



**THE REPUBLIC OF UGANDA**

**5<sup>th</sup> PERIODIC REPORT BY THE GOVERNMENT OF THE REPUBLIC OF UGANDA  
TO THE AFRICAN COMMISSION ON HUMAN AND  
PEOPLES' RIGHTS**

**PRESENTED AT THE 54<sup>rd</sup> ORDINARY SESSION**

**HELD IN BANJUL, the GAMBIA**

**22<sup>nd</sup> Oct – 5<sup>th</sup> November 2013**

## **INTRODUCTION**

Distinguished Commissioners of the African Commission on Human and Peoples Rights, Representatives of the Government of the Gambia, delegates and observers here present, ladies and gentlemen.

Please allow me, on behalf of the Government and People of the Republic of Uganda to thank the esteemed Commission for once again giving us this opportunity to present this 5<sup>th</sup> country report for the period 2010 to 2012.

This presentation is being made in compliance with Article 62 of the African Charter on Human and Peoples' Rights and is in line with the reporting guidelines as contained in sheet number five issued by this esteemed Commission.

This report has been prepared by the Government of the Republic of Uganda working closely with the Uganda Human Rights Commission and Non Governmental Organizations.

### **Structure of the Report:**

This report has been divided into three parts:

The first part contains information and statistics on the general state of the country, namely; the status of the population, the economy and the conditions of social services.

The second part outlines the legal and administrative measures that government has adopted in order to implement the requirements of the Charter since its last report in 2010. These interventions are herein arranged to correspond to each article of the Charter.

The third and last part of this report contains challenges that government continues to face as it strives to implement the provisions of the Charter.

## **PART 1**

### **GENERAL INFORMATION AND COUNTRY STATISTICS**

#### **THE POPULATION:**

By mid 2012, Uganda's population was projected to have reached about 34.1 million up from about 24million in 2002. However this is only a projected figure and we expect a more exact statistic from the national population census which is planned for August 2014.

#### **Population Distribution:**

In the upcoming census, the percentage distribution of the population in terms of gender is not expected to change much from the last census of 2002 where the female population stood at about 51% and the Male population at about 49%.

In terms of age, about 70% (namely 24million of the 34.1 million) of all Ugandans are currently 25 years and below. This means that our population is one of the youngest in the world.

The elderly (namely people who are 60 years and above) are estimated at only 2% of the entire population and it was estimated that by mid 2012 this figure would have come up to about 807,000 people out of the 34.1m.

### **Population growth:**

According to the State of the World Population Report 2011 issued by the UN Fund for Population Activities (UNFPA), Uganda's annual population growth rate has fallen from 3.3% in 2010 to 3.1% in 2011. The Uganda Bureau of Statistics currently put it at about 3.2%. This remains one of the highest population growth rates in the world.

### **Fertility rate:**

The fertility rate has also fallen from 6.7 children per woman (UDHS-2006) to 6.2 children per woman in 2011 (UDHS 2011).

### **Mortality rate:**

By mid 2012 the average life expectancy for the country was about 54.5 years only, but this is a marked improvement from the 51.4 years only 4 years earlier in 2008.

Overall Infant Mortality Rate (IMR) declined from 76 to 54 deaths per 1,000 live births between 2006 and 2011 (UDHS) while the under five mortality rate declined from 158 to 137 deaths per 1,000 live births between 2001 to 2006 and again further declined to 90 by 2011 (UDHS)

Maternal Mortality Rate (MMR) stood at 438/100,000 in 2011 (UDHS)

### **THE ECONOMY:**

The ongoing economic instability in the Euro zone and the slow recovery of the global economy from the global economic troubles at the end of the last decade have negatively impacted Uganda's economic outlook in the last 2 - 3 years. However, this situation has also provided the country with an opportunity to explore regionally based drivers to economic growth and particularly focusing on increasing regional trade.

### **Gross Domestic Product:**

In the fiscal year 2011/12, Uganda's preliminary real GDP at market price grew by 3.2% from 6.7% in 2010/11 while the nominal per capita GDP increased by 21.3% from about US \$482 in 2010/11 to about US \$585 in 2011/12.

A significant decline in foreign exchange inflows and continued economic uncertainty in Uganda's traditional export markets in Europe negatively impacted economic growth prospects for 2012. By midyear 2012 the growth rate was estimated at only 3.2 % but was expected to pick up in 2013 as the economic situation stabilizes in much of Europe.

### **Agriculture, Forestry and Fisheries:**

The Agricultural sector which includes food crops and cash crops, livestock, forestry and fishing grew by about 3.0% in 2011/12 compared to a growth of 0.7% in 2010/11. This sector alone contributed approximately 23.7% of GDP at current prices in the Fiscal year 2010/2011.

### **Industrial Production and Manufacturing:**

Industrial production which includes mining, quarrying, manufacturing, electricity, water supply and construction activities grew by about 7.9% in the fiscal year 2010/2011 from 6.5% in the previous year. This growth contributed to about 26.3% of GDP at current prices in 2010/11 and was mainly attributed to the continued growth in the construction industry.

**Services:**

At 8.4 % growth in the F/Y 2010/11, services were one of the fastest growing sectors in the country. The posts and telecommunications sub-sector had the highest growth at 23.6% in 2010/11 although with a slight decline in 2011/12. The Transport and communication sub-sector had a growth rate of about 14.1%. On the whole however, the service sector alone had a 46.2% contribution to total GDP at current prices in 2010/11 and 45.1% in 2011/12.

**Balance of Trade:**

For the calendar year 2010, the external trade balance registered a deficit of about US \$ 2.6 billion due to export earnings of about US \$ 2.1 billion against imports of about US \$ 4.7 billion.

At 59% share in 2010, COMESA remained the major destination of Uganda's exports compared to the European Union's 17%. The Sudan and now South Sudan was the main export destination among COMESA Member States.

**Inflation:**

The fiscal year 2010/2011 ended with raising inflation which for the very first time in more than 20 years hit double digits. This was fueled primarily by instability in global markets which significantly affected Uganda's exports and therefore its foreign exchange inflows.

The situation was compounded by domestic issues such as delayed rains and an ever increasing regional market for food crops. This increased demand for food crops in the region created some food shortages on the local market which resulted in abnormally high prices.

By the beginning of the year 2012, the headline inflation rate had peaked at about 26% but again fell to about 18.65% by the middle of the same year.

**SOCIAL SERVICES:**

No government can meaningfully speak of respect for human rights without improving the availability and quality of essential social services such as education and health.

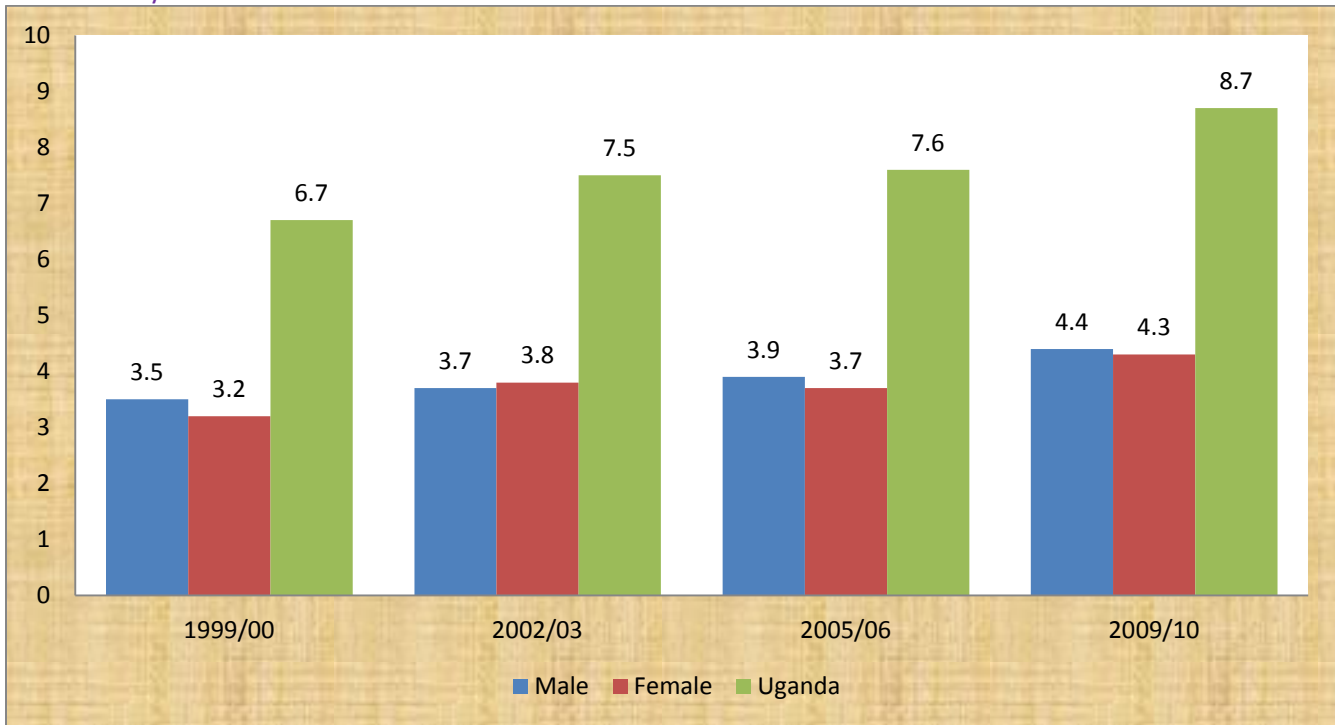
**Education:****Primary School Education**

As mentioned in our previous report, the introduction of free primary school education in Uganda in 1997 (otherwise known as UPE) greatly increased access to education and saw the gross enrolment in primary schools increase from about 3.1 million pupils in 1996 to about 8.7 million in 2010. This amounts to an increase of approximately 180% (5.6 million children, in 2011 the number was 8,908,177 while in 2012 it increased to 9,220,920

The main beneficiaries of this important policy were the rural population many of whom could not afford to pay for their children's tuition.

