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Universal Periodic Review

## Report of the Working Group on the Universal Periodic Review\*

### Uganda

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its twelfth session from 3 to 14 October 2011. The review of Uganda was held at the 14th meeting on 11 October 2011. The delegation of Uganda was headed by Oryem Henry Okello, Minister of State for Foreign Affairs in charge of International Cooperation. At its 18th meeting held on 14 October 2011, the Working Group adopted the report on Uganda.
2. On 20 June 2011, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Uganda: Nigeria, Maldives and Uruguay.
3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Uganda:
  - (a) A national report submitted and a written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/12/UGA/1);
  - (b) A compilation prepared by the office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/12/UGA/2);
  - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/12/UGA/3).
4. A list of questions prepared in advance by the Czech Republic, Denmark, Ireland, the Netherlands, Norway, Slovenia, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland was transmitted to Uganda through the troika. These questions are available on the extranet of the universal periodic review (UPR).

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. Uganda fully appreciated the opportunity and spirit of constructive dialogue created by the UPR process. The delegation pledged the State's unwavering commitment to the process, through which it could take stock of its own progress, identify challenges and map the way forward.
6. The delegation reported on a nationwide consultative process that had involved multisectoral stakeholders drawn from the public and private sectors, as well as members of civil society organizations.
7. The delegation reaffirmed the commitment of Uganda to the promotion and protection of human rights. Uganda was party to most of the major international human rights instruments and had in place legal, legislative and institutional frameworks in the area of human rights. The delegation wished to highlight those rights pertaining to the most vulnerable of the society: women, youth, children, the elderly and minorities. As the Constitution singled out those rights, the Government had deliberately endeavoured to concretize them, despite the challenges that Uganda faced.
8. Uganda had a legal framework of affirmative action in favour of women. In 1994, Uganda had had a woman Vice President. Currently, the position of Speaker of Parliament was held by a woman. There were currently 2 women Justices of the Supreme Court, 3 in the Constitutional Court / Court of Appeal, one of whom was also the Deputy Chief Justice,

and 13 female Judges of the High Court. Uganda had a woman at the rank of Brigadier in the army.

9. Article 78 of the Constitution of Uganda stipulated that at least one woman from each district must be elected to Parliament. Women had also been encouraged to run for other Parliamentary seats against men.

10. The Children Act contained the broad spectrum of rights for children. It established the National Council for Children to advise Government and promote policy and programmes regarding the development and protection of children in Uganda. Uganda offered free universal primary education and universal secondary education. As a result, the enrolment of school-going children in Uganda had risen from 5,303,564 in 1997, when universal primary education had come into effect, to 8,374,587 in 2010. The Government had a policy of affirmative action in favour of the girl child.

11. To ensure the registration of all children at birth, the Government had an automated system that registered all births at the community level.

12. Uganda was a signatory to the Convention on the Rights of People with Disabilities and had enacted the Persons with Disabilities Act, 2006. The Act promoted affirmative action for persons with disabilities including in the areas of education, voting rights and the right to work. Persons with disabilities were represented in both Parliament and Local Councils.

13. The delegation stated that the right to life was guaranteed by article 22 of the Constitution, which stipulated that no person shall be deprived of the right to life except in execution of a sentence passed by a competent Court in a fair trial. The right was also extended to the unborn child. The retention of the death penalty for capital offences was the result of the recommendation of the Constitutional Review Commission, which had found that the majority of Ugandans supported the use of the death penalty for capital offences. However, the death penalty as a punishment had been responsibly invoked. The last execution had been carried out in 1999. A person might receive a reprieve through the prerogative of mercy. A body of case law had also developed that clarified that the death penalty was no longer mandatory even for capital offences, but that it was discretionary and that the decision rested entirely in the hands of the presiding judge.

14. Freedom of assembly was a constitutional right enshrined in article 29 of the Constitution, which must be enjoyed along with the constitutional duty of non-interference with the rights of others, as provided by article 43.

15. Article 29, paragraph 1 (e), of the Constitution, guaranteed the right to freedom of association, including the freedom to form and join associations or unions. In the case of political parties, those provisions had been operationalized through the Political Parties and Organisations Act 2005. The Act provided for Government to contribute funds or other public resources towards activities of political parties and organizations represented in Parliament.

16. In a 2005 referendum on the political system, Ugandans had voted in favour of lifting the ban on political parties; the ban was subsequently lifted through a Constitutional amendment.

17. Article 29, paragraph 1 (a), of the Constitution guaranteed the freedom of speech and expression. The Press and Journalist Act ensured press freedom, established an institute of journalists and also provided for a council to regulate the mass media. The Courts had pronounced themselves on the law of sedition as being inconsistent with the Constitution and had recommended that it be removed from the Penal Code.

18. The delegation stated that articles 24 and 25 of the Constitution guaranteed protection from torture and cruel, inhuman or degrading treatment or punishment. Uganda was in the process of domesticating the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) through the enactment of the Anti-Torture Bill. The Bill sought, inter alia, to hold those who torture individually liable for their acts. In the event of excessive use of force, the aggrieved persons would be entitled to remedies by the Uganda Human Rights Commission and courts of law.

19. Article 59 of the Constitution guaranteed Ugandan citizens 18 years and older the right to vote. Article 61 provided for the holding of regular, free and fair elections. In line with that provision, Uganda had held Presidential, Parliamentary and Local Council elections in 1996, 2001, 2006 and 2011. Over time, the management of the electoral process had improved, with the 2011 general elections widely acknowledged as more peaceful in relation to the past.

20. Article 30 of the Constitution guaranteed all persons the right to education. Furthermore, article XVIII of the National Objectives and Directive Principles of State Policy mandated the State to promote free and compulsory basic education, and to take appropriate measures to afford every citizen equal opportunity to attain the highest educational standard possible. Parliament had enacted several laws to operationalize those Constitutional provisions. The Government had introduced free universal primary education in 1997 and universal secondary education in 2007.

21. The share of the national budget allocated to education had been increasing; i.e., from 13.7 per cent (1990) to 24.7 per cent (2008). In the 2010/2011 budget, funds for the education sector had increased to 1.13 trillion Ugandan shillings, up from 1 trillion in 2009.

22. The Ministry of Gender, Labour and Social Development handled, inter alia, gender-related issues. Article 33 of the Constitution guaranteed the rights of women. The Domestic Violence Act 2010 was aimed at protecting victims of domestic violence and punishing perpetrators. To curb the practice of female genital mutilation (FGM), Parliament passed the Prevention of Female Genital Mutilation Act 2009. It criminalized the practice of FGM, provided for the prosecution of offenders and sought to protect victims. Consultations were ongoing on the Marriage and Divorce Bill. The Prevention of Trafficking in Persons Act 2010 comprehensively addressed human trafficking.

23. The National Women's Council promoted the role of women in national development. The National Development Plan outlined measures to mainstream gender issues in all aspects of development. The National Action Plan on Women had been adopted to promote gender mainstreaming in all development plans and programmes.

24. The delegation emphasized the Government's commitment to strengthening the legal and institutional framework to fight corruption. The legal framework comprised the Anti-Corruption Act and the Leadership Code. The institutional framework included the Anti-Corruption Court, the Inspectorate of Government, the Directorate of Public Prosecutions and the Public Accounts Committee of Parliament. Those were aimed at strengthening the investigative and prosecutorial functions.

