cap 59. These laws are also incompatible with Uganda's obligations under Article 21 of the African Charter on Human and Peoples Rights which protects children against harmful social and cultural practices. Furthermore, establishing a lower minimum age for girls while maintaining eighteen years for boys constitutes discrimination on grounds of sex.

The provisions under Islamic law whose application is authorised by the Marriage and Divorce of Mohammedans Act are not clear. It is important that religious laws are applied within parameters that guarantee fundamental human rights principles and are compatible with the essential obligations of Uganda under international human rights laws. The Commission also notes that the proposals in the Marriage Bill would remedy many gaps in Ugandan laws and its obligations under the CRC, CEDAW, the African Charter, the *Protocol* to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa and other relevant human rights treaties.

The UHRC recommends for the Committee to consider the following in its concluding observations:-

- 1) That Uganda enacts a comprehensive law on marriage covering all forms of marriage considered appropriate for Ugandan society.
- 2) The approval of the Marriage Bill should be expedited.

- 3) All legislation on marriage should set the minimum age for marriage at 18 years, as required by Article 34 the Constitution, the CRC and Article 22(2) of the African Charter on the Rights and Welfare of the Child.
- 4) The proposed Marriage Bill should recognise the principle that children of parents who are divorced or separated have the right to personal relations and direct contact with both parents.

3.2 Right to life

Uganda is State Party and signatory to international and regional human rights which protect the right to life. For instance Article 6 of the International Covenant on Civil and Political Rights stipulates that every human being has the inherent right to life. No one shall be arbitrary deprived of his right to life. Article 5 of the African Charter on Human and Peoples Rights, human beings are inviolable. *At the national level* Article 22 of the Constitution of the Republic of Uganda provides for the right to life and provides that no one shall be deprived of their right to life except in the execution of a sentence passed in a fair trial by a court of competent jurisdiction. The Children's (Amendment) Act 2016 in Section 104A prohibits the death sentence for any person below the age of 18 years. Then the Law Revision (Penalties in Criminal Matters) Miscellaneous (Amendment) Act, 2019 removed reference to the mandatory death penalty in specific legislation and restricts the application of the death penalty to only the most serious offences.

The Supreme Court decision in Attorney General vs Suzan Kigula and 417 others (Constitutional Appeal No.3 of 2006) found an intermediate ground by placing a moratorium on executions that had been conducted after three years and commuting all death sentences not executed for three years or more into life imprisonment.¹² With the last known executions in 2003 for individuals tried under military law and 1999 for executions under criminal law, it can be said that Uganda has had a de facto moratorium

¹² The Supreme Court declared mandatory death sentences unconstitutional because it deprived the judge from taking into account all mitigating circumstances in sentencing decision.

on executions though this has not been formalized and is not a guarantee that executions within the time line of three years cannot be resumed.

The Commission notes that in Uganda once sentenced to death, the options are either to appeal against the sentence in a higher court of law or seek for a prerogative of mercy from H.E the President of Uganda under Article 121 of the Constitution. As of October 2022, Uganda has a total of 124 inmates on death row, 121 were male and 3 were female. Then in regard to complaints the Commission received on deprivation of the right to life in 2021 they were 40 and in 2022 they were 27 complaints.

The UHRC recommends for the Committee to consider the following in its concluding observations:-

- a) Government should ratify the second Optional Protocol to the International Covenant on Civil and Political Rights.

3.3 Personal liberty and security of person

The Commission notes that Article 23 (4) (b) of the Constitution provides for release of a detainee not later than 48 hours from their arrest if not charged before a court of competent jurisdiction. The Inspector General of Police and the Minister of Internal Affairs have further issued guidelines to police officers in relation to the performance of their duties for instances that necessitate the deprivation of the right to liberty. Despite the fact that there are legal provisions related to personal liberty and security of persons, the Commission notes that they are still alleged arbitrary and incommunicado detention of persons for instance in 2021, the Commission received and conducted investigations into 69 complaints involving cases of alleged enforced disappearances. Of the 69 complaints registered 42 were initiated by the Commission due to media reports. As a result UHRC's intervention, 64 people were released. In addition the Commission has over the years continued to receive and investigate complaints of deprivation of personal liberty for instance in 2020 there were 136, 2021-they were 236, then in 2022 they were 271.

