

Uganda

Mid-term

Implementation

Assessment



*Promoting and strengthening
the Universal Periodic Review*
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and one half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created a follow-up process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on and to implement their commitments. States should implement the recommendations that they have accepted and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate the index is described at the end of this document.

Geneva, 18 August 2014

Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/uganda>

We invite the reader to consult this webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

25 stakeholders' reports were submitted for the UPR. 41 NGOs were contacted. 3 UN agencies were contacted. The Permanent Mission to the UN was contacted. The National Human Rights Institution (NHRI) was contacted as well.

8 NGOs responded to our enquiry. None of the UN agency responded. The State under Review did not respond to our enquiry. The NHRI did not respond to our enquiry either.

The following stakeholders took part in the report:

1. **NGOs:** (1) Anonymous (Anonymous) (2) Center for Reproductive Rights (CRR) (3) Centre for Domestic Violence (CEDOVIP) (4) East and Horn of Africa Human Rights Defenders Project (EHAHRDP) (5) National Union of Disabled Persons of Uganda (NUDIPU) (6) Participatory Action For Rural Development Initiative (PARDI) (7) University of Oklahoma College of Law International Human Rights Clinic (UOCLIHRC) (8) World Vision Uganda (WVU)

IRI: 63 recommendations are not implemented, 43 recommendations are partially implemented, and 15 recommendations are fully implemented. No answer was received for 70 out of 192 recommendations and voluntary pledges.

2. Index

Hereby the issues that the MIA covers:

rec. n°	Rec. State	Issue	IRI	page
21	Algeria	Development	fully impl.	page 16
90	Algeria	Disabilities,Justice,Right to health,Women's rights	partially impl.	page 52
99	Algeria	Indigenous peoples	not impl.	page 26
97	Angola	Right to education	fully impl.	page 48
107	Angola	HIV - Aids,Right to health,Technical assistance	fully impl.	page 18
31	Australia	International instruments,Rights of the Child,Women's rights	not impl.	page 39
170	Australia	Sexual Orientation and Gender Identity	not impl.	page 36
8	Austria	NHRI	partially impl.	page 50
142	Austria	International instruments,Public security	not impl.	page 32
174	Austria	Sexual Orientation and Gender Identity	not impl.	page 36
32	Azerbaijan	Women's rights	partially impl.	page 43
37	Belgium	Death penalty	not impl.	page 28
62	Belgium	Extrajudicial executions,Human rights defenders	partially impl.	page 30
70	Belgium	Sexual Orientation and Gender Identity	not impl.	page 34
92	Belgium	Poverty,Right to health	not impl.	page 17
162	Belgium	Right to health	not impl.	page 18
168	Belgium	Sexual Orientation and Gender Identity	not impl.	page 36
55	Brazil	Women's rights	not impl.	page 46
85	Brazil	Right to education,Right to food	partially impl.	page 16
117	Brazil	Detention conditions,International instruments,Torture and other CID treatment	not impl.	page 27
172	Brazil	Sexual Orientation and Gender Identity	not impl.	page 36
51	Burkina Faso	Rights of the Child,Women's rights	fully impl.	page 44
54	Canada	Disabilities,Rights of the Child,Torture and other CID treatment,Women's rights	not impl.	page 46
89	Canada	Right to health	partially impl.	page 17
164	Canada	Sexual Orientation and Gender Identity	not impl.	page 35
1	Chad	International instruments	partially impl.	page 27
10	Chad	Human rights education and training	partially impl.	page 14
52	Chile	Disabilities,Women's rights	not impl.	page 45
73	Chile	Freedom of opinion and expression	not impl.	page 10
25	China	National plan of action	partially impl.	page 52
6	Costa Rica	Minorities	fully impl.	page 50
11	Costa Rica	Human rights education and training	not impl.	page 15
22	Cuba	Development	fully impl.	page 16
41	Czech Republic	Human rights violations by state agents,Torture and other CID treatment	partially impl.	page 28
45	Czech Republic	Women's rights	-	page 43
57	Czech Republic	Rights of the Child	partially impl.	page 47
71	Czech Republic	Sexual Orientation and Gender Identity	not impl.	page 34
179	Denmark	Minorities,Racial discrimination,Sexual Orientation and Gender Identity	not impl.	page 37



rec. n°	Rec. State	Issue	IRI	page
44	France	Human rights education and training, Rights of the Child, Torture and other CID treatment, Women's rights	not impl.	page 43
53	France	Women's rights	partially impl.	page 46
84	France	Freedom of association and peaceful assembly, Human rights violations by state agents	not impl.	page 13
128	France	Human rights violations by state agents, Torture and other CID treatment	not impl.	page 31
153	France	Death penalty	not impl.	page 32
180	Germany	Freedom of association and peaceful assembly	not impl.	page 13
19	Ghana	Development, National plan of action, Poverty, Women's rights	not impl.	page 38
23	Ghana	Rights of the Child, Women's rights	not impl.	page 39
72	Ghana	Rights of the Child	partially impl.	page 48
61	Holy See	Detention conditions, International instruments, Justice	not impl.	page 29
87	Holy See	HIV - Aids	fully impl.	page 17
101	Holy See	Asylum-seekers - refugees, Migrants	partially impl.	page 26
103	Holy See	Labour, Rights of the Child	partially impl.	page 49
156	Holy See	Death penalty, Detention conditions, International instruments, Torture and other CID treatment	not impl.	page 27
14	Hungary	UPR process	partially impl.	page 51
17	Hungary	Civil society	partially impl.	page 10
34	Hungary	Disabilities, Rights of the Child	partially impl.	page 20
38	Hungary	Justice	not impl.	page 28
181	Hungary	Civil society, Freedom of association and peaceful assembly	not impl.	page 14
2	Indonesia	International instruments	partially impl.	page 28
15	Indonesia	National plan of action, UPR process	partially impl.	page 51
59	Indonesia	Justice, Rights of the Child	partially impl.	page 47
29	Mexico	International instruments, Women's rights	not impl.	page 39
36	Mexico	Disabilities, Elections, International instruments	partially impl.	page 21
95	Morocco	Human rights education and training, Right to education	partially impl.	page 18
28	Mozambique	Technical assistance	partially impl.	page 52
7	Nepal	General	fully impl.	page 50
9	Nepal	Human rights education and training	not impl.	page 14
98	Nepal	Minorities	fully impl.	page 54
69	Netherlands	Sexual Orientation and Gender Identity	partially impl.	page 33
75	Netherlands	Freedom of the press	not impl.	page 11
177	Netherlands	Sexual Orientation and Gender Identity	not impl.	page 37
60	Norway	Freedom of the press, Human rights defenders, Human rights violations by state agents	partially impl.	page 29
141	Norway	International instruments, Public security	not impl.	page 32
143	Norway	Women's rights	partially impl.	page 49
144	Norway	Other	not impl.	page 54
165	Norway	Sexual Orientation and Gender Identity	not impl.	page 35
167	Norway	Sexual Orientation and Gender Identity	not impl.	page 35
4	Poland	Women's rights	partially impl.	page 37
13	Poland	Civil society, UPR process	partially impl.	page 10
46	Poland	Rights of the Child, Torture and other CID treatment, Women's rights	not impl.	page 43