25. Article 31, paragraph 2 (a), of the Constitution prohibited marriage between persons of the same sex. Sections 145 and 146 of the Penal Code prohibited same-sex relations. While the Constitution, under chapter four, guaranteed the rights of all persons, the promotion and protection of human rights must be carried out within the social and cultural context. Such practices remained a matter of private choice.

26. Challenges existed regarding capacity-building, mainstreaming of human rights issues in all aspects of governance, poverty, public awareness of human rights issues, corruption, infrastructural development and climate change.

27. The Government had adopted a recommendation for a National Action Plan to be developed as part of a follow-up mechanism on issues raised in the review and recommendations. Specific measures would be taken to strengthen the capacities of various human rights institutions, including the provision of financial, logistical and technical support, as well as human resource development, to enable them to effectively fulfil their respective mandates.

28. There was a well-defined strategy for sensitization and the raising of public awareness on human rights issues from the grass-roots to the national level through, inter alia, civic education by the Uganda Human Rights Commission; voter education by the Electoral Commission; and efforts to inculcate human rights, voter education and civic education in the education curriculum of schools. Mainstreaming human rights issues was included in the training curricula of security agencies.

29. Measures were needed to address the challenge of a costly justice system, especially for the poor, by making the legal process less technical and more affordable and strengthening and promoting pro bono legal services.

30. Anti-corruption measures were strengthened through comprehensive forfeiture laws and practices against all those found guilty of corruption; the imposition of stiff custodial sentences; and the strengthened oversight function of Parliament on accounting, procurement and internal audit function.

31. The Government had further committed itself to the institutionalization of an annual review of the human rights situation in the country. It was also committed to establishing a human rights department, whose mandate would be defined in consultation with the Uganda Human Rights Commission, and a Standing Committee of Cabinet on Human Rights to provide policy guidance on human rights issues.

32. The delegation concluded by stating that Uganda had the political will and adequate legal, policy and institutional frameworks and measures for addressing issues pertaining to the sustainable promotion, protection and enjoyment of human rights.

## **B. Interactive dialogue and responses by the State under review**

33. During the interactive dialogue, 55 delegations made statements. Many delegations expressed appreciation for the national report and the comprehensive presentation made by the delegation of Uganda. Delegations also noted the Government's achievements in the area of education. Additional statements that could not be delivered during the interactive dialogue owing to time constraints are posted on the Extranet of the universal periodic review when available.<sup>1</sup> Recommendations made during the dialogue are to be found in section II of the present report.

34. Sri Lanka commended the efforts of Uganda to advocate free and compulsory basic education, and noted that the National Budget for education had enjoyed a significant increase. It also commended the considerable decrease in maternal mortality rates and the efforts undertaken to combat HIV/AIDS. It noted the establishment of the national councils for women and children. It made a recommendation.

35. Singapore recognized the challenges faced by Uganda, and noted that progress had been made in areas such as economic growth and health. It was noted that the Government had made education a development priority. Singapore made recommendations.

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<sup>1</sup> Djibouti, Ethiopia, Italy and Nigeria.

36. Zimbabwe noted the successes of Uganda in addressing fundamental human rights in the areas of health, education and housing, as well as the rights of children, women and persons with disabilities. It was impressed by the work of the various established commissions. Zimbabwe appealed to the international community to assist Uganda regarding capacity-building when requested. Zimbabwe made recommendations.

37. The Russian Federation noted the establishment of the commission on human rights, the commission on amnesty, and the national councils on the rights of women and children. It noted the act being adopted on persons with disabilities, in line with the Convention on the Rights of Persons with Disabilities. Those measures were conducive to further strengthening of human rights. It made recommendations.

38. Morocco welcomed the commitments Uganda had made in the fight against poverty in the rural areas, through the implementation of a comprehensive package of pragmatic and ambitious programmes. It inquired about the State's technical and financial assistance needs to ensure effective implementation of the programmes. It also welcomed the State's efforts regarding the right to education. Morocco made a recommendation.

39. Cuba welcomed that Uganda prioritized infrastructure, energy, health, education, water and human capacity-building. Cuba acknowledged the increasing political and financial support to universal primary education and the incorporation of human rights into the education strategy. It also acknowledged the incorporation of universal secondary education in Uganda and the decreasing child and maternal mortality rates. Cuba made recommendations.

40. Nepal noted the establishment of different human rights institutions, such as the Human Rights Commission. It also commended the success achieved in areas such as health, education, environment, decent accommodation, the rights of children, disabled persons and indigenous people, HIV/AIDS control and gender mainstreaming. The National Development Plan was noted. Nepal made recommendations.

41. France noted that the death penalty was still in force. Despite its ratification of CAT, Uganda still had no national legislation criminalizing the practice, while a number of allegations of ill-treatment had been attributed to the police and the army. The demonstrations of the previous April had given rise to a disproportionate use of force. France made recommendations.

42. Canada noted progress in reducing maternal mortality and morbidity in Uganda and welcomed the State's commitment regarding the Millennium Development Goal target by 2005. It acknowledged the Acts on preventing domestic violence and on FGM, and was concerned at the treatment of the lesbian, gay, bisexual, transgender and intersex (LGBTI) community in Uganda. Canada noted the excessive use of force by the security authorities during the post-electoral period. Canada made recommendations.

43. China expressed its appreciation to Uganda for attaching great importance to economic development, achieving progress in raising the health level, controlling the spread of HIV/AIDS, and realizing universal education at the primary and secondary levels. It showed its understanding that Uganda, as a developing country, was still facing many difficulties in poverty reduction and anti-corruption measures. China made a recommendation.

44. Swaziland praised the establishment of human rights institutions, and the enacting of national pieces of legislation that derived their content from human rights instruments. It inquired whether any budgetary allocation had been made to enable the implementation of the UPR recommendations. Swaziland encouraged international donors and partners to assist Uganda in the implementation of the recommendations. Swaziland made a recommendation.

45. Chad noted with satisfaction that Uganda was party to core international human rights instruments and that it had created a national human rights commission accredited with “A” status by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights. Chad made recommendations.

46. Norway was concerned at limitations to the freedom of speech and assembly, at cases of torture by security agencies, and at violations of sexual minorities’ rights. It commended Uganda on the increased acceptance of women’s rights within its policymaking framework, and acknowledged the Domestic Violence Act. Norway welcomed the dismissal of the Anti-Homosexuality Bill 2009. Norway made recommendations.

47. Ireland noted the recent tensions between persons attempting to exercise their rights to assembly and security forces in Uganda, and inquired what steps the Government was taking to ensure respect for the right to assembly. Ireland welcomed the draft anti-torture bill, and wished to be provided with an update on the bill’s current status. Ireland made recommendations.

48. Algeria acknowledged the adherence by Uganda to eight international human rights instruments and the State’s efforts to incorporate their provisions in domestic legislation. It acknowledged the State’s achievements in the areas of HIV/AIDS, access to education, gender mainstreaming, inter-faith harmony, democratic governance and progressive realization of economic, social and cultural rights. Algeria made recommendations.

49. Austria was encouraged by the cooperation by Uganda with various United Nations bodies. It recognized the progress made to strengthen human rights protection through the establishment of the Uganda Human Rights Commission and the Equal Opportunities Commission. Austria inquired as to where the Commissions’ work needed to be strengthened and what measures to that end were foreseen. It also asked what measures Uganda had undertaken to investigate the alleged use of excessive force by security forces during protests and to ensure that the freedom of expression was guaranteed. Austria made recommendations.

50. Senegal stated that the national report of Uganda provided useful information on various measures taken for women and children and other vulnerable groups, such as persons with disabilities, indigenous populations and refugees. Nevertheless, challenges remained, such as poverty and climate change. It wished to be informed about successes and challenges related to the Millennium Development Goals and the status of the draft law on national reconciliation. Senegal made a recommendation.

