



**UNITED NATIONS HUMAN RIGHTS COUNCIL**

**Adoption of the Report of the Working Group on the  
Universal Periodic Review - Uganda**

**Statement by**

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**Permanent Mission of the Republic of Uganda  
to the United Nations Office in Geneva**

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*Check against delivery*

*Madame President;  
Excellencies;  
Distinguished delegates;  
Ladies and Gentlemen*

On behalf of the Government of the Republic of Uganda, I am honoured to address the Human Rights Council on the occasion of the adoption of the outcome to our Universal Periodic Review.

Last year, my delegation engaged constructively with the Working Group in a spirit of transparency, appreciating both our achievements and challenges. I therefore, would like to take this opportunity to extend my appreciation to all state members and civil society organisations for their positive recommendations. Let me reassure you that my Government will pay utmost attention to all recommendations.

Mme President

Uganda received 171 recommendations. We immediately accepted 110, and deferred 42 for further consideration.

However, 19 recommendations do not enjoy support from domestic stakeholders. These also do not form part of agreed International Human Rights standards.

After the presentation of our National Report to the Working Group in October last year, Government conducted numerous consultative processes on the 42 deferred recommendations. These consultations culminated into a validation workshop held on 23<sup>rd</sup> February 2012.

Mme President;

The 110 accepted recommendations are in accordance with our identified national priorities. We are in the process of implementing the vast majority of them. It is important to recall that Uganda is a signatory to all major international Human Rights instruments. The rights contained therein are for the most part, justiciable in our domestic courts.

Mme President

I will now turn to the 42 deferred recommendations. But let me first point out that we have benefitted immensely from all the views expressed during the review process. It has given us the opportunity to reflect deeply. Let me assure you that the proposals have been the subject of exhaustive deliberation within government, and among all stakeholders.

For purposes of clarity, the 42 recommendations are classified into 11 thematic issues. Of these, my government accepts 7, and partly accepts a further 2 recommendations. However 2 recommendations contravene constitutional and other laws and are therefore rejected.

Nevertheless, we will continue to review our positions on all issues, with a view to amendment as necessary.

Let me, Mme President, deal briefly with some of these recommendations:

## DEATH PENALTY

Some delegations recommended that we consider abolishing the death penalty or formally declare a de-facto moratorium<sup>1</sup>.

My Government attaches great importance to public consultation in the course of proposing legislation.

In 1989, the Government established the Constitutional Commission with the mandate to collate views on various pertinent issues, for purposes of informing the Constitution making process. They presented their findings in 1992.

In 1993, the elected Constituent Assembly considered the draft presented by the aforementioned Commission.

Further opportunity for review on this matter presented itself during the Constitutional Review Commission whose final report was presented in 2006.

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<sup>1</sup> Czech Republic, Belgium, Switzerland, Austria, Holy See, Spain, Costa Rica and Sweden

All the aforementioned consultative processes, which were country-wide, did not support the present recommendation with respect to the abolition of capital punishment.

However, our Supreme Court has ruled that after 3 years, a death sentence which is not enforced is automatically commuted to life imprisonment, without remission<sup>2</sup>.

It is important to point out that there has been no enforcement of this penalty, since the turn of the century.

## LEGISLATION AGAINST TORTURE

With respect to recommendations on ratifying the Optional Protocol to the Convention against Torture<sup>3</sup>, I am glad to report that we have in place the Prohibition and Prevention of Torture Bill, 2012, which incorporates important provisions of the Convention.

The Bill which was saved from the last Parliament, has undergone a first reading in the current Parliament and is before the Committee on Legal and Parliamentary Affairs, for further consultation.

The Bill imposes individual responsibility for perpetrators of alleged acts of torture.

Therefore, this recommendation has been given utmost consideration.

## DISCRIMINATION AGAINST WOMEN

Some states recommended the ratification of the Optional Protocol to the Convention on the Elimination of all forms of Discrimination against Women<sup>4</sup>. My Government accepts this recommendation.

However it is important also to point out that my Government has had a long-standing legal framework for affirmative action. As a result, we now have a Lady Speaker of Parliament, and female Supreme Court Justices and Cabinet Ministers.

In addition, our Local Government Act stipulates that one-third of all Local Council positions will be reserved for women. Further to this, the

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<sup>2</sup> Attorney General v. Susan Kigula, constitutional appeal no 3 of 2006

<sup>3</sup> Switzerland, Brazil, Chile, Argentina, and to adopt national legislation is Belgium, Austria, Norway, Sweden, France, Costa Rica, Denmark, Mexico, United States.