rec. n°	Rec. State	Issue	IRI	page
96	Poland	Right to education,Rights of the Child	fully impl.	page 48
18	Republic of Congo	Rights of the Child,Women's rights	partially impl.	page 38
100	Republic of Congo	Indigenous peoples	not impl.	page 26
158	Romania	Death penalty,International instruments	not impl.	page 27
24	Russian Federation	National plan of action,UPR process	partially impl.	page 51
26	Russian Federation	Treaty bodies	not impl.	page 52
27	Rwanda	Treaty bodies	not impl.	page 52
20	Singapore	Development	fully impl.	page 15
88	Singapore	HIV - Aids,Right to health,Technical assistance	fully impl.	page 17
94	Singapore	Development,Right to education	fully impl.	page 18
33	Slovakia	Disabilities,Human rights education and training,Right to health	partially impl.	page 19
76	Slovakia	Human rights defenders,International instruments	not impl.	page 31
93	Slovakia	Disabilities,Right to education,Right to health,Rights of the Child	partially impl.	page 22
160	Slovakia	International instruments,Rights of the Child	partially impl.	page 49
47	Slovenia	Rights of the Child,Torture and other CID treatment,Women's rights	partially impl.	page 44
166	Slovenia	Sexual Orientation and Gender Identity	not impl.	page 35
35	Spain	Disabilities,Rights of the Child,Women's rights	not impl.	page 21
49	Spain	Rights of the Child,Torture and other CID treatment,Women's rights	partially impl.	page 44
157	Spain	Death penalty	not impl.	page 32
175	Spain	Sexual Orientation and Gender Identity	not impl.	page 36
12	Swaziland	Human rights education and training	partially impl.	page 15
3	Sweden	Freedom of association and peaceful assembly,Freedom of opinion and expression	not impl.	page 8
80	Switzerland	Freedom of association and peaceful assembly,Freedom of opinion and expression	not impl.	page 12
81	Switzerland	Freedom of association and peaceful assembly	not impl.	page 13
154	Switzerland	Death penalty	not impl.	page 32
169	Switzerland	Sexual Orientation and Gender Identity	not impl.	page 36
16	Tanzania	National plan of action,UPR process	not impl.	page 51
91	Turkey	Right to health,Women's rights	partially impl.	page 48
183	Uganda	National plan of action	partially impl.	page 55
184	Uganda	General	partially impl.	page 55
185	Uganda	Other	not impl.	page 55
186	Uganda	Other	not impl.	page 55
187	Uganda	Other	not impl.	page 56
188	Uganda	Justice,NHRI	partially impl.	page 56
189	Uganda	Civil society	fully impl.	page 56
190	Uganda	Other	partially impl.	page 56
191	Uganda	Human rights education and training	partially impl.	page 19
5	United Kingdom	Freedom of association and peaceful assembly,International instruments	not impl.	page 9
83	United States	Elections	not impl.	page 13



rec. n°	Rec. State	Issue	IRI	page
178	United States	Sexual Orientation and Gender Identity	not impl.	page 37
182	United States	Civil society, Freedom of association and peaceful assembly	not impl.	page 14
56	Zimbabwe	Rights of the Child	not impl.	page 47
105	Zimbabwe	Internally displaced persons	fully impl.	page 54



3. Feedback on recommendations

CP Rights

Recommendation n°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 (Recommended by Sweden)*

IRI: not implemented

Anonymous response:

Freedom of expression in Uganda is not yet a reality because there is shrinking civil society space because the government passed the Public Order Management Act which does not allow people in groups to talk about governance and other issues related to leadership. This law infringes on people's right to express themselves.

Participatory Action For Rural Development Initiative (PARDI) response:

No laws of protection because opposition assemblies always end up badly or even are denied a right to hold them.

East and Horn of Africa Human Rights Defenders Project (EHAHRDP) response:

Uganda has done little or nothing to implement this recommendation, and has recently introduced laws that are contrary to national and international obligations to guarantee freedoms of expression and assembly.

In August 2010 Uganda's Constitutional Court unanimously ruled that sections of the penal code on sedition, which forbid journalists from publishing criticism of the government, were unconstitutional. The decision stemmed from a petition by Andrew Mwenda, managing editor of the Independent, and the East African Media Institute; Mwenda had been among a handful of journalists facing sedition charges. However the Court upheld other provisions of the penal code that criminalize publications promoting sectarianism. Clauses of the Antiterrorism Act of 2002 have also been used against journalists, especially those who cover security issues.

The 2005 Access to Information Act exists only on paper, as no implementing mechanisms have been put in place, and the government still denies requests for information. Furthermore, Parliament has not followed



up on the law's requirement that each ministry submit annual reports on the status of implementation.

Individuals or associations have been prosecuted under section 56 (2) of the Penal Code Act (PCA), which provides for circumstances under which a society can be considered as unlawful. The pressure group Action for Change (A4C) was declared an unlawful society on the basis of section 56(2) of the PCA. A4C led the 'walk to work' demonstrations in 2011 against the rising cost of living, corruption and poor governance in Uganda. According to the PCA a society is unlawful if declared by a statutory order of the minister to be dangerous to peace and order in Uganda. In April 2012, the Attorney General issued a Declaration of Unlawful Societies Order under section 56 of the PCA declaring the pressure group A4C an unlawful society. The declaration outlawed A4C activities as well as the activities of any other pressure group formed thereafter, hence effectively banning any assemblies by political activists. This ban is an illegitimate restriction of the freedom of assembly.

The Public Order Management Act was passed in to law in September 2013. It grants the police powers to prohibit public meetings and to decide suitable venues for holding public meetings. As has been reported widely, "since the enactment of the Act, there has been a disproportionate targeting of meetings organized by opposition members and/or civil society representatives" .

Section 5 of the Act requires anyone who wants to organise a public meeting to notify an authorised officer in advance about the venue, date and time, estimated number of people and purpose of the meeting.

The Act further grants broad discretionary powers to the police, based on their own judgment to relocate, prevent and disperse public gatherings, and to arrest and charge participants and organisers.

World Vision Uganda (WVU) response:

Uganda enacted recently a Public Order Management Law which undermines its obligations to respect, protect and promote the freedoms of assembly. Despite public the concerns raised by citizens, the government has not yet considered its amendment.

Recommendation n^o5: 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 (Recommended by United Kingdom)

IRI: not implemented

PARDI response:

The government just dispatches any gathering that is in opposition of the ruling party especially with tear gassing the people so the right applies not to opponents but supporters.