51. The Czech Republic expressed concern at the discrimination of LGBTI persons in Uganda. It made recommendations.

52. Poland welcomed the establishment of the Uganda Human Rights Commission, but was concerned at the existing challenges regarding the harmonization of national law with international standards and at some harmful traditional practices, particularly those concerning girls and women. It was also concerned at difficulties regarding the realization of the right to education. Poland made recommendations.

53. Belgium welcomed the de facto moratorium on the use of the death penalty and the Supreme Court’s upholding of the 2005 ruling by the Constitutional Court, according to which mandatory death sentences and delays in execution of more than three years were unconstitutional. It regretted the reports on limitations of freedom of expression, association and demonstration. Belgium made recommendations.

54. Denmark noted that Uganda had not yet domesticated CAT. It was also concerned at limitations to freedom of expression and assembly during the post-electoral period and at the excessive use of force. Denmark commended Uganda for its decision to drop the Anti-

Homosexuality Bill. However, it remained concerned at attacks and accusations against LGBTI people. Denmark made recommendations.

55. Germany inquired as to how Uganda would improve the protection of freedom of expression and how it would ensure an inclusive dialogue with civil society and the media. It also inquired as to what steps the Government had taken to facilitate the adoption of the bill on the prohibition of torture, and what action it had taken to ensure the ban on discrimination. Germany made a recommendation.

56. Switzerland expressed its pleasure that Uganda had limited the application of the death penalty; however, it was concerned about discrimination against LGBT persons and the fact that the Ugandan penal code authorized prosecution and sentencing on the grounds of sexual orientation. It also stated that the security forces had on several occasions resorted to the excessive use of force. It made recommendations.

57. Somalia commended the achievements in the promotion and protection of all human rights in Uganda. It noted that the international community should extend additional financial assistance in order to enable the Government to implement its National Action Plan. Somalia reiterated its gratitude to Uganda for assisting in the ongoing stabilization of Somalia, as that would boost the enjoyment of human rights in particular in the landlocked countries in the subregion.

58. Australia commended Uganda for its incorporation of the Rome Statute of International Criminal Court into domestic law and for the introduction of the Domestic Violence Act. Australia also urged Uganda to ensure that provisions concerning freedom of assembly and expressions were in conformity with international standards. Australia made recommendations.

59. The delegation thanked the States for their comments and positive contributions to the report. The death penalty as a punishment had been responsibly invoked; for example, the last execution had been carried out in 1999. The death sentence was no longer mandatory, even for capital offences, following the Supreme Court ruling of January 2009; those on death row and not executed within three years had their sentences automatically commuted to life.

60. On issues related to excessive force, the Government policy was that the individual officers were personally responsible and accountable for actions committed outside the law.

61. On freedom of association, the delegation reported that consultations, with all stakeholders, on the draft public order management bill were ongoing. Through the bill, the Government sought to regulate public demonstrations and assemblies and also lay down the responsibilities of all parties concerned.

62. On the issue of blocking rallies, the Government did not block rallies of political parties, except when such rallies were organized at places where the general public security, safety and livelihood were threatened.

63. On personal liberty, arbitrary arrests and unlawful detentions, the challenge, especially for the grass-roots population, was a lack of awareness about their rights and about the procedures to follow when their human rights were infringed on.

64. On the freedom of expression, the Press and Journalist Amendment Bill 2010 had been drafted in consultation with various stakeholders. It was yet to be tabled before Parliament. Meanwhile, additional comments from the public were still welcome, including during consideration by Parliament of the bill.

65. As to the media and criminal laws, legal avenues existed for redress where anyone felt his or her rights had been infringed upon.

66. While Uganda had signed the Optional Protocol to CAT, consultations were still ongoing with various stakeholders on its ratification. The Anti-Torture Bill was before Parliament.

67. On illegal detention, Uganda had experienced an unprecedented wave of terrorism around 1998 and 2000. All detention centres were gazetted and accessible to the general public. Article 23, paragraph 4, of the Constitution provided for a maximum period of 48 hours within which a suspect must be produced in court where he or she can apply for a writ of habeas corpus. A law enforcement actor acting outside these provisions would be personally liable for his actions. The police had measures in place to ensure that preliminary investigations were undertaken prior to the arrest of a suspect to comply with that Constitutional requirement.

68. Regarding the non-prosecution of officers, the delegation stated that that was a baseless assertion when considering that 36 police officers of the Rapid Response Unit had been charged in court for various torture-related offences.

69. As compensation claims were not predictable, they could not be fully budgeted for. In most cases, they were beyond the resources provided for in the budgets during a specific year, warranting them to be carried forward. Where resources were available claims were paid on a first-in, first-out basis, and a Compensation Committee had been established to handle the awards.

70. On health, the delegation reported that the Government had proposed the National Health Insurance Scheme in order to improve the internal mobilization of resources with formal and private sector contributions.

71. With regard to dilapidated health facilities and Regional Referral Hospitals, a capital development fund averaging 1.5 billion Ugandan shillings annually since the 2008/9 fiscal year was provided for construction, equipment, and staff transport.

72. On LGBTI persons, any individual who felt his or her rights had been infringed by the provisions of the law was free to go to court for redress or to initiate a process for the amendment of specific provisions of the law. The Anti-Homosexuality Bill was before Parliament. As for the plight of human rights defenders, the delegation stated that the Government did not condone violence against anyone. There was no evidence to corroborate the assertion that those who had left were being targeted. Regarding LGBTI organizations, Uganda laws did not discriminate against any organization wishing to register. What was important was that such an organization must meet the criteria as provided for in the NGO Registration (Amendment) Act 2009.

73. Regarding health-related discrimination, the delegation indicated that the HIV policy of Uganda was not discriminatory. According to laws and medical ethics, medical practitioners were under obligation not to discriminate and/or disclose personal medical records to third parties.

74. Rwanda noted with satisfaction the efforts in areas such as education, the rights of the child, women's rights, and the right to health. It noted the ratification by Uganda of many international and regional instruments. It also acknowledged the State's efforts in facing identified challenges and constraints in the promotion, protection and realization of human rights. Rwanda made recommendations.

75. Slovenia asked Uganda what measures had been taken: (a) to prevent malaria, tuberculosis and HIV/AIDS; (b) to stop the widespread discrimination against persons with disabilities and to provide them with equal opportunities; and (c) to prevent child abuse and rehabilitate children who had been used in hostilities. Slovenia expressed concern at gender inequality and harmful traditional practices. Slovenia made recommendations.

76. Mozambique noted that Uganda had ratified the core human rights instruments and had taken steps to domesticate many of them. Mozambique applauded Uganda for the gains in the area of health. It noted that the Government was allocating a larger budget to education. Mozambique also praised Uganda for adopting a recommendation for a national action plan on human rights. Mozambique made a recommendation.

77. Hungary noted the efforts of Uganda to draw up an institutional and legal framework for the implementation of the human rights instruments to which the country was party. It welcomed the commitment to the prevention of genocide and the collaboration with the OHCHR presence in the country; however, it stated that there was room for improvement regarding cooperation with United Nations human rights mechanisms. Hungary made recommendations.

78. Turkey noted the anti-corruption measures initiated by the Government. Turkey praised the relevant articles of the Constitution guaranteeing protection from torture and the ratification of CAT. Turkey noted the increase in the number of women in Parliament and encouraged participation of women at the local level. Turkey made recommendations.