Additionally and before 1997, many families were inclined to enroll the boy child at the expense of girls. This was partially due to cultural stereotypes that favoured allocating the family's meager resources to the boy child. Since then, the total primary school enrollment has continued to grow and by 2010 was estimated at 8.7 million students. The challenge however has been on retention of those that will have enrolled.

**Total Primary School Enrollment in Millions**



Source: Uganda National Household survey 2009/2010

**Secondary School Education:**

Since the introduction of the Universal Secondary Education (USE) programme in 2007, (free tuition for at least 4 secondary school going children per family) enrolment has been boosted.

The table below indicates the trend of secondary school enrolment, 2000-2009

**Trend of Secondary School Enrolment (2000– 2009)**



Source: Education Information Management System (EMIS) 2009 - Ministry of Education and Sports.

## Trend of key secondary school education indicators (2007– 2010)

Indicator	2007	2008	2009	2010
Enrolment	954,328	1,088,744	1,194,454	1,225,692
Number of Schools	2,644	2,908	3,149	3,234
Number of Teachers	24,548	57,158	65,045	62,921
Student teacher ratio	39	19	18	19
Gross Enrolment rate	25	25	28	28
Net Enrolment rate	21	24	24	25
Pupil stance ratio	-	-	-	26

Source: Ministry of Education and Sports – (UBOS) Statistical Abstract 2012

## Tertiary Education:

### Tertiary Institutions by Category

Institutions by Category	Private	%in the category	Public	%in the category	Total	% out of all institutions
Universities	24	18%	5	10%	29	16%
University Affiliated Colleges	2	2%	2	4%	4	2%
Non University Degree awarding	1	1%	1	2%	2	1%
Technical Colleges	1	1%	6	12%	7	4%
Teachers Colleges	2	2%	5	10%	7	4%
Commerce/Business Management/Social Development	55	42%	5	10%	60	33%
Health	11	8%	2	4%	13	7%
Agriculture/Fisheries/Forestry	10	8%	11	22%	21	12%
Theology	0	0%	4	8%	4	2%
Art and Design	14	11%	0	0%	14	8%
Media	3	2%	0	0%	3	2%
Hotel and Tourism	3	2%	1	2%	4	2%
Study Centers	1	1%	2	4%	3	2%
Survey and Land Management	2	2%	1	2%	3	2%
Law Development	0	0%	1	2%	1	1%
Aviation	0	0%	1	2%	1	1%
Meteorology	0	0%	1	2%	1	1%
Petroleum	0	0%	1	2%	1	1%
Cooperatives	0	0%	1	2%	1	1%
Research Centres	1	1%	0	0%	1	1%
<b>Total</b>	<b>130</b>	<b>100%</b>	<b>51</b>	<b>100%</b>	<b>181</b>	<b>100%</b>

Source: National Council for Higher Education Annual Report 2010

## Enrolment in Higher Education Institutions

The total enrolment for 2010 stood at 183,985 up from 137,190 in 2006. On the whole this represents an increase of 34.1% since 2006.

## Enrolment Summary for years 1990s to 2010

Year	1990s	2000	2001	2002	2003	2004	2005	2006	2010
No of Students	27,000	60,000	65,000	80,000	85,836	108,295	124,313	137,190	183,985
% growth	170%	122%	8.3%	23.1%	7.3%	26.1%	14.8%	9.4%	26.4%

Source: National Council for Higher Education Annual Report 2010

## Enrolment by Gender

In 2005 females accounted for 40.7% (50,587) of all students enrolled in Institutions of higher education but by 2010 the number of females had risen to 44% (80,391) as compared to males at 56% (103,594).

## Enrolment by Gender in 2010

### Overall student Enrolment by 2010

	Males		Females		Total
		%		%	
Universities and Affiliated colleges	73,039	56%	57,217	44%	130,256
Non University Degree awarding	968	60%	638	40%	1,606
Agricultural Colleges	986	76%	307	24%	1,293
Health Colleges	3,470	55%	2,804	45%	6,274
Theological Colleges	1,314	83%	266	17%	1,580
Media Colleges	967	60%	653	40%	1,620
Commerce /Business	11,015	49%	11,662	51%	22,677
Management/ Social Development	2,260	43%	3,019	57%	5,279
Teachers Colleges	5,211	66%	2,706	34%	7,917
Hotel and Tourism	137	61%	89	39%	226
Technical Colleges	2,676	91%	265	9%	2,941
Law Development	500	63%	300	38%	800
Meteorological	15	38%	24	62%	39
Survey and Land Management	27	90%	3	10%	30
Aviation	127	86%	20	14%	147
Co-operatives	285	61%	181	39%	466
Art and Design	134	69%	61	31%	195
Study Centre	463	72%	176	28%	639
	<b>103,594</b>	<b>56%</b>	<b>80,391</b>	<b>44%</b>	<b>183,985</b>

Source: National Council for Higher Education Report 2010

## Literacy Levels:

The Uganda National House hold Survey 2010 revealed that literacy rate among persons aged 10 years and above has increased by 4% from 69% in 2005/2006 to 73% in 2009/2010. The male literacy rate at 79% in 2010 was higher than that for females at 66%. This reflects a similar pattern to the earlier findings of the survey done in 2005/2006.

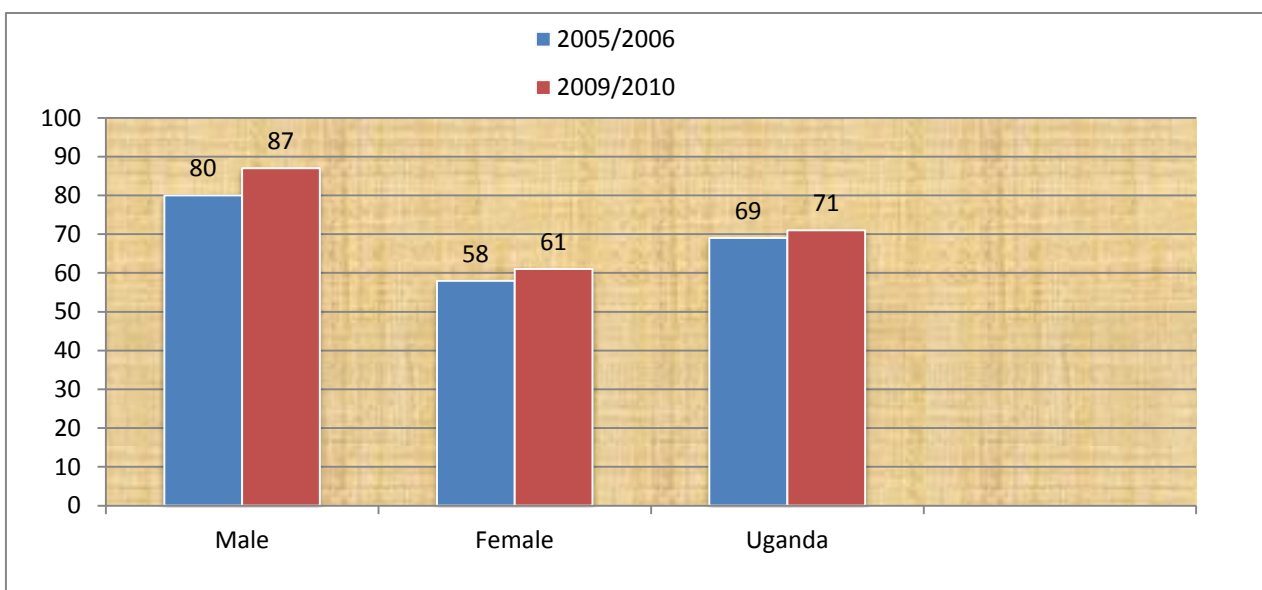
It also revealed that urban household members were more likely to be literate at 88% compared to their counterparts residing in the rural areas at 69%.

## Distribution of Literate persons aged 18 and above by Region

2005/06				2009/10		
Background Characteristic	Male	Female	Total	Male	Female	Total
<b>Residence</b>						
Urban	89	83	86	90	86	88
Rural	74	58	66	77	62	69
<b>Region</b>						
Kampala	92	90	91	95	90	92
Central	82	78	80	84	81	83
Eastern	71	56	64	75	60	68
Northern	74	45	59	77	52	64
Western	74	60	67	77	65	71
Uganda	<b>76%</b>	<b>63%</b>	<b>69%</b>	<b>79%</b>	<b>66%</b>	<b>73%</b>

*Uganda National Household Survey 2010*

## Distribution of Literate persons aged 18 and above by Sex



*Uganda*

*National Household Survey 2010*

## Health:

### Governance

In Uganda, both the public and private sectors play an important role in health. The public sector includes all health facilities under the Ministry of Health, as well as the health services being provided under the Ministries of Defense (the military), the Ministry of Internal Affairs (Police and Prisons), the Ministry of Education and Sports, and the Ministry of



Local Government (MoLG) There are also Public-Private Partnerships for health (PPPH) whereby government and the private sector cooperate to deliver critically needed services i.e. in immunization and in HIV/AIDS control.

The public health care delivery system in Uganda is organized in tiers, from the Village Teams, (VHTs), Health Center II, III and IV at parish, sub-county and county level (Health Sub-District) respectively to general hospitals at district level. The national and regional referral hospitals are semi-autonomous but largely facilitated by the central government while the lower health centers and district hospitals are managed by the local governments.

## Health Financing

Total Health Expenditure per capita is US\$ 43 of which Government per capita expenditure is US\$13. Government currently spends about 43\$ per capita on health, which is about the same as its low income country peers. Donor spending is however quite high at 34% of total health expenditure (National Health Accounts 2013) while out-of-pocket spending on health is at about 43% (NHA 2013) of total health expenditure. In this regard the draft bill is ready for submission to cabinet and parliament for legislation of the National Health Insurance Scheme to address this high out of pocket spending and to improve equity. The bill provides for citizens of Uganda to belong to the National health insurance scheme and it caters for the indigent and the informal sector.

## Health Service Delivery:

### 1. Human Resource in the Health Sector

Significant progress has been made in recent years in increasing the production of health workers and in producing a multi-purpose nursing cadre that is able to perform both nursing and midwifery tasks. In addition the availability of data on the public sector health workforce has also improved. A comprehensive Human Resource in Health (HRH) policy and strategy to address priority HRH constraints is in place, although its implementation needs to improve.