WVU response:

With the enactment of the Public Order Management Bill into law, the rights to assembly are continuously being undermined. The law serves to regulate rather facilitate the protection of citizen's rights to assembly.

Recommendation n°13: Engage civil society in the process of implementation of UPR recommendations (Recommended by Poland)

IRI: partially implemented

PARDI response:

Not yet fully implemented

WVU response:

The Government could do better by engaging civil society in a more constructive and inclusive manner.

Recommendation n°17: Further enhance the cooperation with civil society in the promotion of human rights (Recommended by Hungary)

IRI: partially implemented

Anonymous response:

Civil society is looked at as being opposition to the ruling party for example when we talk about the theft by government officials we are arrested and blacklisted. That's why laws like the Public Order management act was passed to suppress our voices. What kind of cooperation is that if civil society is tortured and implicated by saying what is right and wants good service delivery for all especially the marginalised in the country?

WVU response:

Civil society is increasingly recognized as a partner in promoting human rights.

Recommendation n°73: Guarantee freedom of expression, particularly the possibility to express criticism and opinion regarding acts of the government (Recommended by Chile)

IRI: not implemented

EHAHRDP response:

Since 2009, media freedom has been characterized by increased incidences of violence and harassment against journalists, especially by security forces. Human Rights Network for Journalists Uganda (HRNJ) documented 82 cases of attacks against journalists countrywide in 2012. The attacks ranged from physical violence to verbal threats and destruction or confiscation of equipment. Throughout 2012, this pattern of attacks against journalists covering opposition related events continued. On 4th October three journalists were targeted by officials when covering the arrest of then Forum for Democratic Change (FDC) leader, Kiiza Besigye.

In May 2013, the Ugandan government forced the closure of the Monitor newspaper and other media outlets, and clamped down violently on activists protesting against the same. The so-called 'media siege' began in response to the Monitor's reporting on an alleged succession plan within the highest echelons of the Ugandan government.

On 19th March 2014, the Government of Uganda released stringent regulations which all broadcasting media houses must comply with. All media houses must allocate prime time to promote government programmes and public relations.

The state also misuses the criminal laws to restrict the work of journalist. They are often arrested on spurious charges although these cases rarely result into conviction. In 2011 and 2012 several journalists were arrested and charged with criminal defamation and treason. Further in 2012, more than twenty four journalists and human rights defenders had cases pending before court for charges ranging from promoting sectarianism to criminal libel.

Recommendation n^o75: End intimidation, threats and physical attacks on journalists and promote open reporting and commentary on issues of public concern (Recommended by Netherlands)

IRI: not implemented

EHAHRDP response:

As a result of frequent arrests, intimidation, physical threats and attacks against journalists, human rights and media watchdog advocates have expressed concern that there is now a high degree of self-censorship by Ugandan journalists, including a reduction in the level of public debate on the radio.

Many past cases of attacks or abductions aimed at journalists remain unresolved. In September 2010, journalists Paul Kiggundu and Dickson



Ssentongo were killed in separate incidents in connection with their work, and Arthur Kintu of the New Vision was beaten by an elected official as he covered a ruling party conference. Government officials and security agents in the countryside regularly intimidate journalists and attempt to influence media content by forbidding certain guests to appear on live radio programs.

The Central Broadcasting Service (CBS), one of four stations closed down by the Broadcasting Council in September 2009 in response to an official directive, was reopened in October 2010. The three other stations—Ssuubi FM, Radio Two, and the Roman Catholic Church’s Radio Sapientia—had reopened much sooner. The four outlets had been accused of promoting sectarianism and inciting violence that led to riots in Kampala. While they returned to the air, there were reports that the owners engaged in self-censorship to avoid renewed conflict with the Broadcasting Council and the government.

Some of these violations take the form of obstructing journalists from executing their duties in cases that are politically oriented. A case in point was during the 51st National Independence celebrations on 9th of October 2013, at Rukungiri District stadium, in Western Uganda when former President of FDC, Colonel (Rtd) Kizza Besigye, Kampala Capital City’ Lord Mayor Erias Lukwago and the Kawempe Division Mayor Mubarak Munyagwa Sserunga walked out of the stadium as President Yoweri Museveni was due to address the gathering. The trio was arrested and as a journalist attempted to film the arrest, he was blocked by the Deputy Spokesperson of the Police, Patrick Onyango from covering the event.

On May 28 and 29 2013, police assaulted and tear-gassed more than 30 journalists in an effort to deter them from accessing and covering the continued closure and occupying of the Daily Monitor newspaper, KFM and Dembe radio stations premises.

Recommendation n°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 (Recommended by Switzerland)

IRI: not implemented

PARDI response:

[...]

WVU response:

The POM Act in place serves to regulate rather than guaranteeing the freedom of expression and peaceful assemblies/associations in the country.

Recommendation n°81: *Lift the ban on all forms of public assembly and demonstration* (Recommended by Switzerland)

IRI: *not implemented*

PARDI response:

Not yet implemented in Uganda.

WVU response:

The ban was institutionalized by the POM Act.

Recommendation n°83: *Make the Electoral Commission appointment process more consultative* (Recommended by United States)

IRI: *not implemented*

PARDI response:

No, in fact it has been one head for so long yet rigging continues.

WVU response:

This remains a reserve of Government.

Recommendation n°84: *Assure full respect of freedom of association and peaceful assembly and punish all excessive use of force by security officers against peaceful demonstrators* (Recommended by France)

IRI: *not implemented*

PARDI response:

Not yet, officers are ordered by the same government.

WVU response:

The Public Order Management Law regulates freedom of association and peacefully assembly, but always prioritising protection of interests of the sitting government at the expense of respecting the rights of citizens to exercise their freedoms.

Recommendation n°180: *Refrain from enacting the proposed Public Order Management Bill and fully guarantee the freedom of assembly* (Recommended by Germany)

IRI: *not implemented*

PARDI response:

POM Bill already enacted, no positive refrain action yet observed.

WVU response:

The POM bill was enacted into law in 2013 and currently operational and this continues to threaten the freedom of assembly.

Recommendation n°181: *Ease the heavy administrative burdens on NGOs, such as the yearly registration obligations* (Recommended by Hungary)

IRI: *not implemented*

PARDI response:

Not yet implemented.

Recommendation n°182: *Simplify NGO registration requirements and remove the NGO Board from the supervision of security organizations* (Recommended by United States)

IRI: *not implemented*

PARDI response:

Not implemented

WVU response:

NGO registration continues to be supervised [by] the NGO Board under the Ministry of Internal Affairs. The new draft amendment NGO law emphasizes regulation at the expense of facilitation and this will potentially shrink the NGO operating space.

ESC Rights

Recommendation n°9: *Introduce human rights education to increase the awareness of people about all sets of human rights* (Recommended by Nepal)

IRI: *not implemented*

Anonymous response:

This has not yet been done.