UHRC complaints on alleged violations of the right to personal liberty

Year	2018	2019	2020	2021	2022
No of Complaints	323	222	136	236	271

The UHRC recommends for the Committee to consider the following in its concluding observations:-

- a) Government needs to ratify the International Convention for the Protection of all persons from enforced disappearances.
- b) Government should expeditiously enact specific legislation on Witness Protection and expedite the enactment of the Legal Aid Bill into law.

3.4 Freedom from torture cruel inhuman and degrading treatment

The Constitution provides in Article 24 that “*No person shall be subjected to any form of torture or cruel, inhuman or degrading treatment or punishment.*” The Government enacted a law on Prevention and Prohibition of Torture Act and its regulations. 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. The UHRC also developed an Interpretive Guide to the PPTA which explains the provisions of the Act. A Guide Booklet on application of Human Rights Standards and Principles when enforcing the Prevention and Prohibition of Torture Act was compiled and distributed to prison officers. Information, Education and Communication (IEC) materials like posters on the PPTA were also produced together with copies of the Act.

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. In addition, a policy shift was made by cabinet for individual MDAs to be responsible for payment of victims of human rights violations. Ministry of Finance, Planning and Economic Development (MoFPED) under Budget Call Circular (Ref: BPD 86/107/02), 2016 instructed

that all obligations on payment of Court awards arising out of actions of MDAs are to be paid against their Medium-Term Expenditure Framework provisions.

However, despite efforts to eradicate torture through individual liability for law enforcement, and institutional mechanisms of holding perpetrators accountable, instances of violations still exist. For instance the UHRC still receives complaints of alleged violation of torture cruel, inhumane degrading treatment or punishment.

Complaints of alleged human rights violations on torture and ill-treatment.

Year	2018	2019	2020	2021	2022
No of Complaints	346	299	308	267	277

The UHRC recommends for the Committee to consider the following in its concluding observations:-

- a) 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 and the legal Aid Policy and Law.

3.5 The right to a fair hearing

Right to a fair hearing is enshrined in the Constitution of the Republic of Uganda as well as International Human Rights instruments to which Uganda is a party, including the International Convention on Civil and Political Rights (ICCPR). The Constitution guarantees the right to a fair hearing before an impartial and independent tribunal within a reasonable time.¹³ Elements that are vital for the enjoyment of this right include an

¹³ Article 28 of the 1995 Constitution

independent judiciary, speedy trial, presumption of innocence, legal representation and witness protection.

An independent judiciary plays a crucial role in the realization of the right to a fair hearing. Political interference and executive influence on judicial appointments may undermine the impartiality of the judiciary therefore the Commission recommends that judicial officers should be appointed based on merit and integrity.

Access to justice is also an essential component of the right to a fair hearing. In Uganda, there are challenges related to affordability, availability and geographical accessibility of legal services, particularly for marginalized and vulnerable populations. Limited legal aid systems and resources hamper individual's ability to effectively access the justice system. UHRC recommends that a law on Legal Aid services be passed as well as enhancing legal awareness and education to empower citizens to claim their rights.¹⁴

Timely resolution of legal disputes is crucial for a fair hearing. Delays in the administration of justice are still experienced in Uganda due to limited human and financial resources causing significant backlog. UHRC therefore recommends that the ministry of finance and economic development provide adequate funds for the recruitment of judicial officers and establishment of courts of laws across the country, The Judiciary is also urged to promote alternative dispute resolution mechanisms to expedite the resolution of cases.

The right to legal representation is also vital for the realization of the right to a fair hearing however, access to affordable representation remains a challenge for many individuals in Uganda particularly for the most vulnerable. Efforts should be made towards recruitment of more public defenders as well as establishment of legal aid service centers across the country.

¹⁴ Chapter 1 UHRC Annual Report 2018 at pg 13

The protection of witnesses and victims is crucial for ensuring a fair hearing. Witness and victims at times face intimidation, threats and reprisals which can deter their participation in legal proceedings. This undermines the fairness of the judicial process and inhibits access to Justice. UHRC therefore recommends that Parliament should expeditiously enact the Witness Protection Bill to, among others, regulate conditions and procedures for providing out-of-court protection and assistance to a witness.

Presumption of innocence: - Article 28 (3) (a) of the Constitution provides that every person who is charged with a criminal offence shall be presumed to be innocent until proved guilty or until they plead guilty. The burden of proof on prosecution to establish guilt of the accused person beyond reasonable proof.

Challenges: - lengthy pretrial detention, limited access to legal aid services, case backlog and public stigmatization by parading suspects.