Another encouraging development is the recognition of the need for human resource management and leadership training in health. However, the HRH shortage and the pro-urban distribution of health workers (doctors, pharmacists, and other cadres) remain major obstacles to access to quality health care in remote and hard-to-reach areas. In addition, the wage bill limits the ability of the public sector to fill its vacant positions and to absorb the increasing numbers of health workers produced; it is thus a major bottleneck to the performance of the entire health system.

Government however, provided funds in the FY 2011/2012, Uganda shillings worthy 4.5 billion to the MOH to recruit up to 100% health workers for HC IIs to IVs including Senior Medical Officers. A total of 10,000 staff was expected and July 2013, over 60% of these have been recruited.

In a bid to attract and retain medical officers at health center IVs, an enhancement of their salary by 1,500,000 was provided. The Ministry with support from the Belgium Technical Cooperation and Health Systems Strengthening has provided over 200 scholarships for hard to reach districts at College and University level. This staffs are expected to work in their respective districts.

### National level staffing Situation 2012

NO	Cost Centre	No. of Units	Total Norms	Filled	Vacant	% Filled
1	Mulago Hospital	1	2,801	2,423	378	87%
2	Butabika Hospital	1	424	393	33	93%
3	Regional Referral Hosp	13	4,331	3,121	1,210	72%
4	General Hospitals	47	7,980	4,905	3,075	61%
5	DHOs Offices	112	1,232	698	523	57%
6	HC IV	166	7,920	4,768	3,152	60%
7	HC III	962	5,634	3,363	2,271	60%
8	HC II	1321	4,905	2,197	2,708	45%

9	Urban Authorities Hus	155	20,216	10,083	10,133	50%
			<b>55,443</b>	<b>31,951</b>	<b>23,492</b>	<b>58%</b>

Human Resources for Health Audit report and Bi-annual Report for April 2012

## 2. Numbers of Health Centers and Ownership

As earlier pointed out, health units in Uganda are classified into hospitals, Health Centers IV, III and II. Their number has been increasing in recent years. Hospitals in Uganda are categorized as Referral, Regional and General Hospitals and were 143 in number in 2011.

### Ownership:

Of the 143 hospitals, 2 are referral hospitals and 12 are Regional hospitals; all government owned.

46% of the hospitals in the country are Government owned while 43% are Private Not- For- Profit (PNFP) units, and only 11 percent are Private For Profit (PFP).

The table below presents information on the health centers by ownership as of 2011.

### Ownership of Health Facilities in the Country

Year	200				201				2011			
Indicator	GOV T	PNF P	PRIVA TE	TOTA L	GOV T	PNF P	PRIVA TE	TOTA L	GOV T	PNFP	PRIVAT E	TOTAL
Hospitals	59	46	8	113	65	57	9	131	66	61	16	143
Health centre IV	148	12	1	161	165	12	1	178	166	16	8	190
Health centre III	762	186	7	955	847	243	26	1,116	860	278	40	1,178
Health centre II	1332	415	261	2008	1,578	489	958	3,025	1,588	516	1,366	3,470
Total	2,301	659	277	3237	2,655	801	994	4,450	2,688	871	1,430	4,981

Source: MOH (HMIS) annual report 2011

### Status of the health facilities by level and ownership, 2012.

OWNERSHIP				
LEVEL OF FACILITY	GOVERNMENT	PNFP	PRIVATE	TOTAL
HOSPITAL	64	65	23	152
HEALTH CENTRE IV	170	15	8	193
HEALTH CENTRE III	937	272	70	1279
HEALTH CENTRE II	1696	522	1387	3605
TOTAL	2867	874	1488	5229

HMIS (2013)

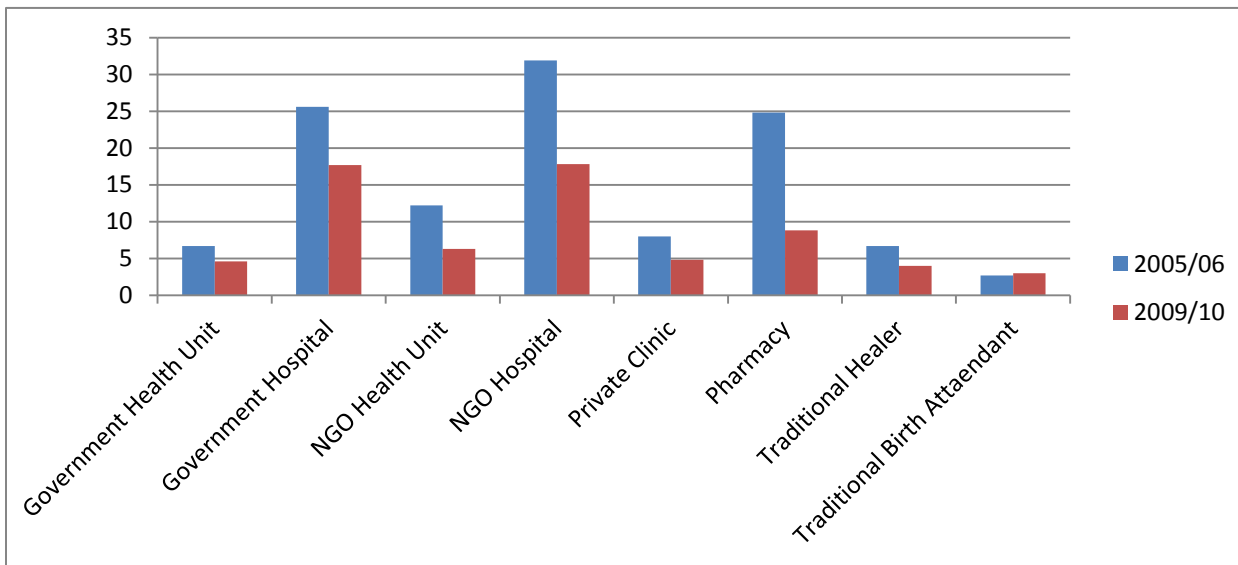
## 3. Distance to Health Facilities/Health Providers

According to the Uganda National Household Survey 2009/2010 Government health units and traditional birth attendants were reported as the nearest health facility/providers to the communities with a distance of 5 and 3 Kms respectively.

Furthermore, NGO hospitals were still the furthest health facilities in terms of average distance; however, when compared to 2005/06, the distances seem to have reduced. As expected, distances to health facilities were nearest in Kampala the capital compared to the other regions.

The average number of households living within 5 Kms of health facility is 72% (*Health Facilities Inventory MOH, 2012*)

**Average distance to health facilities/health providers available within the community in Kilometers (KM)**



Source:  
Uganda  
National  
2009/10

House

Hold

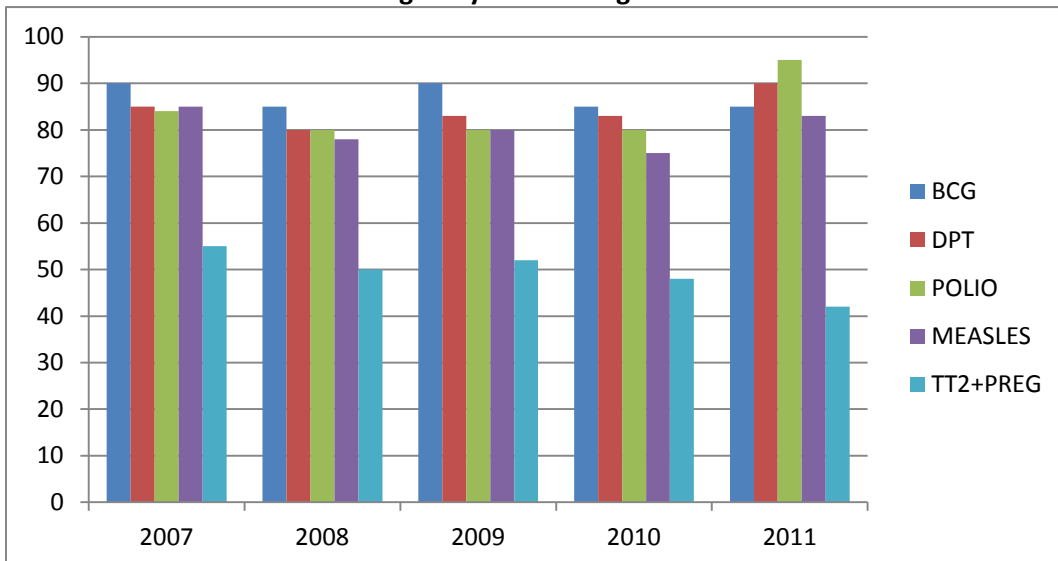
Survey

**Immunization Coverage**

The common antigens administered in the country include; BCG (against tuberculosis), DPT-HepB-Hib (against Diphtheria, Pertusis, Tetanus, Hepatitis B, and Haemophilus influenza), Oral Polio Vaccine (OPV, against poliomyelitis and a measles vaccine).

Statistics indicate that immunization against tuberculosis which has been leading in coverage since 2007 at about 90% has now been overtaken by Polio immunization in 2011 at about 95% coverage.

**Routine Immunization Coverage by % in Uganda from 2007 to 2011 of Children less than 1 year**



**Mortality:**

Malaria remains the leading cause of death in Uganda followed by HIV AIDS. The highest number of mortality occurs among males above 5 years at 36.1% followed by females above 5 years at 25.1%. Mortality in males under 5 is 20.2% and females under 5 is 18.5%

**Top Ten Causes of Hospital Based Mortality for all Ages for the financial years 2010/2011 2012.**

<b>IPD Diagnosis</b>	<b>Under 5 years</b>	<b>Above 5 years</b>
Malaria	27.16	16.99
AIDS	2.61	13.67
Pneumonia	11.37	5.58
Anaemia	12.10	4.74
Tuberculosis	0.90	5.74
Perinatal conditions (in new borns 0 to 28 days)	7.78	N.a
Septicemia	4.99	1.42
Other Types of Meningitis	0.96	2.40
Respiratory Infections (Other)	2.72	1.26
Injuries -Road Traffic Accidents	0.49	2.55
All Others	28.93	45.66
<b>Total</b>	<b>100.00</b>	<b>100.00</b>

Source: Annual Health Sector Performance Report 2010/11

**Child Morbidity:**

Child morbidity refers to the incidence of disease in children. For a number of years now malaria has remained the leading illness in children below 5 years.