PARDI response:

The government has failed to extend awareness to rural areas and also to various languages and so very many people are not aware of their rights and the suffering is never ending.

Recommendation n°10: *Integrate human rights in the school curricula* (Recommended by Chad)

IRI: *partially implemented*

Anonymous response:

This too has not yet been done.

PARDI response:

This has been achieved, students are now studying about basic human rights in schools here.

WVU response:

The primary school curricula is under review and human rights is among the components under consideration.

Recommendation n°11: Incorporate the World Programme on Human Rights Education and Training, particularly its second step, to its national programmes (Recommended by Costa Rica)

IRI: not implemented

PARDI response:

Not yet incorporated

WVU response:

Not yet incorporated

Recommendation n°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 (Recommended by Swaziland)

IRI: partially implemented

PARDI response:

Not fully implemented

WVU response:

For investments in areas recovering from conflict, the government has been prioritizing revitalization of social services delivery systems like the Plan for Rehabilitation and Development Program (PRDP). With the third PRDP, human rights education could be considered among the competing priorities.

Recommendation n°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 (Recommended by Singapore)

IRI: fully implemented

WVU response:

Uganda is currently reviewing the NDP I which is ending in 2015 and identifying the priorities for NDP II. Promoting agriculture and trade as well as public private partnership in enhancing services provision are among the emerging priorities for consideration.

Recommendation n°21: Pursuing a participatory process in implementing the National Development Plan (Recommended by Algeria)

IRI: fully implemented

WVU response:

Uganda has adopted a participatory process in developing the National Development Plan. For example, CSOs and the private sector participated in the review of NDP I and currently contributing issue papers to inform NDP II.

Recommendation n°22: Continue to implement strategies and socio-economic development plans in order to advance in the realization of the Millennium Development Goals by 2015 (Recommended by Cuba)

IRI: fully implemented

PARDI response:

Yes, strategies are being implemented especially economic support to youth and women groups in order to reduce poverty.

WVU response:

Regarding MDG targets, Uganda lags behind in terms of achieving MDGs 4 and 5 concerning maternal and child health. Some of the measures taken to access progress include the adoption of an acceleration plan on Reproductive maternal newborn and child health, to reduce maternal and child deaths.

Recommendation n°85: Implement policies to support food production, access to credit and school meals programs linked to local food production (Recommended by Brazil)

IRI: partially implemented

PARDI response:

Yes, such policies are in place, especially in urban areas.

WVU response:

The school mid-day meals policy is still in draft form and therefore there is no government intervention in this critical area. Equally the current agricultural related policies promote production for income and not food, with a potential to undermine the livelihoods of vulnerable rural populations.

Recommendation n°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* (Recommended by Holy See)

IRI: *fully implemented*

PARDI response:

Yes, a good job here and it's all over the press, too.

Recommendation n°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* (Recommended by Singapore)

IRI: *fully implemented*

PARDI response:

Implemented

WVU response:

Uganda continues to benefit from Global Fund initiatives.

Recommendation n°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* (Recommended by Canada)

IRI: *partially implemented*

PARDI response:

Trying but not working out so well.

WVU response:

Under the leadership of the Ministry of Health, Uganda plans to compliment the Health Information System with carrying out a country count down at the sub-national levels, subject to availability of resources.

Recommendation n°92: *Create a health insurance scheme for the poor* (Recommended by Belgium)

IRI: *not implemented*

PARDI response:

Not exactly but most of the health services in public hospitals are free.

WVU response:

The draft health insurance policy is still under discussion.



Recommendation n°94: *Continue to ensure access to education for all and to improve the education standards to lay a firm foundation for its economic development* (Recommended by Singapore)

IRI: *fully implemented*

PARDI response:

Yes to free education but quality still lacking.

WVU response:

The Government continues to support implementation of the Universal Primary Education (UPE). Schools inspection to monitor standards have been reinforced.

Recommendation n°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* (Recommended by Morocco)

IRI: *partially implemented*

Center for Reproductive Rights (CRR) response:

In Uganda, there continues to be a widespread lack of provision of comprehensive, age-appropriate and evidence-based reproductive health information/sexuality education, including prevention of early pregnancy and sexually transmitted infections, including HIV/AIDS.

PARDI response:

Not really done, or fully implemented.

WVU response:

Work in progress

Recommendation n°107: *Request international assistance in order to combat scourges such as malaria, tuberculosis and HIV/AIDS* (Recommended by Angola)

IRI: *fully implemented*

PARDI response:

Implemented

Recommendation n°162: *Increase access to sexual and reproductive health services by raising the health budget to 15 per cent in line with the Abuja declaration* (Recommended by Belgium)

IRI: *not implemented*

CRR response:

Uganda is yet to comply with this recommendation. The budget allocation for the health sector for 2012-2013 only accounted for 7.8%, and the projected allocation for 2013-2014 only amounted to 7.4%.

PARDI response:

Not implemented

WVU response:

The Government continues to allocate on average 8% of the national budget to the health sector, below the Abuja declaration commitment of 15%.

Recommendation n°191: *To inculcate human rights, voter education and civic education in the education curriculum of schools* (Recommended by Uganda)

IRI: *partially implemented*

WVU response:

Civic education is yet to have a comprehensive package on human rights. The focus is usually on the voting procedures.

Minorities

Recommendation n°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* (Recommended by Slovakia)

IRI: *partially implemented*

National Union of Disabled Persons of Uganda (NUDIPU) response:

State Reports indicate that Government Ministries, the NCD, DPOs [Disabled people's organisations] and NGOs have been using information materials, media and training workshops to sensitise both their staff and the general public on the different disability legislations and programmes. However, this work has been done exclusively by the DPOs and government has neither committed resources nor put in place the measures to increase public awareness of disability. Persons with disabilities face both stigmatisation and discrimination due to the general lack of public awareness of disability rights. This is further compounded by deeply based negative attitudes and myths about disability that are found in many



communities and in all sections of society. As in many other parts of Africa, culture, social status and religious cosmology have interacted and influenced people's perception and attitude towards disability and at the rural level superstition and other negative stereotypic views are still very prevalent. In Uganda disability is often seen to be a result of witchcraft, sorcery, 'juju' and magic and persons with disabilities are stigmatised on account of cultural beliefs and myths that dehumanise them. For example there are many myths about albinos – some people believe that they are evil and cursed people or that they never die but just vanish or that albinism is a contagious disease. Persons with disabilities are often perceived as being incapable of achieving anything meaningful in society and are excluded from most aspects of social life. For many persons with disabilities daily social life consists of a pattern of exclusion at the family, community and national levels. This is more pronounced among deafblind, cerebral palsy, and person with intellectual disabilities among others

PARDI response:

Yes, the campaigns are reducing these negativities and discrimination.