79. Argentina commended Uganda on the inclusion of a human rights perspective in its National Development Plan for 2015. Argentina made recommendations.

80. The United Kingdom encouraged Uganda to take concrete steps to improve the implementation of constitutional laws and institutions for respecting human rights. It recognized the Government's work to address discrimination against women, but noted that key laws in that regard had not been passed. It also urged the Government to take steps to tackle discrimination on the grounds of sexual orientation. It made recommendations.

81. Burkina Faso commended the adoption of the Domestic Violence Act of 2010 aimed at the protection of victims and criminal prosecution of perpetrators. It also welcomed the adoption of a national plan of action for women to promote gender mainstreaming. It appreciated the commitment by Uganda to enforce its plan of action for children enlisted in the State's armed forces. It made recommendations.

82. The Holy See acknowledged the efforts by Uganda regarding legal, policy and institutional areas, including the creation of the national human rights institution. It supported the State's protection of the rights to life and of the natural family and congratulated Uganda for reducing HIV/AIDS. It noted challenges regarding poverty, health conditions, primary education; and the phenomena of child soldiers and child labour. It made recommendations.

83. Brazil was encouraged by the commitment of Uganda to become a middle-income country in the medium term, and wished to be informed about the impact of the economic and financial crisis on the Government's ability to pursue the economic growth strategies. Brazil acknowledged the State's efforts and legislative steps taken to combat gender violence. Brazil made recommendations.

84. Spain congratulated Uganda for the non-approval of the Anti-Homosexual Act. It noted that Uganda had signed an action plan regarding children associated with armed forces, as well as its efforts to implement it. Spain welcomed the State's cooperation with OHCHR. Spain made recommendations.

85. Sweden noted that the Constitution of Uganda provided for the freedoms of expression and assembly; however, it was concerned about the proposed Press and Journalist Bill 2010 that would create new offences against freedom of expression. It also noted that the Ugandan Penal Code criminalized same-sex sexual conduct in private between consenting adults. It welcomed the de facto moratorium on executions. Sweden made recommendations.

86. Chile acknowledged the commitment by Uganda to implement its plan of action regarding children in armed conflict. It congratulated Uganda for the “A” status of its national commission of human rights. It expressed concern at information on restrictions on freedom of expression and assembly and inquired as to the position of Uganda in that regard. Chile made recommendations.

87. Ghana acknowledged both the commitment of and the concerted efforts by the Government to honour its human rights obligations. It commended Uganda for adopting the National Action Plan on Women. Ghana welcomed the Government’s adoption of a recommendation for a national action plan to be developed as a part of a follow-up mechanism. Ghana made recommendations.

88. Japan welcomed the ratification by Uganda of a range of international human rights instruments and the active role that the Uganda Human Rights Commission had been playing. It was concerned about civilian casualties resulting from the State’s response to the “Walk to Work” protests and the ill-treatment of opposition politicians. It noted the challenges in social reconstruction following civil war. Japan made recommendations.

89. The Netherlands noted discrimination and violence based on sexual orientation or gender identity in Uganda and that the same-sex relations and marriages were prohibited by law. It was concerned at reports on pastoralism, regarding security and rights to education, food, land and natural resources. The Netherlands noted that human rights defenders and lawyers were subject to harassment and violence. The Netherlands made recommendations.

90. Latvia noted with appreciation the State’s openness and willingness to cooperate with special procedures mandate holders, several of whom had visited Uganda during recent years. Latvia made recommendations.

91. Mexico acknowledged the openness of Uganda regarding the international community. It encouraged Uganda to continue working to promote and protect women’s rights, the right to education and the eradication of the death penalty. Mexico asked what measures Uganda was taking to prevent FGM. Mexico made recommendations.

92. The United States of America applauded the work of the Uganda Human Rights Commission; however, it noted with concern the use of excessive force by security forces, undeclared detention facilities known as “safe houses”, and torture, as well as the Electoral Commission’s lack of independence and failure to protect the rights of minority groups, in particular LGBT persons. It made recommendations.

93. Slovakia commended Uganda for the accreditation of its Human Rights Commission with “A” status by the International Coordinating Committee of National Human Rights Institutions. Slovakia also took positive note of the support extended by Uganda to the OHCHR country office. Slovakia acknowledged the Government’s commitment to implementing the provisions of the action plan regarding children associated with armed forces. Slovakia made recommendations.

94. Burundi noted that the national report had been prepared in collaboration with public authorities, civil society organizations, NGOs, the private sector, and the Uganda Human Rights Commission. Burundi welcomed the establishment of the different human rights institutions. It encouraged Uganda in its efforts on health and education issues.

95. Romania stated that the various programmes implemented by Uganda aimed at lifting people out of poverty and the measures put in place in the health system were an example to be followed by other countries in the region. It noted, however, that no comprehensive protection framework for children’s rights was in place and asked about the State’s strategy to deal with those issues. It made recommendations.

96. Azerbaijan commended Uganda for the ratification of core international human rights instruments, its institutional and legal reform, and the establishment of the Human Rights Commission with “A” status. It noted the decrease in poverty, and improvements and challenges regarding water coverage and women’s rights. Azerbaijan urged Uganda to take further measures to implement the Millennium Development Goals. Azerbaijan made a recommendation.

97. The Congo stated that action taken by Uganda, particularly in the area of promotion and protection of the right to health and education, was outstanding. It noted, however, that the rights of women and children and the situation of the rights of indigenous populations, in particular the Batwas people, were a cause of concern. The Congo made recommendations.

98. Mauritius commended the State’s institutional strengthening of its human rights infrastructure, including the “A” status Human Rights Commission; the ratification and domestication of regional and international human rights instruments; the National Development Plan, and measures taken regarding the right to health and education and persons with disabilities’ rights. It called upon the international community to provide Uganda with technical assistance.

99. Indonesia noted with appreciation the wide-ranging legal framework for the promotion and protection of human rights in Uganda and the establishment of the Uganda Human Rights Commission mandated by the Constitution. It also applauded the provision of free basic education and the improvement of health-care services. It made recommendations.

100. Angola noted with pleasure that Uganda gave particular importance to primary education, making it free and compulsory for all. It noted the increase in budget allocated to education, and the progress made in the field of health. Angola further stated that notwithstanding that progress, tuberculosis, malaria and HIV/AIDS continued to be the principle causes of death and morbidity. Angola made recommendations.

101. Costa Rica acknowledged the institutional framework of Uganda, in particular its Human Rights Commission in conformity with the Paris Principles, and the commission on equal opportunities. It also noted the constitutional and legislative development regarding the right to a clean and healthy environment. It made recommendations.

102. The United Republic of Tanzania commended the enactment of the Domestic Violence Act 2010, the implementation of the economic stimulus package, and the efforts to prioritize the health sector. It noted with encouragement the adoption by Uganda of a recommendation for a national action plan to be developed as part of a follow-up mechanism for issues raised in its national report. It made a recommendation.

103. Bangladesh acknowledged the Uganda Human Rights Commission, with its “A” status; success regarding a decrease in poverty; control of HIV/AIDS; and education and gender mainstreaming, among others. It noted that Uganda was party to many international human rights instruments and its commitment regarding children associated with armed forces; however, it also noted the persistence of poverty and disease. Bangladesh encouraged Uganda to protect children from culturally and legally unacceptable practices.

104. With regard to the concern raised by the United Kingdom that Uganda had not passed the Domestic Violence Act, the delegation recalled that it had been enacted and passed in 2010.