The table here below shows the proportion of cases of morbidity between 2007 and 2011 for children below 5 years of age.

**Leading causes of morbidity for children below Age 5**

<b>Type of illness</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Malaria	33.6	26.1	48.5	48.2	36.2
No Pneumonia- Cough or Cold	15.6	12.2	15.5	24.1	19.3
Intestinal Worms	5.3	4.0	4.4	6.5	5.2
Skin Diseases	3.3	2.7	2.9	3.8	3.2
Pneumonia	2.9	2.2	2.4	3.2	2.4
All Others	39.3	52.8	26.3	14.2	33.7

Source: Ministry of Health (HMIS) Annual Report 2011

Trends in IP mortality (under 5)

<b>Diagnosis(2011)</b>	<b>%</b>	<b>Diagnosis(2012)</b>	<b>%</b>
Malaria	27.16	Malaria	28.01

Anaemia	12.1	Pneumonia	14.83
Pneumonia	11.37	Anaemia	9.64
Perinatal conditions	7.78	Respiratory infections(other)	8.66
Septicemia	4.99	Perinatal conditions	3.85
Respiratory infection	2.72	Septicemia	2.63
AIDS	2.61	Diarrhea-acute	2.59
Severe malnutrition(kwashiorkor)	2.46	Severe malnutrition(kwashiorkor)	2.05
Acute diarrhea	1.84	Injuries-(trauma due to other causes)-IPD	1.36
Severe malnutrition(marasmic-kwash )	1.29	Severe malnutrition(marasmus)-IPD	1.17

Annual health sector performance report 2011/2012

## PART II

### **LEGISLATIVE AND OTHER MEASURES TAKEN BY UGANDA SINCE THE LAST REPORTING TO GIVE EFFECT TO THE CHARTER**

#### **ARTICLE 1 – Legislative and Administrative measures adopted to give effect to the Charter.**

##### **Legislative measures:**

**The Constitution of the Republic of Uganda:** As mentioned in our earlier reports, Chapter 4 of the 1995 Constitution of the Republic of Uganda fully domesticates the rights enshrined in the African Charter on Human and Peoples’ Rights.

The Constitution recognizes that fundamental rights and freedoms of individuals are inherent and not granted by the State and that they shall be respected, upheld and promoted by all organs and agencies of Government and by all persons.

##### **Other Laws and Bills:**

Since 2010 Government has passed the following human rights related laws; the International Criminal Court Act (2010) and the Computer Misuse Act (2011); the Domestic violence Act 2010; Prevention of Trafficking in Persons Act 2010; and the Female Genital Mutilation Act 2010.

Parliament is also considering the following bills; HIV Prevention Control Bill (2010), the Marriage and Divorce Bill (2009) and the Food and Nutrition Bill.

Additionally, Parliament has now established a Human Rights Standing Committee which is expected to debate the recommendations made by the Uganda Human Rights Commission in their annual reports to Parliament. They are also expected to ensure that human rights issues are mainstreamed in all laws enacted by parliament. They will also be involved in raising human Rights issues at various fora in which Parliamentarians are involved. The Committee will also ensure adequate budgetary allocations for human rights related programmes.

The following electoral laws have also been amended since our last report; The Political Parties and Organizations (Amendment) Act 4 (2010), The Presidential Elections (Amendment) Act 14 (2010), the Parliamentary Elections (Amendment) Act 12 (2010) and the Electoral Commission (Amendment) Act 15 (2010).

H.E. the President also assented to the Prevention and Prohibition of Torture Act (2012). It is now an operational Law.

### **Other measures:**

#### **The Work of the Uganda Human Rights Commission**

The Constitution of the Republic of Uganda empowers the Uganda Human Rights Commission {UHRC} to carry out various human rights related functions including: Investigating complaints made by any person or group of persons against the violation of any human right and also visiting places of detention with a view to assessing and inspecting conditions of the inmates and monitoring the Government's compliance with international treaties and conventions.

The Commission is an independent body whose work is not subject to the direction or control of any person or authority as per Article 54 of the Constitution of the Republic of Uganda. In its 14<sup>th</sup> Annual Report to Parliament on the state of human rights in the year 2011, the Commission reported that it had registered 1021 complaints of alleged human rights violations which was a 28% increase from the 797 complaints registered in 2010. The increase in the number of complaints received was attributed to the establishment of a new regional office in Masaka to serve the southern region of the country. The increase was further attributed to the mobile complaints handling program, where the Commission goes to local communities to register complaints of alleged human rights violations.

According to its 15<sup>th</sup> annual report to Parliament for the year 2012, the Commission registered a total of 706 new complaints of alleged human rights violations which was a 31% decrease from the 1021 complaints registered in 2011. The decrease in the number of complaints registered was attributed to the various reforms undertaken by different government institutions to ensure the respect for human rights, including increased human rights awareness by security agencies.

While in 2011, UHRC Tribunal heard and concluded 75 complaints of which 41 were decided in favour of the Complainants and 34 were dismissed for want of prosecution, in the year 2012 the Commission heard and concluded 96 complaints of which 25 were decided in favour of the complainants, 10 were settled amicably and 61 cases were dismissed for want of prosecution.

In the year 2011, a total of UGX. 699,231,550 (Six hundred ninety nine million, two hundred thirty one thousand and five hundred fifty shillings) was awarded by the UHRC Tribunal to victims of human rights violations compared to UGX 329,880,000 (Three hundred twenty nine million, eight hundred eighty thousand shillings) awarded in the year 2012. Since its inception, the Uganda Human Rights Commission has awarded approximately UGX 3,908,934,974 (Three billion, nine hundred eight million, nine hundred thirty four thousand, nine hundred seventy four shillings) to victims of human rights violations of which the Government has so far paid UGX 1,093,899,461 and remains with an outstanding balance of UGX 2,815,035,515.

The UHRC get funding from two sources; Government of Uganda and Development partners. Amount allocated for Financial Year 2011/2012 was UG.X 11.58 billion and UG.X 11.61 billion in FY 2012/2013.

### **Other measures:**

The setting up of a Directorate of Legal and Human Rights in the Police and the Establishment of the Standing Committee on Human Rights in Parliament in 2012.

#### **Article 2: The Right to Non discrimination:**

### **Legislative measures:**

Article 4 Article 21 of the Constitution of the Republic of Uganda guarantees the right of all persons to equal treatment before and under the law in all spheres of political, economic, social and cultural life and in every other respect.

It also stipulates that a person shall not be discriminated against on the grounds of sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability.

### **New and Amended Legislation:**

The government of Uganda has amended a number of laws with the goal of countering discrimination.

In July 2010, the Constitutional Court- Law & Advocacy for Women in Uganda Vs Attorney General constitutional petition 8/2007 declared the practice of female genital mutilation unconstitutional and against human rights.

The Marriage and Divorce Bill was carried forward to the 9<sup>th</sup> parliament elected in May 2011. One of the key elements being addressed by this bill is the issue of women's rights during marriage and particularly the right to own property both within and after a marriage has been dissolved. This bill was further subjected to country wide consultation and reports are yet to be submitted back to Parliament. Nevertheless the Bill is still alive and on the Order Paper of Parliament.

### **Measures in the International arena:**

In the International arena, in July 2010 the Government of Uganda ratified African Charter on Human and Peoples Rights on the Rights of Women in Africa {Maputo Protocol} with reservations of clauses 14 and 21 on abortion. Steps are already being under taken to domesticate many of its provisions.

### **ARTICLE 3: The Right to Equality before the law**

#### **Legislative measures:**

Article 21 of the Constitution of the Republic of Uganda provides that all persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law.

#### **Other measures:**

In July 2010 the government officially launched the Equal Opportunities Commission whose mandate is to among other things; fight all discrimination on the basis of sex, race, color, ethnic origin, tribe, creed, religion, social or economic standing or disability. The Commission is also charged with ensuring equitable representation in key public offices.

#### **Representation in Key Public Offices (As of June 2011):**

##### **The Ninth Parliament elected and sworn in May 2011 is composed of 386 Members:**

- 238** Directly elected by constituencies (61.7%)
- 112** District Women Representatives (29%)
- 10** Uganda Peoples Defense Force Representatives (2.6%)
- 5** Workers Representatives (1.3%)
- 5** Youth Representatives (1.3%)
- 5** Persons with Disabilities Representative (1.3%)
- 11** Ex – Official Members of Parliament (2.8%)

##### **Female Representation in Parliament = 143 women - 34.8%:**

- 112** District women Representatives (29%)
- 11** Directly elected by constituency (2.8%)

- 2 Uganda Peoples Defense Force Representatives (0.5%)
- 2 Youth Representatives (0.5%)
- 2 Workers Representatives (0.5%)
- 2 Persons with Disabilities Representatives (0.5%)
- 4 Ex- Official Members of Parliament (1%)

**Male Representation in Parliament:**

- 227 Directly elected by constituency (58.8%)
- 8 Uganda Peoples Defense Force Representatives (2.1%)
- 3 Youth Representatives (0.8%)
- 3 Workers Representatives (0.8%)
- 3 Persons with Disabilities (0.8%)
- 7 Ex- Official Members of Parliament (1.8%)

**Cabinet Ministers**

- 18 Male (64%)
- 10 Female (36%)

**Ministers of State**

- 30 Male (70%)
- 13 Female (30%)

**Shadow Cabinet**

- 19 Male (83%)
- 04 Female (17%)

**ARTICLE 4: The Right to Life and Integrity of Persons**

**Legislative and other measures:**

Article 22 of the Constitution of the Republic of Uganda provides that no person shall be deprived of the right to life except in the execution of a sentence passed in a fair trial in a court of competent jurisdiction, in respect of a criminal offence under the laws of Uganda, and the conviction and sentence has been confirmed by the highest appellate court.

Following the January 2009 Supreme Court ruling<sup>1</sup> which upheld the argument that; it was unreasonable to keep an inmate on death row for more than three years, after which time their sentence must be commuted to life imprisonment. As per Report from Uganda Prisons Service of April 2013, 224 inmates on death row have since had their sentences commuted to life imprisonment.