Recommendation n^o34: Implement the steps envisaged in the promotion of rights of people with disabilities, with a special emphasis on equal opportunities for children with disabilities (Recommended by Hungary)

IRI: partially implemented

NUDIPU response:

The State Report highlights that children with disabilities in Uganda enjoy protection both generally and specifically. According to this report, children are protected from discrimination under the general equality clause in Article 21 of the Constitution as well as the provisions in the Persons with Disabilities Act which protect all persons with disabilities (including children) from discrimination in the areas of education, health as well as access to goods, services and facilities.

Gaps in the current legal framework include the fact that, The Children Act (2003) fails to provide clear provisions on anti-discrimination to protect children with disabilities. The law also does not expressly recognise that children with disabilities enjoy all the rights guaranteed by this particular law. Section 9 is the only specific provision in The Children Act that deals with children with disabilities. However it is also unclear regarding the responsibility of duty bearers to guarantee these rights. It places the obligation of early assessment, appropriate treatment, rehabilitation and equal opportunities upon both parents of children with disabilities and the State without clarifying who is actually responsible. Children with disabilities face many forms of abuse including physical, sexual, emotional and



economical. There is evidence that many deaf blind children are neglected by their parents or guardians resulting in malnutrition, denial of basic services and sometimes leading to death.

The Orphans and Vulnerable Children Policy (OVC), managed by the Ministry of Gender, Labour and Social Development, includes the “child with psychosocial or physical vulnerability” in its definition of vulnerable children. However there are no specific measures to address the needs of children with disabilities within the policy.

Recommendation n^o35: 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 (Recommended by Spain)

IRI: not implemented

NUDIPU response:

It should be noted that although the Constitution generally addresses issues of marginalisation, it fails to recognise or make specific provisions for persons facing multiple discrimination such as women with disabilities.

Women with disabilities especially in rural areas still face early and forced marriages resulting into unwanted pregnancies, increased risk of HIV/AIDS and their children cannot obtain the basic needs. According to the most recent survey by UBOS, the percentage of widows with disabilities aged 15 and above has risen from 34.1% in 2005/06 to 56% in 2009/10. This is an indication that the vulnerability of women with disabilities is on the increase. In spite of this, there are no efforts being made by government to accord social protection to the victims. Additionally some pieces of legislation such as the Penal Code still contain restrictions on the rights of these groups. For example Section 130 of the Penal Code criminalizes the conduct of a person who has or attempts to have a sexual relationship with a woman with a psychosocial disability or intellectual disability outside marriage.

The potential discriminatory effect of such a provision on the right of women with intellectual or psychosocial disabilities to enjoy their sexuality on an equal basis with others is apparent.

Recommendation n^o36: 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 (Recommended by Mexico)

IRI: *partially implemented*

NUDIPU response:

Although the legal framework recognizes the political rights of persons with disabilities, this is not accorded to persons with psychosocial and intellectual disabilities. Despite the nonexistence of any provision preventing them from voting in the electoral law, other laws exclude persons with psychosocial disabilities and intellectual disabilities from being elected to any political position contrary to Article 29 of the UNCRPD. Currently, Parliament amended the National Council for Disability Act (2003) and the Local Government Act to provide for elections of PWDs; taking away the responsibility of organizing and funding elections from NUDIPU to the Electoral Commission. Whereas this step is highly commended by DPOs, we note that the disability coding made in schedule (B) to the Act does not mention some disability categories such as cerebral palsy, hydrocephalus epilepsy etc. This therefore restricts the right to vote of these people. We further note that the procedures of voting in the electoral collages at the various levels in regard to political party representation and regional balance were not stipulated in the law which is likely to confuse the voters. In addition, disability and gender representation may be difficult to achieve since the law provides for only five people at all levels.

In Uganda it is estimated that there are 2952 councilors representing persons with disabilities.

PARDI response:

This has been done.

Recommendation n°93: Improve access for persons with disabilities to education and health care, with particular focus on children (Recommended by Slovakia)

IRI: *partially implemented*

NUDIPU response:

Although the government is committed to the principle of inclusive education as evidenced by the ratification of the UN Convention and the adoption of a Universal Primary Education Policy in 1996, it has authorised the construction of 24 special schools. The educational legal framework is confusing and ambiguous as it mentions both inclusive education and special needs education. For example under Section 5 of the Persons with Disability Act, inclusive education is encouraged although at the same time the establishment of special schools and units is included where inclusive



education is not possible. The greatest omission within the Persons with Disabilities Act is the failure to provide clear provisions on reasonable accommodation for the individual requirements of persons with disabilities as required under article 24 (2) c of the UNCRPD. This stands in contradiction to the UNCRPD and the promotion of an inclusive education policy. International evidence shows that special schools reinforce segregation and exclusion and that if children are educated alongside their non-disabled peers, then many of the negative stereotypes and social attitudes surrounding disability are broken down. DPOs recommend that the government commits itself fully to the implementation of inclusive education and provides adequate human and financial resources to achieve this.

As indicated in the State Report, the government has established a faculty at Kyambogo University, which is charged with training education personnel in special needs education, conducting research and developing appropriate materials.

However in UPE there is a lack of adequate training and preparation of teachers to manage very large classes and identify the special needs students. There is evidence that most schools are still inaccessible, lack SNE teachers, lack essential instructional materials and that Head Teachers still reject children with severe disabilities for enrollment in their schools, recommending them instead to special needs schools. Indeed one of the District Education Officers (DEO) interviewed stated that Uganda is not ready for inclusive education and this may partly explain why most government efforts are focused on special needs education as there is a lack of physical infrastructure, adequately trained staff and any deliberate collaboration of parents, teachers and pupils in addressing the educational needs of children with disabilities.

The Education Assessment and Resources Services (EARS), initially funded by the Danish International Development Agency (DANIDA) until 2003, continued with government support until 2005. However unlike Kenya where this scheme continues with government funding, this service is no longer operational in Uganda and children with disabilities are denied an educational assessment service.

The current school curriculum is not sensitive to the educational needs of children with disabilities and opportunities for these children are consequently limited and restricted. At the time of writing we understand that a draft document is being prepared on revising the school curriculum in 2015.



The UBOS statistical abstract 2010 survey states that disability is one of the major factors for children not attending school. The report indicates that the type, nature and extent of disability determine the affected child's ability to walk long distances to school as well as defy stigma.

According to the figures 30% of the children aged 7 gave disability as one of the reasons for not. Although the recently released statistical abstract has no statistics on disability, it indicates that Education activities decreased by 0.5 percent in 2009/10 compared to an increase. There are no reliable statistics on the enrollment of children with disabilities in either UPE or USE schools to guide planning and budgeting in the education sector. Most Head Teachers are unaware of the different types of disabilities tending to only consider physical disability. Although the state disaggregates data of special schools/units in the country, these mainly target visually and hearing impaired. The Government therefore lacks any firm data on the numbers and types of disabilities of children attending school.