105. The head of delegation categorically refuted the issue raised by the representative of the United States regarding the existence of “safe houses” for torture, stating that clearly under no circumstances was there anything of the sort in Uganda, and that, if there were any, they were welcome to point them out. On the issue of massive deployments of security

forces, that was a practice that was common the world over during times of abnormality and threat to security, and Uganda was therefore doing nothing unusual.

106. On the concern raised by the Government of the United States regarding the president's call for constitutional amendments to limit rights to bail, the delegation stated that president was a Ugandan with equal rights within the constitution, and no one could stifle those rights. The president was simply exercising his right as stated in the Uganda constitution under article 29, on the protection of freedom of conscious expression, movement, religion, assembly and association.

107. The delegation clarified that it was not true that the registration of NGOs was to enable the State to control NGOs. NGOs were registered as a matter of procedure to simplify management and work relations.

108. The delegation emphasized that the Anti-Homosexuality Bill was a private member's bill.

109. In response to the issue of the independence of Electoral Commissioners, Uganda pointed out that they were vetted by Parliament.

110. The delegation concluded by stating that the Government was committed to fully adopting and implementing positive recommendations within its available resources. The Government called on the Working Group to support and endorse proposals for an action plan, as a framework for follow-up action on the implementation of the recommendations, and urged the international community to support its efforts in its development and its implementation.

## **II. Conclusions and/or recommendations\*\***

**111. The recommendations formulated during the interactive dialogue listed below have been examined by Uganda and enjoy the support of Uganda:**

**111.1 Integrate international human rights instruments into domestic law (Chad);**

**111.2. Continue to harmonize its domestic legislations with those international human rights instruments that Uganda is a party (Indonesia);**

**111.3. Amend accordingly all laws that are contrary to Uganda's national and international obligations to respect, protect and promote the freedoms of expression and assembly (Sweden);**

**111.4. Put in place a comprehensive strategy, including review and formulation of legislation, to modify or eliminate traditional practises and stereotypes that discriminate against women<sup>2</sup> (Poland);**

**111.5. Take further steps to protect right to assembly in line with their international obligations under the International Covenant on Civil and Political Rights and the provisions in the Ugandan constitution (United Kingdom of Great Britain and Northern Ireland);**

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\*\* Conclusions and recommendations have not been edited.

<sup>2</sup> The recommendation as read during the interactive dialogue "Put in place a comprehensive strategy, including review and formulation of legislation, to modify or eliminate traditional practises and stereotypes that discriminate against women, such as polygamy" (Poland).

- 111.6. Continue to take measures to ensure an effective compliance with the legislations regarding the most vulnerable groups of the population (Costa Rica);
- 111.7. Continue efforts to build and strengthen national human rights and democratic institutions (Nepal);
- 111.8. Ensure the independence and adequate capacity of the Ugandan Human Rights Commission (Austria);
- 111.9. Introduce human rights education to increase the awareness of people about all sets of human rights (Nepal);
- 111.10. Integrate human rights in the school curricula (Chad);
- 111.11. Incorporate the World Programme on Human Rights Education and Training, particularly its second step, to its national programmes (Costa Rica);
- 111.12. More resources be allocated to Human Rights education in parts of the country that have for a long time been under rebel control or have endured destabilization as a results of many years of civil strife (Swaziland);
- 111.13. Engage civil society in the process of implementation of UPR recommendations (Poland);
- 111.14. Establish a permanent institution to synchronise the implementation of recommendations, the monitoring of performance and reporting (Hungary);
- 111.15. Enhance the status of the national plan of UPR follow up into a comprehensive national human rights' plan of action (Indonesia);
- 111.16. Ensure effective implementation of the Proposed National Plan of Action for the issues raised in its National Report as well as UPR recommendations (Tanzania);
- 111.17. Further enhance the cooperation with civil society in the promotion of human rights (Hungary);
- 111.18. Take administrative measures to ameliorate the situation of children and women (Congo);
- 111.19. Intensify the implementation of the National Action Plan on Women and of gender-sensitive poverty reduction and development programmes (Ghana);
- 111.20. Continue with the implementation of its National Development Plan (NDP) which promotes greater public-private partnership and the continuation of its export-led and market-driven development (Singapore);
- 111.21. Pursuing a participatory process in implementing the National Development Plan (Algeria);
- 111.22. Continue to implement strategies and socio-economic development plans in order to advance in the realization of the Millennium Development Goals by 2015 (Cuba);
- 111.23. Strengthen long-term efforts to provide reintegration measures in order to provide all children who have been recruited or used in hostilities with child- and gender- sensitive multidisciplinary assistance for their physical and psychological recovery (Ghana);

- 111.24. Draw up and implement a national plan of action on the implementation of recommendations made in the course of the UPR (Russian Federation);
- 111.25. Establish as soon as possible its national plan of action on human rights, in order to coordinate, promote and advance human rights in sustainable manner (China);
- 111.26. Establish a separate centralised mechanism for the preparation of national human rights reports (Russian Federation);
- 111.27. Establish a “one stop” centre to handle human rights treaty bodies and reporting obligations (Rwanda);
- 111.28. Strengthen its cooperation with the Office of the High Commission on Human Rights and seek international assistance for the implementation of the Plan of Action on Human Rights (Mozambique);
- 111.29. Harmonize civil, religious and customary legislation with articles 15 and 16 of the Convention on the elimination of all forms of discrimination against women (CEDAW), specifically through revising and amending the current version of the bill on Marriage and Divorce, ensuring that it does not discriminate against women (Mexico);
- 111.30. That laws, regulations and plans are followed-up with adequate training and resources to ensure that the improved rights of women become a reality on the ground (Norway);
- 111.31. Strengthen efforts to fulfil its obligations under CEDAW, including by full implementation of the Domestic Violence Act (Australia);
- 111.32. Take further necessary measures to increase and strengthen the participation of women in designing and implementing local development plans, and pay special attention to the needs of rural women (Azerbaijan);
- 111.33. The Ministry of Health in partnership with Ministry of Gender, Labour and Social Development mainstream disability in their awareness raising campaigns with a view to eliminate negative attitudes towards persons with disabilities in health centres (Slovakia);
- 111.34. Implement the steps envisaged in the promotion of rights of people with disabilities, with a special emphasis on equal opportunities for children with disabilities<sup>3</sup> (Hungary);
- 111.35. Adopt measures to guarantee the rights of persons with disabilities, in particular, to fight against all forms of discrimination faced by women with disabilities, and regarding the lack of equal opportunities for minors with disabilities, with a particular attention to albino children (Spain);
- 111.36. Ensure the right to vote for persons with disabilities, in line with the Convention on the Rights of Persons with Disabilities, and implement, among others, alternative measures to enable them to vote freely and in secret, and to easily access to facilities (Mexico);

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<sup>3</sup> The recommendation as made during the interactive dialogue ‘Urgently implement the steps envisaged in this regard, with a special emphasis on equal opportunities for children with disabilities’.