<sup>4</sup> Costa Rica, United Kingdom

Girl-child has continued to benefit tremendously from the free Universal Primary and Secondary education. At the same time, at University entry level, the female applicants are awarded extra points towards admission as an affirmative action.

Art.78 of the Constitution of the Republic of Uganda stipulates that at least one woman from every district shall be elected to Parliament on a reserved basis.

## DOMESTIC RELATIONS

Some delegations made recommendations on question relating to Domestic relations<sup>5</sup>. The Marriage and Divorce Bill is currently before the relevant Committee of Parliament for scrutiny. It has far reaching proposals to deal with marital rights and duties, cohabitation, separation and property rights. We therefore accept these recommendations.

## ENFORCED DISAPPEARANCES

Recommendations concerning the issue of enforced disappearances were made by some delegations<sup>6</sup>.

We fully sympathise with the recommendation, as it resonates with our painful past, during the years 1970 to 1985.

I should point out that, currently, the issue does not apply to our national context.

However, we will study the issue further, with a view to providing a remedy where the situation arises and merits consideration.

## STATELESSNESS

Mme President;

Some states recommended accession to the Convention on the reduction of statelessness<sup>7</sup>. We note that the Convention has been ratified by just 42 states.

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<sup>5</sup> Norway

<sup>6</sup> Argentina, Spain and Japan

The provisions contained in the Convention on statelessness are not entirely in conformity with provisions of our constitution and laws relating to the acquisition of nationality.

Articles 11 and 12 of our Constitution prescribe the mechanisms through which one can acquire Ugandan citizenship.

## PUBLIC ORDER MANAGEMENT

Some states recommended that the Public Order Management Bill be brought in line with International Human Rights instruments<sup>8</sup>. The said Bill has been withdrawn for further consultations. The recommendation is therefore accepted. It is nonetheless important to achieve the delicate balance between rights, duties and responsibilities, as stipulated under Articles 19 and 20 of the International Convention on Civil and Political Rights (ICCPR).

## PASTORALISM

On pastoralism, my delegation accepts the recommendation on aligning our policies to the African Union policy framework that seeks to ensure access to land and water for pastoralists. Indeed, there is ongoing co-operation between local districts and with the neighbouring sister Republic of Kenya.<sup>9</sup>

## STANDING INVITATIONS

Uganda has considered the question of issuing Standing Invitations to Special Procedure Mandate holders<sup>10</sup>. We will continue to consider requests for country visits, on a case by case basis.

We would also like to re-iterate that equal attention should be given to Economic, Social and Cultural Rights.

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<sup>7</sup> Slovakia

<sup>8</sup> Norway and Austria

<sup>9</sup> Netherlands

<sup>10</sup> Hungary, Brazil, Spain, Latvia and Romania

## ORIENTATION

Reference was made to proposed legislation on the rights of Lesbian, Gay, Bisexual and transgender persons (LGBT). We would like to point out that this is a Private Member's Bill, as provided for under our Constitution.

## EXPLOITATION OF CHILDREN

My delegation also accepts recommendations<sup>11</sup> aimed at putting in place mechanisms and measures to prevent the exploitation of children, in line with our commitments under International Labour Organisation Conventions 138 and 182.

## HEALTH

Finally, with respect to the recommendation<sup>12</sup> to increase health spending to 15% of Government budgetary allocation, my Government subscribes to the Abuja Declaration and is steadily working towards the achievement of this target.

## CONCLUSION

In conclusion, my Government appreciates the opportunity afforded to share our best practices, and consider our challenges. We are proud of our achievements, and look forward to the opportunity to present our mid term progress report.

It should be recalled that the Government of Uganda made voluntary pledges and commitments. We are happy to report that a standing inter-ministerial committee has been established and is in the process of formulating a National Action Plan, and the requisite road map.

Let me express my profound appreciation to the Working Group, members of the Troika and the entire Council for the positive spirit of engagement. We particularly thank the Office of the High Commissioner for Human Rights for their technical support.

We also thank the Secretariat of the Human Rights Council for their invaluable support.

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<sup>11</sup> United states and Slovakia

<sup>12</sup> Belgium and several African states

Indeed, the establishment of the Universal Periodic Review mechanism was an important milestone for the protection of all rights; we hope that it will complement treaty -body reporting requirements. In this regard, Uganda undertakes to continue working towards the realisation of the full cycle of the UPR process.

Finally, let me again express the appreciation of the Government of Uganda for the constructive recommendations and encouragement received from both State and Civil Society Organisations.

Thank you, Mme President, Excellencies and distinguished delegates, for your kind attention.