While the Ministry of Education and Sports through its Special Needs Department distributes Braille papers, Perkins brailers and brailled text books to special units, these materials are insufficient to meet the needs of all schools in the country. Very few school books are available in Braille in primary school and those that are available do not form part of the syllabus. No Braille text books are available for secondary school. Furthermore, it has also been observed that the Department only supplies equipment and materials to the visually impaired, ignoring the other disabilities. 70% of the schools visited in the field research were found to have "inaccessible ramps" (narrow and very steep) preventing access to classrooms for children with physical disabilities; 90% of administrative blocks lacked any form of accessibility and 70% of latrines for persons with disabilities constructed under the School Facilitation Grant (SFG) lack separate facilities for boys and girls. All these challenges directly discriminate against children with disabilities and prejudice their education.

The Special Needs Education Departments at the Ministry of Education and Sports and at the district levels are not fully autonomous and lack the adequate resources to finance special needs education programmes. The Special Needs Education learning centres are concentrated in towns and cities thereby neglecting the rural areas, which have a negative effect on the educational achievements and especially the literacy and numeracy rates of children with disabilities in those areas. Although the government has continued to train special needs education teachers (72 trained in the



last three years), there is a great shortage of special needs trained teachers in the country.

Special needs teachers are not included in the Public Service Code and when they have completed their training, they are often not recruited as special needs teachers. This further restricts access to education for children with disabilities. Despite the specific challenges faced by special needs teachers in teaching children with disabilities, there are no incentives in terms of additional remuneration to motivate them to pursue careers in special education. There is also evidence that Special Needs Education Teachers are indiscriminately transferred from schools where they are needed to schools where there are no children with special needs. In addition, many take up other career opportunities such as administration. For example in 2011, information from the unit for the blind at St. Hellens Primary School in Mbarara district revealed that teachers who were trained to teach children with visual impairments were transferred to other schools and were replaced with teachers who did not have the necessary training. This had a great impact on the school as it has an Current government policy on Universal Primary Education (UPE) has many shortcomings which impact negatively on the needs of children with disabilities. Government does not currently meet the boarding costs or medical costs of children at the primary level as this is considered to be the responsibility of the parents. It is our view that this is a discriminatory policy considering the high poverty levels in the country. The majority of children with disabilities come from very poor families and the schools which can accommodate the educational needs of these children are very few and often very distant (on average 150 kms). There are currently only three schools in Uganda where deaf blind children can achieve a quality education. Secondly, the majority of children with multiple disabilities and especially deaf blind children require boarding facilities to enable them to learn appropriately. However under UPE, the government does not provide for boarding fees and these children are therefore directly discriminated against and have reduced opportunities to access education. For example Sense International Uganda works with 370 deafblind children but of these only 20 have had the opportunity to enroll in school as a result of support from Sense (Sense Annual Report 2010/2011).

UPE has created a high demand for secondary education, which is not yet being addressed by the government. There is no universal secondary education (USE) Policy and consequently there are no programmes or initiatives addressing the needs of children with disabilities in secondary education. Only 2.2 % of persons with disabilities in Uganda have attained



post-secondary level education, according to the Uganda Population and Housing Census 2002.

DPOs note that within the current context, it is not possible to achieve full inclusive education immediately. However we expect progress towards this goal within the next four years reporting period. This will mean that additional resources should not be diverted to segregated or special schools but used to support inclusive education. The existing special schools should become centres of excellence and models of inclusive education.

PARDI response:

Implemented

WVU response:

This continues to be a challenge, especially where there is no reliable data about the number of disabled children and where they live.

Recommendation n^o99: *Pursuing accommodative dialogue with indigenous communities, with a view to minimize disruptive approaches to their lifestyle and traditions while improving their life conditions* (Recommended by Algeria)

IRI: *not implemented*

University of Oklahoma College of Law International Human Rights Clinic (UOCLIHRC) response:

Uganda has failed, because has not done anything to implement this recommendation; neither has taken any concrete measure on this issue.

Recommendation n^o100: *Continue to take legislative and administrative measures to improve the rights of BATWAS people* (Recommended by Republic of Congo)

IRI: *not implemented*

UOCLIHRC response:

Uganda has not done anything to implement this recommendation, neither any concrete legislative or administrative measure has been taken for improve the rights of Batwas people.

Recommendation n^o101: *Improve the life conditions of migrants and refugees in Uganda* (Recommended by Holy See)

IRI: *partially implemented*

PARDI response:

Efforts are on way, but still need external and more internal support.



WVU response:

The Government works closely with UNHCR to coordinate humanitarian assistance for refugees. However, there is need to support social services delivery in areas hosting refugee camps due to increased demand from increased populations.

International Instruments

Recommendation n^o117: *Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT) (Recommended by Brazil)*

IRI: *not implemented*

+

Recommendation n^o156: *Abolish the death penalty and ratify OP-CAT (Recommended by Holy See)*

IRI: *not implemented*

+

Recommendation n^o158: *Establish a moratorium on executions and ratify the ICCPR-OP 2, aiming at abolition of the death penalty (Recommended by Romania)*

IRI: *not implemented*

PARDI response:

Not implemented

Justice

Recommendation n^o1: *Integrate international human rights instruments into domestic law (Recommended by Chad)*

IRI: *partially implemented*

Anonymous response:

The laws are in place though many people are not aware of the key provisions of the laws and policies. The duty bearers like in police, community development officers and probation officers received training but lack resources to cascade the training at community level. The other law that would help the situation of violence against women and men is the proposed Marriage and Divorce bill which has faced a lot of rejection and was put back on the shelf.

PARDI response:

Not yet fully integrated.

WVU response:

Process in on-going but at a slow pace. There is need for orientation of legislators to be able to support the process.

Recommendation n°2: *Continue to harmonize its domestic legislations with those international human rights instruments that Uganda is a party* (Recommended by Indonesia)

IRI: *partially implemented*

PARDI response:

Nothing has fully been made.

WVU response:

Uganda is a signatory to several international instruments but it has not adequately domesticated the relevant provisions. For example, there are no provisions for health a human right in the domestic laws.

Recommendation n°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* (Recommended by Belgium)

IRI: *not implemented*

PARDI response:

Not yet implemented

Recommendation n°38: *Enhance the separation of powers between the executive branches and the judiciary* (Recommended by Hungary)

IRI: *not implemented*

Anonymous response:

This will take time be realised because the chief justice was re-enstated by the president after so many had been suggested by parliament. This shows that the executive still controls the judiciary. There is no separation of power between these two.

PARDI response:

Not yet fully implemented

Recommendation n°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* (Recommended by Czech Republic)

IRI: *partially implemented*

PARDI response:

Some security officers have faced the law while other cases are ignored of course due to the high levels of corruption.