- 111.37. Consistently apply the rulings of the Court by converting all death sentences into life in prison after more than three years on death row (Belgium);
- 111.38. Enhance the separation of powers between the executive branches and the judiciary (Hungary);
- 111.39. Ensure that impartial, independent investigations are undertaken into allegations of human rights violations by security forces, including torture and other cruel, inhumane or degrading treatment, and that the findings of those investigations be made public (Canada);
- 111.40. Establish without delay a national prevention mechanism against torture, allowing non-governmental organizations and the Human Rights Commission of Uganda to have access to detention centres (Spain);
- 111.41. Take immediate measures to investigate the excessive use of force and incidents of torture by the security forces and to prosecute and punish its perpetrators (Czech Republic);
- 111.42. Eliminate detention facilities known as “safe houses” (United States of America);
- 111.43. Improve overall conditions of prisons and adopt relevant measures to tackle the problems such as overcrowding, unsatisfactory state of prisons and shortcomings in the supply of health care (Czech Republic);
- 111.44. Complete its strict approach to female genital mutilations with awareness-raising, prevention and education of the concerned communities (France);
- 111.45. Ensure the implementation of laws protecting women from violence, including sexual violence and sexual harassment (Czech Republic);
- 111.46. Ensure the effective implementation of the Prohibition of Female Genital Mutilation Act of 2010, as well as to prosecute and punish the perpetrators of that practise (Poland);
- 111.47. Take measures to prevent domestic violence, ensure equal rights and equal political participation of women, and take all the necessary steps to effectively implement the Act on the Prohibition of Female Genital Mutilation adopted in 2010 (Slovenia);
- 111.48. Strengthen its efforts, including with the international cooperation, aimed at preventing, sanctioning and eradicating all forms of violence against women, including the Female Genital Mutilation, and also adopt measures to harmonize the legal recognition of civil, political, economic and social rights between women and men (Argentina);
- 111.49. Implement the recently approved legislation on discrimination and violence against women and on prohibition of Genital Female Mutilation<sup>4</sup> (Spain);
- 111.50. Take necessary measures, including implementing the Prohibition of Female Genital Mutilation Act 2010, to ensure that victims of sexual violence

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<sup>4</sup> The recommendation as read during the interactive dialogue “Effectively implement the recently approved legislation on discrimination and violence against women and on prohibition of Genital Female Mutilation”.

and other types of violence have access to effective protection and remedy (Japan);

111.51. Continue its initiatives aimed at improving the rights of Ugandan women and girls, including through the enforcement of the domestic violence act (Burkina Faso);

111.52. Prevent, investigate and prosecute sexual and gender violence against all women, including women with disabilities (Chile);

111.53. Prevent and investigate the incidents of sexual violence against women and bring perpetrators to justice (France);

111.54. Put in place appropriate regulatory and enforcement measures to increase compliance with the Domestic Violence Act and the Female Genital Mutilation act, and take steps to ensure that acts of violence against women, including women with disabilities, are investigated and prosecuted (Canada);

111.55. Investigate cases of gender violence and bring perpetrators to justice and provide legal and medical support to victims (Brazil);

111.56. Put in place stringent measures to ensure that children and youths are not recruited into the abhorrent practices incompatible with Ugandan law and culture (Zimbabwe);

111.57. Take the necessary measures to combat incidents of ritual killings of children and adults in various parts of Uganda and to ensure effective investigation and prosecution of these crimes (Czech Republic);

111.58. Take necessary measures to protect Ugandan children against all practices detrimental to their physical and moral integrity (Burkina Faso);

111.59. Continue efforts to provide better protection for the children, including reviewing its juvenile justice system (Indonesia);

111.60. Investigate and hold accountable police and security officers who attacked human rights defenders, journalists and civilians during the 2011 post-election period (Norway);

111.61. Accelerate the improvement of the judicial, police and prison systems in line with international human rights standards (Holy See);

111.62. Investigate and prosecute all persons found guilty of extrajudicial killings and attacks on human rights defenders (Belgium);

111.63. Let the decision to grant or withhold bail remain a prerogative of the judiciary (Belgium);

111.64. Make efficient and independent investigations of allegations of torture and ill treatment at earliest with a view to bringing perpetrators to justice (Switzerland);

111.65. Undertake a thorough investigation of all alleged cases and hold the officers accountable who committed these violent acts (Denmark);

111.66. In order to further prevent impunity, broaden victim participation in court proceedings, as well as ensure witness protection (Hungary);

111.67. Hold security personnel accountable for human rights violations (United States of America);

- 111.68. Investigate and hold accountable state security agents and members of the police and army who have committed human rights abuses as well as ensure adequate compensation for victims<sup>5</sup> (Austria);
- 111.69. Investigate and prosecute intimidation and attacks on LGBT-community members and activists (Netherlands);
- 111.70. Investigate thoroughly and sanction accordingly violence against LGBTs, including gay rights activists (Belgium);
- 111.71. Take immediate concrete steps to stop discrimination and assaults against LGBT persons (Czech Republic);
- 111.72. Strengthen and further develop measures to ensure that all children born within the national territory are registered (Ghana);
- 111.73. Guarantee freedom of expression, particularly the possibility to express criticism and opinion regarding acts of the government (Chile);
- 111.74. Lift laws that are contrary to the state's international obligations to respect, protect and promote freedom of expression and the right of peaceful and legitimate assembly (Belgium);
- 111.75. End intimidation, threats and physical attacks on journalists and promote open reporting and commentary on issues of public concern (Netherlands);
- 111.76. Ensure that human rights defenders can perform their legitimate duties free from any harassment and intimidation in line with international standards including the UN Declaration on HR Defenders (Slovakia);
- 111.77. Uphold the rights to freedom of expression and assembly<sup>6</sup> (Austria);
- 111.78. Train security forces to respect freedoms of expression and assembly (United States of America);
- 111.79. Take steps to put in place public order legislation which respects the right of assembly and demonstration while safeguarding citizen's rights to protection and safety (Ireland);
- 111.80. Undertake legislative reforms so that protection and promotion of laws on the freedom of expression and peaceful assemblies and associations would be guaranteed to all the residents of the country (Switzerland);
- 111.81. Lift the ban on all forms of public assembly and demonstration (Switzerland);
- 111.82. Repeal all relevant provisions in the legislation that are contrary to the country's international obligations with regards to the respect, protection and promotion of the right to freedom of expression (Slovakia);
- 111.83. Make the Electoral Commission appointment process more consultative (United States of America);

<sup>5</sup> The recommendation as read during the interactive dialogue: "Enact the anti-torture bill and investigate and hold accountable state security agents and members of the police and army who have committed human rights abuses as well as ensure adequate compensation for victims" (Austria).

<sup>6</sup> The recommendation as read during the interactive dialogue "Uphold the rights to freedom of expression and assembly and ensure that the Public Order management bill currently discussed is fully in line with international human rights standards" (Austria).

- 111.84. **Assure full respect of freedom of association and peaceful assembly and punish all excessive use of force by security officers against peaceful demonstrators (France);**
- 111.85. **Implement policies to support food production, access to credit and school meals programs linked to local food production (Brazil);**
- 111.86. **Advance in designing a health programme allowing to tackle Malaria, Tuberculosis and HIV/AIDS, and continuing decreasing the child and maternal mortality rates, and increase life expectancy (Cuba);**
- 111.87. **Maintain measures to reduce HIV-AIDS mainly through strategies of abstinence and fidelity as well as through better access to medicines for all people in need, to avoid an increase in the infection rate (Holy See);**
- 111.88. **Continue to work with the World Health Organization and other relevant international agencies to further reduce the prevalence rate of HIV/AIDS and enhance access to quality health services for its people (Singapore);**
- 111.89. **Take steps to ensure that well –functioning health information systems are in place which combine disaggregated data from facilities, administrative sources and surveys, to enable effective monitoring of progress (Canada);**
- 111.90. **Consolidate on-going actions to reduce maternal mortality, to improve life conditions of persons with disabilities and to address the challenge of costly justice system, especially for the poor and in rural areas (Algeria);**
- 111.91. **Improve health indicators, particularly decrease maternal Mortality Rates which remain short of the 2015 MDG’s target (Turkey);**
- 111.92. **Create a health insurance scheme for the poor<sup>7</sup> (Belgium);**
- 111.93. **Improve access for persons with disabilities to education and health care, with particular focus on children (Slovakia);**
- 111.94. **Continue to ensure access to education for all and to improve the education standards to lay a firm foundation for its economic development (Singapore);**
- 111.95. **Continue its efforts in the area of the right to education, in particular, the integration of human rights in sectorial strategies for education, by guaranteeing the inclusion of modules on human rights in the school curricula (Morocco);**
- 111.96. **Increase public expenditure on education and undertake additional efforts to improve the functioning of the education system, in order to ensure quality education for all children (Poland);**
- 111.97. **Continue to reinforce the development policy on primary education (Angola);**
- 111.98. **Continue efforts to protect the rights of marginalized and vulnerable population (Nepal);**

