



Former tourism minister Sarapio Rukundo (left), talking to the Batwa people from western Uganda, who had come to Imperial Hotel to mark the 60th anniversary of human rights

Challenges in the fight for human rights in Uganda

By Billy Rwothungeyo

We all have Human Rights which are guaranteed by the Constitution of Uganda, the supreme law of the land.

"Your rights are innate, they are inborn and are not given by anybody, not even the state. We can re-affirm this by checking our Constitution. Having said that, it is important to note that some rights are not absolute, while others are non-negotiable. For example, the right not to be tortured," says Mohammed Ndifuna, the CEO of Human Rights Network-Uganda (HURINET-U).

"It is your duty to defend these rights. It is your obligation to protect rights, document violations, report violations and support other people to defend their rights."

However, all is not as it should be. These rights are often abused and there are also other stumbling blocks in the way of Ugandans enjoying their rights.

Some of these cases of human rights abuse have been forwarded to the Uganda Human Rights Commission (UHRC) tribunal, which has a bill of awards standing at

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sh5b. This figure has not been settled though, leaving a bitter taste in the mouths of many victims of human rights abuse.

Emerging challenges

Dr Katebalirwe Amooti Wa Irumba, the acting chairperson of the UHRC, explained some of the challenges faced in the fight for the observance of human rights in Uganda.

"According to reports issued by human rights institutions in Uganda such as the Human Rights Commission and HURINET, among many others, there are a number of reports of human rights violations that occurred during this year, ranging from violation of freedom from torture, freedom of expression and the right to assemble peacefully," he said.

"Deprivation of life, especially the recent killings of security forces, as well as royal guards in Kasese district, the murder of Muslim clerics, derivation of personal liberty and property, among others."

Ndifuna says some of the human rights violations, such as the chaos in Kasese, could have been averted had the Government implemented some of the recommendations offered earlier on.

"As human rights organisations, we called upon the state to investigate these cases so that these concerns do not manifest in ugly developments, which are reincarnating in some parts of the country. Maybe, if the state had intervened and instituted the measures we had called upon, maybe the situation would have turned out differently," he says.

Exploitation of labour

Over the course of the year, you have heard grisly tales of Ugandan maids being flown to offer their services abroad, especially in Arab states. These Ugandans are exposed to difficult working conditions, which Ndifuna says is a form of human rights abuse. He says firms exporting labour out of Uganda should be audited. "We have heard of Ugandans being exploited abroad. They

Freedom of Association

Dr Katebalirwe Amooti Wa Irumba, the acting chairperson of the UHRC, also says the Government needs to review the NGO Act, which many say is aimed at curtailing the work of these organisations.

"In April, the Government tabled the Non-Governmental Organisations Bill. The repressive and controversial Bill was significantly improved during parliamentary debates, but the version that was passed by Parliament in November remains troubling. The Bill includes vague "special obligations" of NGOs, including a

requirement that groups should "not engage in any act which is prejudicial to the interests of Uganda or the dignity of the people of Uganda," says the Human Rights Watch.

"Another provision criminalises any activities by organisations that have not been issued with a permit by the Government regulator, fundamentally undermining free association rights. A separate provision provides for criminal sentences of up to three years for any violations of the act. It is not clear when the Bill will reach President Museveni for signing."

are taken to foreign countries, where they are more or less modern day slaves. This has been done in full knowledge of the state. The state has an obligation to ensure that Ugandans are protected wherever they are," he says.

Gun violence

In the recent past, Ugandans have woken up to the shocking news of sheikhs being gunned down, with the latest victim being Sheik Maj. Mohammed Kiggundu.

"Many Ugandans have perished in circumstances that are yet to be explained to the nation. We have seen sheikhs killed, these are disturbing developments. We want this to be contained by the state," says Ndifuna.

Human Rights Watch says the lack of accountability for past abuses is worrying.

"In the 2009 and 2011 protests, the Police and Military Police killed at least 49 People, but the Police have not conducted serious

or meaningful investigations. Relatives continue to search for justice through civil cases.

In December 2011, the Police disbanded the Rapid Response Unit, but there have been no investigations into killings or torture by the unit. The Ugandan army has also not investigated cases of those tortured or killed while in the custody of the Joint Anti-Terrorism Task Force (JATT)," says the Human Rights Watch.

"In August, a military court in Kasese in western Rwenzori region sentenced 11 people to 25 years in prison for carrying out the July 5, 2014 attacks on a military barracks and some Police posts. There has been no accountability for the violent aftermath of the attacks in which civilians were tortured and killed. The Government has committed to exhuming the mass graves in the area for investigations."

Protection of human rights defenders

Human rights defenders have

also been targeted, with reports of office break-ins. This year, intruders have broken into the offices of the Human Rights Awareness and Promotion Forum (HRAPF), the Human Rights Network for Journalists-Uganda (HRNJ-Uganda) and the Forum for African Women Educationalists (FAWE), with one of these criminalities leading to the death of Emmanuel Arituha, a security guard. This is a continuation of a wave of unprecedented break-ins that started in 2012.

"This is a matter that we have consistently raised with the state, calling upon her to ensure that human rights defenders are sufficiently protected," Ndifuna says.

"Each incident has been reported to the Police in time, but it's efforts to investigate and collect evidence, such as witness statements, DNA, and CCTV footage, have been limited and lacked follow-up.

In some cases, the Police did not respond to the complaints or, more commonly, provided no substantive update on the status of investigations," the Human Rights Watch says in a note in June, calling for investigations into the break-ins.

Freedom of expression and assembly

The passing of the 2013 Public Order Management Act is viewed by many human rights defenders as a tool to trample against the right of expression and assembly.

This act gives the Police more power to manage public meetings and has been applied against opposition leaders and their supporters on several occasions.

"We call upon the Government to review some of the provisions of the existing laws, which interfere with the full enjoyment of rights, such as the 2013 Public Order Management Act," Katebalirwe says.