**ARTICLE 5: The Right to Protection from Torture, Inhuman and Degrading Treatment and Slavery**

**Legislative measures:**

It should also be recalled that Commissioner Catherine Dupe Atoki visited Uganda in October 2009 and emphasized the need to expedite the adoption of the Prevention and Prohibition of Torture Bill.

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<sup>1</sup> Attorney General Vs Susan Kigula & 416 Others Constitutional Appeal 3/2006



I am now pleased to report that on April 26<sup>th</sup> 2012 Parliament of Uganda passed the Prohibition and Prevention of Torture Bill 2010. It was assented to by The President of the Republic of Uganda on 27th July and gazetted September on 18<sup>th</sup> 2012 and is now the Prevention and Prohibition of Torture Act, 2012.

The new law defines and criminalizes torture, and provides for sanctions and compensation in case of the offence of torture. It also makes the use of information obtained through torture inadmissible in courts.

It should be noted that although Articles 24 and 44 of the Constitution of the Republic of Uganda guarantee freedom from torture, the existing laws did not make torture a criminal offence. The new law now makes it a duty for anyone to report all cases and intentions of torture – acts or omissions by which severe pain or suffering whether physical or mental is intentionally inflicted on a person. Some of the acts defined as torture include systematic beating, head banging, punching, kicking, striking with truncheons, rifle butts, jumping on the stomach, food deprivation or forcible feeding with spoiled food and electric shocks, etc

We can now confidently state that the Uganda has fully domesticated the United Nations Convention Against Torture (CAT) which Uganda ratified in 1987. Measures taken to investigate allegation of Torture include the normal investigative procedures as well as sensitization programmes for deterrence

#### **Other measures:**

However, and even prior to the passing of the Prevention and Prohibition torture bill, the Uganda Peoples Defense Forces (UPDF) had already incorporated in its training manual the provisions prohibiting torture or any other acts that may be described as cruel and inhuman.

**The Uganda Police Force** has also established a Professional Standards Unit and a Human Rights desk to handle complaints by the general public regarding the conduct of members of the police force. Any member of the Public is free to lodge a complaint with these offices. Provision has also been made to receive complains made by Tele-phone. However this follows normal procedure of lodging a complaint.

**The Uganda Prisons Service** has designated an Assistant Commissioner specifically to handle human rights issues of prisoners. In addition, the prisons Act section 71 and section 72 provide mechanisms of lodging complaints internally against the service. Section 71 in particular grants prisoners the right to make complaints to the officer in charge of the prison or an officer authorized to represent the him/her, the Inspector of Prisons, the Commissioner General, 'the judicial authority or other proper authorities through approved channels.' Section 72 of the Prisons Act also allows prisoners to initiate petitions to H.E. the President.

The Uganda Prisons Service has also set up human Rights Committees that undertake human rights education, peer reviews and monitor compliance with human rights standards in Prisons.

#### **ARTICLE 6: The Right to Liberty and Security of Persons**

##### **Legislative measures:**

Article 23 of the Constitution of the Republic of Uganda provides for the protection of personal liberty except in certain circumstances specified in the same Constitution.

The Constitution also re-affirms that the right to an order of habeas corpus shall be inviolable and shall not be suspended.

##### **Other measures:**

Under the Universal Periodic Review, the government of Uganda has agreed to incorporate provisions of the Optional Protocol to the Convention against Torture (OPCAT) into domestic law.

Officers of the Uganda Police Force are also under directive to as much as possible to carry out investigation before carrying out arrests.

#### **ARTICLE 7: The Right to a Fair Trial**

##### **Legislative measures:**

The Constitution of the Republic of Uganda guarantees uniform access to justice for all Uganda citizens. This includes and is not only limited to access to all courts for all individuals on matters touching their rights as enshrined under the Constitution. Article 28 provides that in the determination of civil rights and obligations or any criminal charge, a person shall be entitled to a fair, speedy and public hearing before an independent and impartial court or tribunal established by law.

Apart from the guarantees enshrined in the Constitution, various other laws like the Judicature Act, the Civil Procedure Act and Criminal Procedure Act all entrench the right to a fair hearing.

##### **Other measures:**

The Justice Law and Order Sector has developed a legal Aid Policy which is aimed at providing free legal services for the poor and vulnerable. This Policy encompasses both legal representation and advice to the public.

#### **ARTICLE 8: The Right to Freedom of Conscience, Profession and Practice of Religion**

##### **Legal measures:**

Article 29 of the Constitution of the Republic of Uganda provides that every person shall have the right to freedom of speech and expression which shall include the press and other media, freedom of thought, conscience and belief, freedom of practice of any religion, freedom to assemble.

##### **Other Measures:**

Every Ugandan is free to practice a profession or religion of their choice within the bounds of the law and human rights. Religious affiliation in Uganda also includes several indigenous traditional faiths.

#### **ARTICLE 9: The Right to Information and to Express and Disseminate Opinions within the Law**

##### **Legal measures:**

Article 41 of the Constitution of Uganda provides that every citizen has a right to access information of the State or any other organ or agency of the State except where the release of information is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any person.

In 2006, the Access to Information Act accordingly became part of the Laws of Uganda. The Act reaffirms the constitutional right of every Ugandan to access information from organs of the State and accordingly prescribes the processes by which anyone can obtain such information.

In 2011, government passed the Access to information regulations to aid the operationalization of the Act.

##### **Other measures:**

Since FY 2011/12 has been providing over 300 million Uganda shillings for access to facilitate awareness raising among public agencies to create knowledge on citizens' right to information. This complements over 2 billion Uganda shillings allocated annually to facilitate government's pro-active disclosure of budget information through barazas (public fora).

In 2011 Government through the Ministry of Information and National Guidance in partnership with civil society trained over 160 public information officers on citizen's right to information and the Access to Information Act. The training has had some positive impact with a number of agencies e.g. Masaka District Local Government and the Ministry of Lands, Housing and Urban Development taking practical measures to implement the ensure citizens enjoy their right to Information.

Government of Uganda and civil society has worked with the African Commission of Human and Peoples' Rights through its Special Mechanism on Freedom of Expression and Access to Information to contribute to the development of Access to Information Model for African Union, the African Platform on Access to Information Declaration as well as the Global Principles on National Security and Access to Information.

Government is discussing with civil society processes to propose amendments of the Access to Information Act to align it with regional and international standards. This is expected to result in strengthening the implementation of the Access to Information Act and oversight.

To strengthen engagement with civil society Government is studying possibility of joining the Open Government Partnership which provides a framework for collaborative engagement to promote the right of access to information, fiscal transparency, citizen participation and information, communication technology.

Uganda enjoys one of the most vibrant electronic and print media in Africa. As of July 2010 Uganda had up to 244 licensed radio and TV stations (**see Annex 1 for the list**)

The 9<sup>th</sup> Parliament (elected in May 2011) amended their rules of procedure to allow live televised coverage of their sessions. We can therefore say that today, the public is privy to all Parliamentary proceedings. The Public is also allowed to sit in and watch live the deliberations at the Parliamentary public gallery.

Government intends to continue reviewing and amending laws that may still be inconsistent with media freedoms and also to strengthen internal accountability mechanisms in the event of human rights violations against the media by government operatives like the Interception of communication Act 2010 which regulates information dissemination.

## **ARTICLE 10: The Right to Freedom of Association under the Law.**

### **Legislative:**

Article 29 (1) (e) of the Constitution of the Republic of Uganda provides that every person shall have the right to freedom of association or unions, including trade unions and political and other civic organizations. Uganda continues to abide by these constitutional provisions.

### **Other measures:**

Every Ugandan is free to register or join a political party of their choice. As of 2010 Uganda had up to 38 registered political parties some of which fielded candidates for various posts in the May 2011 general elections.

The law in Uganda permits unionized labour. The National Organization of Trade Unions popularly referred to as (NOTU) was established in 1973 and is currently the most representative Non Profit Labour Centre in Uganda with Twenty {20} labour union affiliates. The labour unions affiliated to NOTU include:

- Amalgamated Transport and General Workers' Union.
- Uganda Beverages, Tobacco and Allied Workers' Union.
- Uganda Building, Construction, Civil Engineering, Cement and Allied Workers' Union.
- Uganda Government and Allied Workers' Union
- National Union of Clerical, Commercial and Professional and Technical Employees' Union.
- National Union of Educational Institutions.
- Uganda Mines, Metal and Allied Workers' Union.
- National Union of Plantation and Agricultural Workers.
- Uganda Communication Employees' Union.
- Uganda Public Employees Union
- Uganda Electricity and Allied Workers' Union.
- Uganda Railways Workers Union
- Uganda Hospitality Leisure and Allied Workers Union.
- National Union of Theatrical, Entertainment, Art, Culture Craft and Allied Workers (NUTECAW)
- Uganda Media Union
- Uganda Nurses and Midwives Union
- Uganda Fisheries and Allied Workers' Union.
- Uganda Horticultural and Allied Workers' Union.
- Uganda National Teachers' Union
- National Union of Co-operative Movement and Allied Workers 'Union

Government intends to step up efficiency in registering and renewing NGO permits.

#### **ARTICLE 11: The Right to Freedom of Assembly while safeguarding National security, safety, health, ethics and the Rights and Freedoms of Others.**

##### **Legislative Measures:**

Article 29 (1) (d) of the Constitution provides that every person shall have the freedom to assemble and to demonstrate together with others peaceful and unarmed and to petition.

##### **Other Measures:**

Many times the assembling individuals are not cognizant of the obligations that come with this right, namely; issues of national security, public safety and the rights and freedoms of those who are not part of the assembly.

Accordingly, Government of Uganda in the year 2012 initiated a consultative process to develop a regulatory legal framework which underscores the right to freedom of assembly while ensuring the protection of the rights of all other citizens. As a result of this process the Public Order Management Bill, 2012 was passed by Parliament in August, 2013.