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<sup>7</sup> The recommendation as read during the interactive dialogue “Increase access to sexual and reproductive health services by raising the health budget to 15 per cent in line with the Abuja declaration and by creating a health insurance scheme for the poor” (Belgium).

111.99. Pursuing accommodative dialogue with indigenous communities, with a view to minimize disruptive approaches to their lifestyle and traditions while improving their life conditions (Algeria);

111.100. Continue to take legislative and administrative measures to improve the rights of BATWAS people<sup>8</sup> (Congo);

111.101. Improve the life conditions of migrants and refugees in Uganda (Holy See);

111.102. Enforce more effectively the child labour and trafficking laws (United States of America);

111.103. Improve the protection of children by fighting against child labour (Holy See);

111.104. Amend the laws to include protection for domestic service work (United States of America);

111.105. Continue tirelessly to address the issue of resettlement of IDPs including by putting in place resources in provisions of basic services and infrastructure development (Zimbabwe);

111.106. Consider sharing with other countries in need its best practices on promotion and protection of human rights (Rwanda);

111.107. Request international assistance in order to combat scourges such as malaria, tuberculosis and HIV/AIDS (Angola);

111.108. Receive the assistance it requires, in personnel and logistical resources, to develop the health sector in order to reduce the child mortality rate (Sri Lanka);

111.109. Seek technical assistance with a view to strengthening its appreciable efforts in the area of human rights (Senegal);

111.110. Ensure that military personnel assigned to peace missions are provided with adequate training and clear guidance in relation to the protection, rights and needs of women, including issues related to sexual and gender-based violence as well as sexual exploitation and abuse (Canada).

112. The following recommendations will be examined by Uganda, which will provide responses in due time, but no later than the **nineteenth** session of the Human Rights Council in March 2012. The response of Uganda to these recommendations will be included in the outcome report adopted by the Human Rights Council at its **nineteenth** session:

112.1. Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR-OP 2) (Czech Republic, Belgium, Switzerland, Australia);

112.2. Ratify the **ICCPR-OP 2** that aims to abolish the death penalty and amend the constitution to abolish any constitutional provisions that provide for death penalty (Sweden);

<sup>8</sup> The recommendation as read during the interactive dialogue “Take legislative and administrative measures to improve the rights of BATWAS people” (Congo).

- 112.3. **Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) (Switzerland, Brazil, Chile, Argentina) and adopt national legislation accordingly (Belgium);**
- 112.4. **Accede to the OP-CAT, and incorporate its provisions into domestic law (Australia);**
- 112.5. **Ratify the OP-CAT, and urgently adopt the draft Prohibition and Prevention of Torture Bill (Sweden);**
- 112.6. **Consider acceding to the OP-CAT and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women (OP-CEDAW) (Costa Rica);**
- 112.7. **Adopt legislation against torture, accede to the OP-CAT, and take all necessary measures to put an end to such acts, notably by bringing to justice State officials guilty of torture or ill-treatment (France);**
- 112.8. **Ratify OP-CEDAW (United Kingdom of Great Britain and Northern Ireland);**
- 112.9. **Study the possibility to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (CED) and the ICCPR-OP 2 (Argentina);**
- 112.10. **Conclude the ratification process of the CED (Spain);**
- 112.11. **Ratify as soon as possible the CED (Japan);**
- 112.12. **Ratify the 1961 Convention on the Reduction of Statelessness (Slovakia);**
- 112.13. **Passing of the Anti-Torture Bill and efforts to hold accountable all those committing acts of torture and ensure timely and adequate compensations to victims (Norway);**
- 112.14. **An anti-torture bill be enacted by the current Parliament (Ireland);**
- 112.15. **Enact a law prohibiting torture and ratify the OP-CAT as the Uganda Human Rights Commission has recommended; demonstrate real commitment by holding those accountable who have committed acts of torture and ensuring timely and adequate compensation to victims (Denmark);**
- 112.16. **Give effect to the provisions of CAT in national legislation (United Kingdom of Great Britain and Northern Ireland);**
- 112.17. **Approve and implement as soon as possible the bill against torture, in order to effectively implement protection as provided by CAT (Mexico);**
- 112.18. **Enact pending anti-torture legislation (United States of America);**
- 112.19. **Enact the anti-torture bill<sup>9</sup> (Austria);**
- 112.20. **That Public Orders Management Draft Bill be brought in line with Uganda's international human rights obligations (Norway);**

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<sup>9</sup> The recommendation as read during the interactive dialogue “Enact the anti-torture bill and investigate and hold accountable state security agents and members of the police and army who have committed human rights abuses as well as ensure adequate compensation for victims” (Austria).

- 112.21. **Ensure that the Public Order management bill currently discussed is fully in line with international human rights standards<sup>10</sup> (Austria);**
- 112.22. **Amending or reforming other areas than the Domestic Violence Act of Ugandan legislation where women still face discrimination (Norway);**
- 112.23. **Enact the Marriage and Divorce Bill (Norway);**
- 112.24. **Align policies to ensure access to land and water for pastoralists with the African Union Framework on Pastoralism and conclude regional agreements to facilitate cross-border pastoralism (Netherlands);**
- 112.25. **Issue a standing invitation to all mandate holders of the Human Rights Council (Hungary);**
- 112.26. **Issue a standing invitation to Special Procedures (Brazil);**
- 112.27. **Extend an open and standing invitation to all the Special Procedures (Spain);**
- 112.28. **Consider extending a standing invitation to all special procedures of the Human Rights Council (Latvia);**
- 112.29. **Positively consider issuing a standing invitation to the special procedures of the Human Rights Council (Romania);**
- 112.30. **Arrange for the visit of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression as soon as possible (Canada);**
- 112.31. **Consider positively the request for visit by Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and recent request by Special Rapporteur on the rights to freedom of peaceful assembly and association (Latvia);**
- 112.32. **Establish a de jure moratorium on executions, with a view to totally and definitively abolishing the death penalty, and commute all death sentences into life imprisonment (France);**
- 112.33. **Establish a moratorium on all executions and eventually abolish the death penalty (Switzerland);**
- 112.34. **Consider abolishing the death penalty (Turkey);**
- 112.35. **Abolish the death penalty and ratify OP-CAT (Holy See);**
- 112.36. **Declare a moratorium on the death penalty with a view to abolishing it, and commute the death penalty sentence by prison sentences (Spain);**
- 112.37. **Establish a moratorium on executions and ratify the ICCPR-OP 2, aiming at abolition of the death penalty (Romania);**
- 112.38. **Consider abolishing, or institute a de facto moratorium, regarding the use of death penalty (Costa Rica);**
- 112.39. **Introduce, as a matter of urgency, comprehensive, efficient measures to prevent and combat the widespread economic exploitation of children, in line**

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<sup>10</sup> The recommendation as read during the interactive dialogue “Uphold the rights to freedom of expression and assembly and ensure that the Public Order management bill currently discussed is fully in line with international human rights standards” (Austria).

with its international commitments, notably ILO Conventions No. 138 and 182 (Slovakia);

112.40. Adopt a list of hazardous jobs for children<sup>11</sup> (United States of America);

112.41. Increase access to sexual and reproductive health services by raising the health budget to 15 per cent in line with the Abuja declaration<sup>12</sup> (Belgium);

112.42. Speed up the registration in the pipeline in order to deal with the pending challenges in the promotion and protection of human rights (Rwanda).