The UHRC recommends for the Committee to consider the following in its concluding observations:-

- 1) Government of Uganda should enact a witness protection legislation.
- 2) Government of Uganda should enact the Legal Aid Bill

3.6 Freedom of expression and related freedoms

The Constitution guarantees freedom of expression, thought conscience and religion. Freedom of expression is a cornerstone in the enjoyment of other human rights in any country. It is indispensable in the formation of public opinion as it is closely related to other rights, including the right to information, the right to public participation, freedom of speech and expression that includes freedom of the media; freedoms of thought and conscience, assembly and association. Without free access to information and ideas and the right to express one's views freely, citizens may not effectively participate in decisions.

The Constitution of Uganda under Article 29 protects the right to freedom of conscience, expression, movement, religion, assembly and association. Article 29 (1) provides for (a) freedom of speech and expression that includes freedom of the press and other media; and (b) freedom of thought, conscience and belief, including academic freedom in institutions of learning. Furthermore, Article 41 (1) of the Constitution guarantees every citizen the right of access to information in the possession of the state or any other organ or agency of the state except where its release is likely to prejudice the security or sovereignty of the state or interfere with the right to the privacy of any other person. A number of legislations further provide for the right of freedom of expression and its regulation. They include: the Press and Journalist Act, 1995; the Access to Information Act, 2005; the Electronic Media Act, 1996; the Uganda Communications Act, 2012; the Regulation of Interception of Communications Act, 2010; the Penal Code Act, 1950; and the Computer Misuse Act, 2011.

In the wake of Covid-19 pandemic restrictions were put in place to limit the enjoyment of freedom of association so as to limit the spread of the virus. Despite the fact that these limitations were justified there were some reported violations such as long detention periods. Delay in reopening of schools, accumulated case backlog, limited access to health services, loss of livelihoods and increase in gender-based violence and child neglect. The government has put in place some economic policies like the parish model, compensation for victims, and appointed more judicial officers to remedy this.

Challenges: - misinterpretation of public order management law, restriction of government critics, journalists, use of social media, limited privacy reports of harassment, arbitrary arrests, suspension and closure of media houses and increased censorship, cyber bullying and harassment of vulnerable persons such as women.

The UHRC recommends for the Committee to consider the following in its concluding observations:-

1) Security agencies should respect and protect journalist while doing their work

3.9 Right to privacy

The right to privacy is an essential aspect of human rights that is recognized internationally and domestically. In Uganda the right to privacy is protected under Article 27 (2). Uganda also enacted the Data Protection and Privacy Act 2019 that provides a framework for the protection of personal data and regulates its processing, storage and transfer. It aims at ensuring that individual data collected is used for legitimate purposes while safeguarding privacy.

The Regulation of interception of Communications Act 2010 allows for the lawful interception of communication in certain circumstances that infringe on others people's rights. However, there has been concerns about potential abuse of these powers and limited safeguards to protect against arbitrary surveillance. Social media tax introduced in Uganda in 2018 hence limiting digital rights and internet freedom. Freedom of association and citizen participation in governance (UHRC 23rd Annual report 2020 assessment of Human rights during the 2021 general elections)

The UHRC recommends for the Committee to consider the following in its concluding observations:-

- 1) The Ministry of Information, Communications and Technology, Uganda Communications Commission and National Information Technology Authority should intensify their efforts to increase public awareness concerning the use of social media, which should cover rights and responsibilities in the use of social media platforms.
- 2) The Ministry of Information, Communications and Technology, Uganda Communications Commission and National Information Technology Authority should develop a policy to articulate and address issues of online violence against women, including providing educational programmes.

- 3) Uganda Law Reform Commission should review the Regulation of Interception of Communications Act 2013 166 and the Anti-Pornography Act 2014 167 to address the overly-restrictive provisions affecting the freedom of speech and expression.
- 4) The Uganda Communications Commission should ensure that telecommunication companies adhere strictly to the right to privacy by issuing clear guidelines on how personal information should be kept safe and secure and how it should be utilized.
- 5) Citizens of Uganda should use social media responsibly, particularly the internet and social network platforms and should verify information before sharing it to avoid the consequences of propagating false information, which might cause disorder and violence.
- 6) The government should put in place a regulatory framework for religious institutions to curb abuse, manipulation, exploitation and extortion of followers. Furthermore, government should put in place that economic empowerment programs targeting the youth to prevent religious extremism in the county.

Signed on this day of 29th May 2023



Mariam Wangadya

CHAIRPERSON