#### **ARTICLE 12: The Right to Freedom of Movement and Residence within the borders of the State**

##### **Legislative Measures:**

Uganda continues to abide by its constitutional obligations. The Constitution of the Republic of Uganda in Article 29 {2} provides that every Ugandan shall have the right to move freely throughout Uganda and to reside and settle in any part of Uganda, to enter, leave and return to Uganda and to possess a passport or other travel documents.

##### **Other Measures:**

Under the East African Community regional framework, Uganda together with the other East African Community Partner States has adopted the East African Common Market Protocol (CMP 2010) which allows the free movement of labour, capital, right of residence and the right of establishment and is working closely with the other Partner states to implement the provisions of the Protocol.

Government, through the responsible Ministry of East African Affairs has accordingly developed a national implementation strategy, a road map and also set up coordination mechanisms at both policy and technical level to see to the implementation of the East African Common Market Protocol.

### **ARTICLE 13: The Right to Freedom of Participation in Governance**

#### **Legislative Measures:**

In 2005 Uganda conducted a national referendum that opened up political space to allow for the creation of a multiparty dispensation. Two general elections have since been held in 2006 and 2011 and on both occasions the domestic and international observers agreed that the results reflected the general will of the Ugandan people.

#### **Other Measures:**

##### **Decentralization:**

In a bid to ensure increased people participation in their governance and also increased access to public services by all citizens, government is strengthening and deepening decentralization. Accordingly, government has continued to reduce larger districts into smaller ones in order to bring the administrative apparatus of government closer to all local communities. By the end of 2016 Uganda is expected to have about 135 districts in all and each of them will have among other development services, a complete road unit.

##### **Barazas**

Government introduced and operationalized barazas at grass roots which are community meetings to hold their leaders accountable for development programmes and resources.

##### **NEPAD:**

In July 2010 on the side lines of the July 2010 African Union Summit in Kampala, Uganda was honored to host the summit of the New Partnership for Africa's Development (NEPAD). This new partnership is a pledge by African leaders based on the common vision and a firm and shared conviction that they have a pressing duty to eradicate poverty and to place their countries both individually and collectively on a path of sustainable growth and development and at the same time to participate actively in the world economy and body politic.

Uganda has continued to implement the African Peer Review Mechanism (APRM) Programme of Action 2008/09-2010/11, which was drawn out of the Country Self-Assessment involving citizens at all levels. A National Governing Council composed of Civil Society, private sector and government is charged with monitoring of the implementation of this commitment by government.

The first progress report on the implementation of the APRM Programme of Action was presented by H.E the President to his Peers in the APRM Summit which took place in January 2010, in Addis Ababa, Ethiopia and in July 2012 at the AU summit in Addis Ababa, H.E the President again presented the 2<sup>nd</sup> and 3<sup>rd</sup> country report.

##### **Elections:**

Prior to the general elections which took place in February 2011, the Electoral Commission embarked on the exercise of updating, cleaning and displaying the voters register in a country wide exercise in order to ensure that persons who had turned eighteen years since the last general election in 2006 got registered and exercised their right to vote. This is in

tandem with article 59 {1} of the Constitution which states that every citizen of Uganda of eighteen years and above has a right to vote.

#### **ARTICLE 14: The Right to own property**

##### **Legislative Measures:**

Article 26 of the Constitution of the Republic of Uganda provides that every person has a right to own property either individually or in association with others and that no person shall be compulsorily deprived of property or any interest in or right over property of any description. This however, is, subject to the right of Government to acquire land for public interest after providing adequate compensation, payable upfront and other considerations as may be deemed necessary for such resettlement.

##### **Other Measures:**

Parliament passed the Land Amendment Act, 2010 to address among other issues the rampant land evictions. Furthermore\_Cabinet endorsed the Land Policy and the National Land Policy Working Group developed an implementation road map.

Uganda Police Force introduced Land Protection Unit to fight illegal eviction of the land occupants and the Ministry of Lands, Housing and Urban Development also introduced computerized land registration which reduced malpractices and fraud

#### **ARTICLE 15: The Right to Work under Equitable and Satisfactory Conditions**

##### **Legislative Measures:**

Uganda's Constitution does not explicitly provide for a right to work under certain conditions or to receive equal pay. However, Article. 25 of the Constitution guarantees minimum satisfactory conditions of work in that it protects all people from slavery, servitude and forced labour (equitable and satisfactory conditions).

Similarly, the Constitution does not guarantee explicitly a right to equal pay for work. However, in article 21, all persons are guaranteed the right to equality and freedom from discrimination on grounds such as race, sex etc.

##### **Other Measures:**

The employment Act 2006 provides for non discrimination which addresses equal pay and government is still working out the modalities of establishing a minimum wage or minimum wages per sector. Government is also studying how best to regulate the working conditions in the private sector. The Occupational Safety and Health Act, 2006 also obliges employers to have satisfactory work conditions.

#### **ARTICLE 16: The Right to Best attainable State of Physical and Mental health**

##### **Legislative and Policy Measures:**

Parliament and other stake holders are still holding consultations on the National Mental Health Amendment Bill. The proposed new law is meant to ensure that people with mental illnesses receive the necessary care and treatment.

This is in extreme contrast to the old law on mental health (The Mental Treatment Act of 1938) which did not recognize the rights of mental health patients to receive proper treatment and care. That old colonial law actually equated

mental illness to insanity and prescribed that mentally ill people should be kept away because it envisaged them as dangerous to society.

The following related documents are also either complete or in various stages of drafting: the revised Mental Health policy, National Alcohol policy, Tobacco control policy, and the Tobacco Control Bill.

**Other Measures:**

Under the Health Sector Strategic and Investment Plan (HSSIP) six regional health centers have been constructed in Masaka, Mbale, Lira, Mubende, Jinja and Moroto in addition to those in Arua, Gulu, Fort portal, Kabale, Soroti, Hoima and Mbarara. All these regional health centers have mental health units which are functional.

Butabika Hospital in Kampala remains the only national referral mental health institution in the country but many Districts have now recruited Mental Health Professionals to enable the integration of mental health into their primary health care programs. However the ratio of psychiatrists to the population is still very high at about 1:2,000,000.

**ARTICLE 17: The Right to Education**

**Legislative and Policy Measures:**

Article 30 of the Constitution of the Republic of Uganda stipulates that all persons have a right to education. As a matter of policy therefore, Government put a lot of emphasis on mass education through Universal Primary Education {UPE}and Universal Secondary Education {USE}so as to improve literacy levels among Ugandans as opposed to education for a few elite and the ratio between Male: Female has reduced at all levels.

In this regard and as earlier observed above, student enrollment has significantly grown at these levels over the years.

The Uganda National House hold Survey 2010 revealed that literacy rate among persons aged 10 years and above has increased by 4% from 69% in 2005/2006 to 73% in 2009/2010. The male literacy rate at 79% in 2010 was higher than that for females at 66%. This reflects a similar pattern to the earlier findings of the survey done in 2005/2006.

It also revealed that urban household members were more likely to be literate at 88% compared to their counterparts residing in the rural areas at 69%.

**Other Measures:**

Government has also taken up the following measures to aid enrollment and retention of pupils in schools.

- Holding publicity campaigns to encourage families to treat the girl child as equal to the boys.
- Support for the establishment of private schools.
- Class room construction, teacher recruitment and gradual pay enhancement.

The challenge of inadequate resources still renders the above interventions insufficient.

**Schools constructed in the FY 2009/10**

Lot 4: Western Uganda			FY 2009/10
Name of School	District	Sub-County	 New Construction

				Classroom Block	Administration	Science Room	Teachers Houses	Library	5- Stance Latrine
BUGUNGU S.S.S	BULLISA	BULLISA	4	2		1	1		1
BUBUKWANGA S.S	BUNDIBUGYO	BUBUKWANGA	0	8	1	1	1		3
BUMADU SEED S.S		BUNDIBUGYO T.C	0	4		1		1	2
KAKUKA HILL S.S		NDUGUTU	4	2		1			1
RWEBISENGO S.S		RWEBISENGO	4	4		1			2
SEMULIKI HIGH S.S		HARUGALE	5	10					4
ST. MARY"S S.S SIMBYA		BUSARU		12		1	1	1	5
KIBINGO GIRLS S.S.S		BUSHENYI	KAGANGO	8	4		1		
KITAGATA S.S.S	KITAGATA		4	5		1		1	1
KABWOYA S.S	HOIMA	KABWOYA	4	2		1			1
KAKINDO S.S		KYABIGAMBIRE	2	4		1			2
KIZIRANFUMBI S.S		KIZIRANFUMBI	2	6		1			2
MUNTEME FATIMA COLLEGE		KIZIRANFUMBI	4			1			
MWAMBA SEC.SCH.	IBANDA	RUKIRI		4		1			2
BIRERE S.S	ISINGIRO	BIRERE		2		1			1
BUBAARE S.S	KABALE	BUBARE	4			1		1	
BUKINDA S S		BUKINDA	10	4					2
KABALE S.S		KABALE CENTRAL	6						
KANTARE S S		KASHAMBYA	2	6					2
NDORWA S S S		KABALE SOUTHERN	5	6					2
ST CHARLES MUKO SS		MUKO	0	2					1
MPANGA S.S.		KABAROLE	EASTERN	12	4				
KYABENDA SS	KAMWENGE	KAHUNGE	2	4		1		1	2
KIHIHI HIGH SCHOOL	KANUNGU	KIHIHI TC	9	6		1			2
KASESE SEC SCH	KASESE	KASESE T/C	6	4					2
KILEMBE S.S		KILEMBE	3	6		1		1	2
KURUHE HIGH SCH		KITSWAMBA	2	4					2
LAKE KATWE SEC SCH		LAKE KABATORO	0	2		1	1		1
LYANTONDE S.S.S		LYANTONDE	LYANTONDE	0	4				