113. The recommendations below did not enjoy the support of Uganda:

113.1. Publicly announce the shelving of the proposed bill on homosexuality and decriminalize homosexual behaviour (Canada);

113.2. The Parliament to dismiss the proposed Anti-homosexuality Bill 2009<sup>13</sup> (Norway);

113.3. Reject the Anti-Homosexuality Bill and decriminalize homosexual relationships between consenting adults (Slovenia);

113.4. Fulfil its obligations under international human rights law to decriminalize same-sex relationships between consenting adults and repeal any laws or reforms that explicitly or implicitly discriminate on any grounds, including sexual orientation and gender identity (Norway);

113.5. Repeal laws that discriminate against LGBTs (Belgium);

113.6. Revise its national legislation to decriminalise homosexuality and prohibit all forms of discrimination (Switzerland);

113.7. Remove criminal penalties for offences on the basis of sexual orientation (Australia);

113.8. Study the possibility to decriminalize relationships between consenting adults of the same sex (Argentina);

113.9. Abstain from applying legislation that criminalizes homosexuality (Brazil);

113.10. Immediately and unconditionally release all persons currently detained for the reason of homosexuality alone (Switzerland);

113.11. Decriminalize same-sex relations between consenting adults and ensure that no person is subject to arbitrary arrest or detention because of their sexual orientation or gender identity (Austria);

113.12. Derogate the legislation that criminalizes the LGBT community, and put an end to the defamatory and harassing campaigns against them” (Spain);

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<sup>11</sup> The recommendation was not understood.

<sup>12</sup> The recommendation as read during the interactive dialogue “Increase access to sexual and reproductive health services by raising the health budget to 15 per cent in line with the Abuja declaration and by creating a health insurance scheme for the poor” (Belgium).

<sup>13</sup> Uganda upholds the principle of separation of Powers and therefore the Executive has no control over Parliament. Furthermore, this is a Private Member’s Bill and the Executive has no powers to stop it.

113.13. **Reconfirms its commitment to protecting the rights of all persons regardless of their sexual orientation or gender identity in anti-discrimination and equal opportunity legislation and bodies (Sweden);**

113.14. **Repeal all provisions criminalizing sexual activity between consenting adults and ensuring the same rights for same sex couples as heterosexual couples (Netherlands);**

113.15. **Ensure equal rights for all individuals, regardless of sexual orientation (United States of America);**

113.16. **Fulfil its obligations under international human rights law and ensure the protection of all minorities and repeal any laws or reforms that explicitly or implicitly discriminate on any grounds, including sexual orientation; gender identity and gender expression (Denmark);**

113.17. **Refrain from enacting the proposed Public Order Management Bill and fully guarantee the freedom of assembly<sup>14</sup> (Germany);**

113.18. **Ease the heavy administrative burdens on NGOs, such as the yearly registration obligations<sup>15</sup> (Hungary);**

113.19. **Simplify NGO registration requirements and remove the NGO Board from the supervision of security organizations<sup>16</sup> (United States of America).**

114. **All conclusions and recommendations contained in the present report reflect the position of the submitting States and the State under review. They should not be construed as endorsed by the Working Group as a whole.**

### **III. Voluntary pledges and commitments**

115. Uganda undertook commitments:

- (a) To develop and implement a national action plan on human rights issues;
- (b) To carry out an annual review of the human rights situation in the country and report as appropriate;
- (c) To establish a Cabinet subcommittee to provide policy oversight and guidance on human rights issues;
- (d) To mainstream human rights issues in all aspects of governance;
- (e) To establish an inter-ministerial technical committee to provide technical back-up to the Cabinet subcommittee;
- (f) To establish a human rights desk under the Ministry of Justice and Constitutional Affairs to coordinate human rights issues at the national level. The mandate of the desk will be defined in consultation with the Uganda Human Rights Commission;
- (g) To establish a focal point within the Ministry of Foreign Affairs to provide coordination with stakeholders and the international community;

<sup>14</sup> Uganda upholds the doctrine of separation of powers.

<sup>15</sup> Regulations on registration and regulation of NGOs are adequate and necessary.

<sup>16</sup> Regulations on registration and regulation of NGOs are adequate and necessary.

- (h) To designate focal points within each relevant Government department and request other stakeholders to designate focal points to follow up and report on the implementation of human rights issues;
- (i) To inculcate human rights, voter education and civic education in the education curriculum of schools;
- (j) To mainstream human rights issues in the training curriculum of security agencies.

## Annex

### Composition of the delegation

The delegation of Uganda was headed by Hon. Oryem Henry Okello, Minister of State for Foreign Affairs in charge of International Cooperation and composed of the following members:

- Ambassador David Etuket, Director/International Cooperation, Ministry of Foreign Affairs;
- H.E. Maurice Peter Kagimu Kiwanuka, Ambassador, Permanent Representative
- Uganda Permanent Mission, Geneva;
- Ambassador Rossette Nyirinkindi Katungye, Deputy Permanent Representative
- Uganda Permanent Mission, Geneva;
- Ms. Eunice Kigenyi Irungu, Counsellor, Uganda Permanent Mission, Geneva;
- Mr. Justinian Kateera, First Secretary, Uganda Permanent Mission, Geneva;
- Mr. Oscar J. Edule, First Secretary, Uganda Permanent Mission, Geneva;
- Mr. Benjamin Mukabire, Second Secretary, Uganda Permanent Mission, Geneva;
- Mr. Evans Aryabaha, Foreign Service Officer, Ministry of Foreign Affairs;
- Mr. Francis M. Katugugu, Foreign Service Officer, Ministry of Foreign Affairs;
- Mr. Pius Perry Biribonwoha, Director Legal and Legislative Services, Parliament of Uganda;
- Mr. Sam Rwakoojo, Secretary, Electoral Commission;
- Mr. Joshua Wamala, Head, Electoral Management, Electoral Commission;
- Mr. Aliyi Walimbwa, Senior Health Planner, Ministry of Health;
- Ms. Rosette N. Kuhirwa, Senior Development Officer, National Planning Authority;
- Mr. Christopher Gashirabake, Director, Legal Services, Ministry of Justice and Constitutional Affairs;
- Ms. Patricia Habu, State Attorney, Ministry of Justice and Constitutional Affairs;
- Lt. Col. Timothy Kanyogonya, Chieftaincy of Military Intelligence-UPDF Headquarters;
- Mr. Aioka Victor, Assistant Commissioner, Uganda Prisons Service;
- Ms. Christine Nading, Superintendent of Police, Uganda Police Force;
- Mr. Henry Irumba, Principal Policy Analyst, Ministry of Lands and Urban Development;
- Mr. John Kamya, Assistant Commissioner of Police, Uganda Police Force.