Recommendation n°60: *Investigate and hold accountable police and security officers who attacked human rights defenders, journalists and civilians during the 2011 post-election period* (Recommended by Norway)

IRI: *partially implemented*

PARDI response:

Investigation yes, but no visible action taken against them.

EHAHRDP response:

Police and security officers who attacked human rights defenders, journalists and civilians during the 2011 post-election period have to date not been held accountable.

According to Human Rights Watch investigations, the government of Uganda has failed to investigate adequately the use of lethal force by security forces that resulted in the deaths of at least nine people during protests over corruption and rising commodity prices in April 2011.

Years after the killings, only one member of the forces has been arrested. The only commitment to-date is the arrest of a military reserve force member for the fatal shooting of a two-year-old girl in Masaka. He is on trial before the military courts in Kampala. Rather the police continue to use excessive force with impunity especially in its efforts to disperse assemblies.

On 25th April 2012, Ingrid Turinawe, leader of the Women's League of the Forum for Democratic Change (FDC), political party, was brutally arrested on her way to a political rally. When she refused to exit her vehicle, a police officer grabbed and painfully pressed her breast so as to force her to get out of the car.

On 17th January 2014, protests broke out in and around Kampala in protest at the manner in which the ruling party, National Resistance Movement (NRM), aided by the police was removing the Lord Mayor from office. The police worked alongside unidentified individuals carrying clubs and dressed in civilian clothes to calm the situation.

Recommendation n°61: *Accelerate the improvement of the judicial, police*



and prison systems in line with international human rights standards (Recommended by Holy See)

IRI: not implemented

PARDI response:

They are making efforts at this, but the process is so slow.

Recommendation n°62: Investigate and prosecute all persons found guilty of extrajudicial killings and attacks on human rights defenders (Recommended by Belgium)

IRI: partially implemented

PARDI response:

Not fully implemented, just a few cases are handled in that line.

EHAHRDP response:

The security forces continue to enjoy impunity for torture, extrajudicial killings, and the deaths of at least 49 people during protests in 2009 and 2011. The government banned political pressure groups calling for peaceful change, stopped opposition groups from holding rallies, and harassed and intimidated journalists and civil society activists in 2012.

In the HRNJ Press Index Report of 2013, the Uganda Police Force featured prominently as the biggest perpetrators of abuses against journalists. It is reported that there have been no known prosecutions implemented against agents of the Police Force that have been implicated in these violations. Despite reported cases at the Professional Standard Unit (PSU), the police has failed to release a progress report showing the status of the investigations.

Police leadership disbanded the Police's Rapid Response Unit (RRU) in December 2011 explicitly because of its poor human rights record, renaming it the Special Investigations Unit (SIU). However the police have failed to investigate abuses committed by RRU officers or ad hoc operatives, some of whom continue to work with the SIU. In September 2012, four members of the opposition Forum for Democratic Change (FDC) appeared before court charged with treason. They complained of torture in detention after having been detained by the SIU for 14 days.

The government failed to investigate the killing of over 40 people by security forces during the September 2009 riots, and the deaths of nine people during the "Walk to Work" demonstrations in April 2011. No charges were filed against the police officer who in April assaulted Ingrid Turinawe, head of the FDC's Women's League, as police prevented her from attending a rally.



According to the HRNJ Press Index of 2013, there are a growing number of cases of journalists that have been killed and the police investigations have not been conclusive and justice remains a distant aspiration. In 2013, Thomas Pere and Alex Kule were killed and to date the perpetrators responsible for their death remain at large. The Uganda Police Force has maintained the usual plea of 'investigations are still ongoing' to establish the cause and those responsible for the death of the journalists but to no avail.

Recommendation n°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 (Recommended by Slovakia)

IRI: not implemented

PARDI response:

Some are respected but not the LGBT activists at all.

EHAHRDP response:

Uganda is still failing in its state duty to 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 Human Rights Defenders.

Human rights defenders (HRDs) in Uganda operate amidst an increasingly restrictive legal environment. The rights to freedom of assembly, association and expression are under increasing duress, with HRDs being specifically targeted by a range of regressive new laws introduced throughout 2013/14. In all cases, these laws fail to conform to regional and international human rights standards (as well as the standards set out in Article 29 of the Constitution of the Republic of Uganda).

HRDs, including those working within civil society organisations, journalists, and individual activists, face routine threats, harassment, and institutional obstacles from both state and non-state actors. This situation is not, per se, a new phenomenon, but has deteriorated markedly over the course of 2013-14. In the run up to presidential elections in 2016, this situation is expected to deteriorate further, with particularly enhanced risks for HRDs working on electoral transparency and wider governance issues.

Recommendation n°128: Take all necessary measures to put an end to such acts, notably by bringing to justice State officials guilty of torture or ill-treatment (Recommended by France)

IRI: not implemented

PARDI response:

Not yet, officers are ordered by the same government.

Recommendation n°141: *That Public Orders Management Draft Bill be brought in line with Uganda's international human rights obligations* (Recommended by Norway)

IRI: *not implemented*

WVU response:

The Public Order Management Bill was enacted into law and some clauses contradict international human rights standards like freedom of assembly and association.

Recommendation n°142: *Ensure that the Public Order management bill currently discussed is fully in line with international human rights standards* (Recommended by Austria)

IRI: *not implemented*

PARDI response:

It was passed and no it not inline IHR standards

WVU response:

The Public Order Management Bill was enacted into law and some clauses contradict international human rights standards like freedom of assembly and association.

Recommendation n°153: *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* (Recommended by France)

IRI: *not implemented*

PARDI response:

Not yet established

Recommendation n°154: *Establish a moratorium on all executions and eventually abolish the death penalty* (Recommended by Switzerland)

IRI: *not implemented*

+

Recommendation n°157: *Declare a moratorium on the death penalty with a view to abolishing it, and commute the death penalty sentence by prison sentences* (Recommended by Spain)

IRI: *not implemented*

PARDI response:

Not implemented



SOGI

Recommendation n°69: *Investigate and prosecute intimidation and attacks on LGBT-community members and activists* (Recommended by Netherlands)

IRI: *partially implemented*

EHAHRDP response:

In July 2014, the Ugandan High Court passed a decision endorsing the government's closure of a lesbian, gay, bisexual and transgender (LGBT) rights workshop. Justice Stephen Musota ruled against four activists who had sued the ethics and integrity minister, Simon Lokodo, for shutting down the February 2012 workshop. The judge ruled that the workshop participants were "promoting" or "inciting" same-sex acts. "Carnal knowledge against the order of nature" is criminalized under Uganda's Penal Code. Justice Musota rejected the activists' argument that the purpose of the workshop was to develop human rights advocacy and leadership skills, finding that such objectives were simply a cover for promoting same-sex acts.

Since the enactment of the Anti-Homosexuality Act (AHA) 2014, the Ugandan government has forced the suspension of certain operational activities of the Refugee Law Project, based in Kampala. On 3 April 2014, a United States funded health clinic and medical research facility, the Makerere University Walter Reed Project (MUWRP), was raided by Ugandan authorities, and one of its staff members arrested, under the apparent authority of the AHA 2014.