BWIJANGA S.S	MASINDI	BWIJANGA	5	3		1		2	
IKOBA GIRLS S.S		BWWIJANGA	8	2				1	
KINYARA S.S.S		BUDONGO	0	4				2	
MBARARA ARMY BOARDING SS	MBARARA	KAKOBA	4	4		1		2	
MWIZI SSS		MWIZI	3	4		1		2	
NYAMITANGA SS		NYAMITANGA	0	4		1			
RWANTSINGA HIGH SCHOOL		RUBAYA	8	2		1		1	
KABEZI SSS	NTUNGAMO	NGOMA		4			1	2	
MURIISA SSS		NTUNGAMO	3	2		1		1	
RUGARAMA SS		RUGARAMA		8				3	
RUHANGA SDA SS		ITOJO	2	6				2	
RUKONI SSS		RUKONI	4	6	1			1	2
RWAMANYONYI S.S		KAYONZA	3	2		1	1	1	2
ST PAUL'S HIGH SCHOOL RUSHOOKA		KAYONZA		4					2
KAGUNGA S.S.S			KAGUNGA	0	4		1	1	2
NYABITEETE S.S			BUYANJA	8	4		1		2
RUBIRIZI S.S		NYARUSHANJE	3	6				2	
ST JEROME S.S NDAMA		KEBISONI	6	4		1		2	
ST PAUL'S VOC. S.S BUYANJA		BUYANJA	7	6				1	6
MABAALE SS	KIBAALE	MABAALE	5	6		1		2	
NALWEYO SS		NARWEYO	2	2		1		1	
ST ALBERT SSS KAKINDO		KAKINDO	2	2		1		1	
ST JOSEPH SS KASAMBYA		KASAMBYA	4			1			
ST MARGRET MARY GIRLS SS		MUHORO	2	6		1		2	
UGANDA MARTYRS SS MUGALIKE		KYANAISOKE	4	2		1		1	
KAARO HIGH SCHOOL		KIRUHURA	KENSHUNGA	0	2		1		1
KANONI S S S	KANONI		4	6				2	
KIKATSI SEED SECONDARY SCHOOL	KIKAATSI		0	4		1	1	2	
LAKE MBURO SENIOR SECONDARY SCHOOL	KANYARYERU		4	2		1		1	
RWEMIKOMA SEED S S S	RWEMIKOMA		0	4		1	1	2	
SANGA SEN SEC SCHOOL	SANGA		0	2		1		1	

KABINDI SS	KISORO	NYARUSIZA	10	6	1	1			2
ST PETERS RWANZU SS		NYARUBUYE	0	2		1			1
KAKABARA SSS	KYENJOJO	KAKABARA	5	6	1	1			2
KATOOKE SSS		KATOOKE	4	6					2
MPARA SECONDARY SCHOOL		MPARA	4	2		1			1
NYANKWANZI HIGH SCHOOL		NYANKWANZI	0	2		1			1
NYARUKOMA SS		NYANTUNGO	2	6		1			2
WEKOMIRE SEC SCHOOL		KYEGEGWA	3	2		1			1
<b>TOTAL</b>			<b>221</b>	<b>271</b>	<b>4</b>	<b>47</b>	<b>9</b>	<b>9</b>	<b>112</b>

## ARTICLE 18: The Rights of the Family

### Legislative Measures:

In the past two decades, Uganda has undertaken measures to address the rights of women and to combat gender based discrimination. Most of these have involved legislative reforms, whereby important laws like Domestic Violence Act, the Employment Act, 2006 and the Trafficking in Persons Act, 2009 and the Prohibition of Genital Mutilation Act, 2010 have been enacted. These important laws draw on the Constitutional provisions that recognize the rights of women and their equality to men, as well as the right not to be discriminated against. In addition to important human rights of women that reflect several international human rights standards and commitments, the Constitution recognizes the important maternal functions of women and the right to start a family.

Other legislative and policy progress includes the passing of laws to support the family and community values. These include;

- The Domestic Violence Act, 2010. The law seeks to protect victims of domestic violence and to punish perpetrators. It is not only limited to physical harm, but also economic, emotional, verbal and psychological abuse which has previously gone unnoticed.
- The Prevention of Female Genital Mutilation (FGM) Act, 2010. The Act criminalizes the practice of FGM, prosecution of offenders and protection of victims.
- Land (Amendment) Act 2010. Following this, drafting of a national Land Policy and national consultations are ongoing.
- The prevention of Trafficking in persons Act 2010

The following laws are still pending:

- The **Marriage and Divorce Bill** (formerly the Domestic Relations Bill -DRB) The Marriage and Divorce Bill has not been officially withdrawn from the floor of Parliament implying that it is one of the Bills on the order paper of the 9th Parliament of the Republic Of Uganda. However, before Parliament closed the second session, the speaker allowed the members of Parliament a three month period to further consult their respective constituents on the Marriage and Divorce Bill and thereafter give feed back during the third session.

- The **Sexual Offences (Amendment) Bill** to widen the scope of sexual offences covered.
- The **Penal Code (Amendment) Act** - to take into consideration the issue of criminal adultery.
- The **Succession (Amendment) Act** – to take into consideration aspects of equal inheritance between men and women.
- The **Community Mobilization and Empowerment Bill**.

#### **Other Measures:**

In the International arena and as earlier reported, on the 22<sup>nd</sup> July 2010 - Uganda became the 28<sup>th</sup> Country to ratify the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa (Maputo Protocol) efforts are now underway to domesticate several provisions of the protocol.

The Child and Family Protection Unit of the Uganda Police Force has continued to vigilantly handle family related matters that infringe on Law and order in communities.

The Family affairs department of the Ministry of Gender, Labour and Social also handles family related matters.

#### **ARTICLE 19: The Right to Non Domination of a People by Another**

##### **Legislative Measures:**

The Constitution of the Republic of Uganda as earlier highlighted is very clear on equality and non domination of anyone by another.

#### **ARTICLE 20: The Right to Existence and Self Determination**

##### **Legislative Measures:**

Article 1 of the Constitution of the Republic of Uganda entrenches the sovereignty of the people of Uganda. It provides that all power belongs to the people who shall express their will and consent on who shall govern them and how they should be governed, through regular, free and fair elections of their representative or through referenda.

Further, the Constitution of the Republic of Uganda provides for the right of every person to exercise freedom of thought, conscience, and belief which shall include; academic freedom in institutions of learning. It also guarantees the right to freedom to practice any religion and manifest such practices which shall include: the right to belong to and participate in the practices of any religious body or organization in a manner consistent with the Constitution.

The Constitution also provides for the right of every person as applicable, to belong to, enjoy, practice, profess, maintain and promote any culture, cultural institution, language, tradition, creed or religion in community with others.

#### **ARTICLE 21: The Right to Dispose of Wealth and Natural Resources**

##### **Legislative Measures:**

The Constitution of Uganda under Article 27 provides that no person shall be subjected to interference with the privacy of that person’s home, correspondence, communication or other property.

Article 244 of the Constitution of the Republic of Uganda provides for the enactment of legislation by Parliament to regulate the exploitation of minerals and the sharing of royalties.

As is publically known Uganda has of recent confirmed the existence of commercial quantities of oil in the western part of the country. In accordance with article 244, Parliament recently passed two pieces of legislation: the Petroleum (Exploration, Development and Production Act), 2012 and the Petroleum (Refining, Gas Processing and Conversion, Transportation and Storage) Act, 2013. However Parliament is yet to pass the draft Public Finance Bill 2012 which envisages the payment of royalties. Clause 71(8) thereof provides that “a district may in consultation with the Ministries responsible for culture and local governments grant a share of the royalties due to the district, to a cultural or traditional institution”.

Clause 71(6) and (7) and schedule 7 of the Public Finance Bill provides for a formula for sharing revenue from royalties among districts.

### **Other Measures:**

The recently passed Oil laws take this right into consideration upstream and midstream activities.

. Other Bills in place include;

- Oil Financing
- Exploration Act

## **ARTICLE 22: The Right to Economic, Social and Cultural Development**

### **Legislative measures:**

The Constitution provides for the right to economic, social and cultural development under articles 26, 29, 30, 31, 37 and 40 respectively.

### **Other Policy Measures:**

In order to ensure prosperity for all citizens, government of Uganda launched a 5-Year National Development Plan (NDP) 2010/11-2014/15 in 2010. This national development framework is a successor to the previous one popularly referred to as (PEAP) the Poverty Eradication Action Plan (PEAP). This new strategic arrangement has its theme focused on: “Growth, Employment and Socio-economic Transformation for prosperity”.

The National Development Plan contributes to Uganda’s Vision of “a transformed Ugandan society from a peasant to a modern and prosperous country within 30 years”. In order to achieve this vision, the National Development Plan has been designed to significantly improve specific critical development indicators associated with transformation.

These include:

1. Raising average per capita income levels;
2. Improving the labor force distribution in line with sectoral GDP shares
3. Raising the country human development indicators; and
4. Improving the country’s competitiveness to levels associated with middle income countries.

On 18<sup>th</sup> April 2013, His Excellency, Yoweri Kaguta Museveni, the President of the Republic of Uganda launched the Uganda Vision 2040. This vision builds on the progress that has been made in addressing the strategic bottlenecks that have constrained Uganda’s socio-economic development since her independence. The Uganda Vision 040 aspires to change the country from a predominantly low income to a competitive upper middle income country within 30 years with per capita income of USD 9,500. It sets the goals and targets to be achieved to realize this desired socio-economic transformation.

The Uganda Vision 2040 is conceptualized around strengthening the fundamentals of the economy to harness the abundant opportunities around the country. The opportunities include, oil and gas, tourism, minerals, ICT business,

abundant labour force, geographical location and trade, water resources, industrialization and agriculture. On the other hand, the fundamentals include: infrastructure for (energy, transport, water, oil and gas and ICT), Science, Technology, Engineering and Innovation (STEI), land, urban development, human resource, and peace, security and defense. It is envisaged that the Uganda Vision 2040 will be implemented by Government, Civil Society and Private Sector through measures undertaken under short and medium term National Development Plans.

## **ARTICLE 23: The Right to National and International Peace and Security as affirmed by the Charter of the United Nations & African Union**

### **Legislative Measures:**

Uganda is a signatory to the Statute of the International Criminal Court (also known as the Rome Statute and has domesticated it by passing the ICC Act (2010) and also creating a War Crimes Division of the High Court.

In addition, in 2002 Uganda enacted an Anti terrorism Act to define and facilitate the work of security agencies and the population as they fight terror.

### **Other Measures:**

Uganda continues to support the ICC and even hosted the Review Conference in 2012.

**National Peace and Security:** Government of Uganda has created a specialized unit in the Uganda Police Force to deal with terrorism. The country has also created the Joint Anti terrorism Task Force (JATT) to coordinate the activities of all security agencies in the fight against terror. This operational mechanism has successfully apprehended a number of terror suspects and prevented another terror attack on the country since the July 2010 bombings in Kampala.

**International Peace and Security:** Uganda continues to play an important role in regional Peace and Security in the Great Lakes Region and the Horn of Africa. The country has contributed about 6,000 peace keeping troops to African Union Mission to Somalia (AMISOM)

The African Union initiated and established a regional Task Force (RTF) of the AU to hunt down rebels of the Lord Resistance Army, LRA. This initiative is supported by the United Nations by the implementation of the regional strategy against the LRA on adoption by the UN Security Council on the 29 June 2012. Under this mandate the Government of Uganda working with its neighbours has for more than 5 years now, deployed about two thousand **(2000)** UPDF soldiers to South Sudan and Central Africa Republic to fight the LRA.

Following the Crises in the Central African Republic, the Government of Uganda benefited from a Memorandum of understanding between African Union and Central African Republic to reiterate the African Union (AU) position in its efforts to rid the region of the terrorist organization, the LRA.

The efforts have been revived towards implementing the initiatives.

In addition, Uganda currently chairs the International Conference of the Great lakes Region which has intervened to bring peace to the eastern Part of the Democratic Republic of Congo, more than 5 ICGLR summits have been hosted by Uganda in this regard. Government of Uganda also continues to host peace talks between the protagonists.

## **ARTICLE 24: The Right to a General Satisfactory Environment**

### **Legislative and Other Policy Measures:**

Article 39 of the Constitution of the Republic of Uganda provides that every Ugandan has a right to a clean and healthy environment. The Government of Uganda has continued to ensure that the environment is not degraded. The Government has set up The Environment Protection Police as a specialized unit within the Uganda Police Force to

enforce the provisions of the National Environmental Management Authority (NEMA). In this direction Government, through NEMA continues to take measures to prevent environmental degradation around the country.

## **ARTICLE 25: The State's Duty to Educate the Masses**

### **Policy Measures:**

The Government of Uganda has not yet designed a comprehensive national programme to promote the African Charter on Human and Peoples Rights, however civil society has been given free range to educate the people about their rights and freedoms. The Draft National Civic Education Policy has been finalized and is due to be presented to Cabinet.

The UHRC also has the mandate to carryout comprehensive Civil Education of the public on their rights.

## **ARTICLE 26: Independence of the Courts and establishment of National Human Rights Institutions**

### **Legislative measures:**

**The Courts:** Article 128 of the Constitution of the Republic of Uganda specifically guarantees the independence of the judiciary. The Constitution specifically states that; "the courts shall be independent and shall not be subject to the control or direction of any person or authority. No person or authority shall interfere with the courts or judicial officers in the exercise of their judicial functions"

**National Human Rights Institutions:** The Uganda Human Rights Commission (UHRC) was established under Article 51 to 58 of the Constitution of the Republic of Uganda to carry out various human rights related functions including; Investigating complaints made by any person or group of persons against the violation of any human right and also visiting places of detention or related facilities with a view to assessing and inspecting conditions of the inmates and monitoring the Government's compliance with international treaties and conventions.

The powers of the Uganda Human Rights Commission to some extent are similar those of a Court and therefore the commission can summon/ order any person to appear before it and produce any document or record relevant to any investigation by the Commission. It can question any person in respect of any subject matter under its investigation or direct any person to disclose any information within his or her knowledge relevant to any investigation by the Commission. It can also commit persons for contempt of its orders. . In addition the Commission can grant remedies to aggrieved persons and order compensation.

**N.B** The UHRC has been accredited twice as an independent "A" status National Human Rights Institution under the UN *Paris Principles* relating to Status/quality of National Human Rights Institutions (i.e. *independence guaranteed, autonomy from government, adequate powers of investigation and resources*). As an "A" institution the UHRC can vote or hold office in the international Coordinating Committee of national institutions and its regional groups and make oral submissions at meetings of the Human Rights Council.

### **Other Policy Measures:**

Government of Uganda has in addition allowed freedom to create human rights institutions and allowed them to operate and to report on the human rights situation in the country. The main umbrella body for such institutions is the Human Rights Network (HURINET) currently with a membership of 43 organizations.

**ARTICLE 27: The duty of every individual towards his family and society, the State and other legally recognized communities and the international community. The rights and freedoms of each individual shall be exercised with due regard to the rights of others, collective security, morality and common interest.**

### **Legislative Measures:**

**Article 43 (1) of the Constitution provides that** In the enjoyment of the rights and freedoms prescribed in this Chapter, no person shall prejudice the fundamental or other human rights and freedoms of others or the public interest. Furthermore under the National Objectives and Directive Principles of State Policy, the foreign Policy Objectives are laid out under clause XVIII to include the respect of international law and treaty obligations, the peaceful co-existence and non alignment, the settlement of international disputes by peaceful means and opposition to all forms of domination, racism and other forms of oppression and exploitation.

Additionally, Government of Uganda has appointed a commissioner responsible for promotion of patriotism and the key task of this initiative is to encourage the formation of patriotism clubs mainly in schools.

**ARTICLE 28: The duty of every individual to respect and consider his fellow beings without discrimination and to maintain relations aimed at promoting, safeguarding and reinforcing mutual respect and tolerance.**

Chapter 4 Article 21 of the Constitution of the Republic of Uganda guarantees the right of all persons to equal treatment before and under the law in all spheres of political, economic, social and cultural life and in every other respect.

It also stipulates that a person shall not be discriminated against on the grounds of sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability.

### **Policy and Other Measures:**

The government of Uganda has amended a number of laws with the goal of countering discrimination.

In July 2010, the Constitutional Court- Law & Advocacy for Women in Uganda Vs Attorney General constitutional petition 8/2007 declared the practice of female genital mutilation unconstitutional and against human rights.

The Marriage and Divorce Bill was carried forward to the 9<sup>th</sup> parliament elected in May 2011. One of the key elements being addressed by this bill is the issue of women's rights during marriage and particularly the right to own property both within and after a marriage has been dissolved. This bill was further subjected to country wide consultation and reports are yet to be submitted back to Parliament. Nevertheless the Bill is still alive and on the Order Paper of Parliament.

**ARTICLE 29: The duty of every individual to preserve the harmonious development of the family, to work for the cohesion and respect of the family, to serve his national community and to promote the achievement of African unity.**

The Government of Uganda as earlier stated guarantees the right to family (under article 31) and undertakes to promote regional and Pan African Cultural, economic and political cooperation and integration (under the Foreign Policy Objectives).

### **Policy and Other Measures:**

In as far as the promotion of African Unity, the Government of Uganda actively participates in regional initiatives such as the East African Community, the African Union, COMESA, IGAD and the ICGLR. All these initiatives are aimed at promoting the achievement of African peace and unity.

The Ministry of East African Community run measures towards promoting African Unity.

### **PART III**

#### **CHALLENGES FACED BY UGANDA IN IMPLEMENTING THE CHARTER**

1. The recent worldwide economic downturn affected Uganda's efforts for growth in the social and economic spheres.
2. Funding of activities to implement the Charter is still limited for example the costs for development and harmonization of laws are very high and also the cost meeting some of the critical requirements for both the health and education sectors.
3. Uganda's birth rate is still considerably high when compared to the slowing economic growth rates.
4. Both maternal and infant mortality rates are still unacceptably high especially due to insufficient medical facilities.
5. Continuous general civic education including voter education remains a challenge due to limited resources.
6. In spite of the high enrolment, retention rates especially for the girl child in school remain a challenge due to social, economic and cultural pressures.
7. Rising unemployment especially for the youth is a very big challenge.
8. Getting the civil society to fully partner with government to promote and safeguard human rights. Constructive cooperation between government and CSOs needs be encouraged.
9. Timely compensation for victims of violations
10. Back log of cases resulting in Justice delayed
11. Need for domestication of ratified instruments.
12. Corruption continues to be a challenge though a number of accused have been successfully prosecuted through IGG mechanism and Anti-Corruption court
13. Disaster response mechanism needs improvement.

#### **CONCLUSION**

In conclusion, the Government of the Republic of Uganda wishes to reiterate its earlier request made in 2010 that the Commission should consider presenting to the AU policy organs the proposal to revise the two year reporting period to 3 years since the 2 years has proved to be quite a very short reporting timeframe.

Your Excellencies, Distinguished Commissioners, State delegates, Civil Society and National Human Rights Institutions,

Ladies and Gentlemen

On behalf of the Government of Uganda, my delegation and on my own behalf I wish to assure you of my country's commitment and high regard for the Commission and its mandate. I further wish to extend our gratitude to His Excellency the President, the Government and people of the Gambia for your very warm hospitality since we arrived in your wonderful country.

I thank you.



**Annex 1:**

**RADIO AND TELEVISION STATIONS LICENSED IN UGANDA AS AT JULY 7, 2010:**

<b>District</b>	<b>Number of Licensed Radios</b>
Adjumani	2
Amuria	1
Apac	1
Arua	7
Bugiri	2
Bushenyi	6
Bundibugyo	1
Busia	1
Fort Portal	6
Mayuge	1
Gulu	9
Hoima	6
Ibanda	1
Iganga	1
Jinja	14
Kabale	6
Kalangala	2
Kampala	45
Kamuli	2
Kamwenge	3
Kanungu	2
Kapchorwa	3
Kasese	3
Kibaale	3
Kiboga	2
Kiruhura	
Kisoro	3
Kitgum	5
Kotido	2
Kumi	2
Kyenjojo	2
Lira	8
Luwero	1
Lyantonde	1
Nakaseke	1
Masaka	13
Masindi	5
Mbale	15
Mbarara	14
Mityana	2
Moroto	3
Moyo	2
Mpigi	3
Mubende	5
Mukono	3
Nebbi	3
Ntungamo	1
Pader	3

Pallisa	2
Rukungiri	2
Sembabule	1
Soroti	7
Tororo	2
Wakiso	4
<b>TOTAL</b>	<b>244</b>

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Source: Uganda Media Council 2010