In parallel, the complex influence of extremist religious figures operating in Uganda combined with tabloid publications such as the Red Pepper, has fuelled a growth in instances of 'mob justice' by community members against individuals on the basis of their real or perceived sexual orientation or gender identity. A number of HRDs have been forced to relocate, seek asylum abroad, or suspend their human rights activities.

In May 2014, Sexual Minorities Uganda (SMUG) published research indicating "a marked increase in instances of harassment and maltreatment [of persons of real or perceived minority sexual orientation or gender identity, that] can be traced back to the passing of the Act through Parliament...between 20th December 2013 and 1st May 2014"



On 26th January, 2011 LGBT activist David Kato, who had successfully sued Red Pepper, a local tabloid for the 2010 publication of his picture under the headline "Hang Them," was bludgeoned to death at his home outside Kampala. On 2nd February, police arrested Sidney Enock Nsubuga for Kato's murder. He was prosecuted at Mukono High Court and sentenced to 30 years imprisonment on 10th November 2011.

Recommendation n°70: *Investigate thoroughly and sanction accordingly violence against LGBTs, including gay rights activists* (Recommended by Belgium)

IRI: *not implemented*

PARDI response:

Not implemented

EHAHRDP response:

Uganda has been reluctant to investigate and sanction violence against LGBT community leading to a shocking spike in attacks against LGBT people in the country especially after the AHA was passed. A report compiled by Sexual Minorities Uganda (SMUG) recorded 162 incidents since December last year, when Parliament passed the draconian law. In comparison, the organisation only recorded eight incidents in the previous 11 months and 19 incidents in 2012.

The report documents incidents of mob violence and attacks on people and their property. It also reported that at least 25 people fled Uganda because of the law. Ugandan media outed people suspected of being LGBT which led to some victims being attacked or disowned by their families. There were four cases of men accused of homosexuality being kidnapped and tortured while a 17-year-old boy committed suicide.

Most of the perpetrators of these crimes have not been held accountable in line with international human rights standards.

Recommendation n°71: *Take immediate concrete steps to stop discrimination and assaults against LGBT persons* (Recommended by Czech Republic)

IRI: *not implemented*

PARDI response:

No, because an anti homosexuality bill was passed so such groups are not protected.



EHAHRDP response:

Ironically, despite accepting this recommendation, Uganda passed the AHA, a discriminatory law against LGBT persons. The law, inter alia, purports to criminalise human rights defenders, NGOs, and other individuals or organisations working on sexual orientation and gender identity issues. The sweepingly broad provisions of ss. 13 of the AHA 2014, which criminalises the ‘promotion’ of homosexuality (without providing a statutory definition of that term) has had a chilling effect on the entire human rights community in Uganda.

Presently section 145 of the Ugandan Penal Code criminalizes ‘carnal knowledge against the order of nature’ with a maximum sentence of life imprisonment. Section 146 punishes ‘attempts’ at carnal knowledge with a maximum of seven years’ imprisonment. Section 148 punishes acts of ‘gross indecency’ with up to seven years in prison. While the penal code does not specifically identify same sex practices between women as prohibited the law is applied indiscriminately such that lesbian and bisexual women face the same hostility from both State and non-state actors as do gay and bisexual men.

Recommendation n°164: *Publicly announce the shelving of the proposed bill on homosexuality and decriminalize homosexual behaviour* (Recommended by Canada)

IRI: *not implemented*

PARDI response:

No, but in Uganda homosexuality is a criminal act now

Recommendation n°165: *The Parliament to dismiss the proposed Anti-homosexuality Bill 2009* (Recommended by Norway)

IRI: *not implemented*

PARDI response:

In Uganda, the bill was passed in 2014.

Recommendation n°166: *Reject the Anti-Homosexuality Bill and decriminalize homosexual relationships between consenting adults* (Recommended by Slovenia)

IRI: *not implemented*

PARDI response:

No, the bill was accepted.

Recommendation n°167: *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 (Recommended by Norway)

IRI: *not implemented*

PARDI response:

Not implemented

Recommendation n^o168: *Repeal laws that discriminate against LGBTs* (Recommended by Belgium)

IRI: *not implemented*

PARDI response:

No, discrimination is very high.

Recommendation n^o169: *Revise its national legislation to decriminalise homosexuality and prohibit all forms of discrimination* (Recommended by Switzerland)

IRI: *not implemented*

PARDI response:

Not implemented

Recommendation n^o170: *Remove criminal penalties for offences on the basis of sexual orientation* (Recommended by Australia)

IRI: *not implemented*

PARDI response:

No, penalties have instead increased.

Recommendation n^o172: *Abstain from applying legislation that criminalizes homosexuality* (Recommended by Brazil)

IRI: *not implemented*

PARDI response:

Homosexuality is criminalized in Uganda.

Recommendation n^o174: *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* (Recommended by Austria)

IRI: *not implemented*

PARDI response:

Not implemented

Recommendation n^o175: *Derogate the legislation that criminalizes the LGBT community, and put an end to the defamatory and harassing campaigns against them* (Recommended by Spain)

IRI: *not implemented*

PARDI response:

LGBT Community is living in fear and if arrested for any activity in line with LGBT you get a life sentence in Jail.

Recommendation n°177: *Repeal all provisions criminalizing sexual activity between consenting adults and ensuring the same rights for same sex couples as heterosexual couples* (Recommended by Netherlands)

IRI: *not implemented*

PARDI response:

An anti homosexuality bill was passed into law, so homosexuality is not accepted in Uganda.

Recommendation n°178: *Ensure equal rights for all individuals, regardless of sexual orientation* (Recommended by United States)

IRI: *not implemented*

PARDI response:

Not at all [implemented] in Uganda.

Recommendation n°179: *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* (Recommended by Denmark)

IRI: *not implemented*

PARDI response:

not really, no reforms in place yet

WVU response:

Uganda outlawed homo-sexuality

Women & Children

Recommendation n°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* (Recommended by Poland)

IRI: *partially implemented*

Anonymous response:

This has not yet been done.

CRR response:

Uganda is yet to fully comply with this recommendation. Stereotypes that result in discrimination and bias against women continue to prevail and are manifested in health providers' bias and refusal to provide contraceptive information and services to unmarried women and adolescent girls or to women living with HIV/AIDS.

PARDI response:

Strategies to stop discrimination are just on paper and traditional practices still exist for example female genital mutilation in rural northern and some parts of eastern Uganda.

WVU response:

Uganda is a signatory to CEDAW and has put in place strategies for women emancipation like the National Gender Policy and other affirmative actions in the areas of education, politics and economic empowerment. However, the impact on the marginalized rural women remain marginal and there is need for their deliberate targeting.

Recommendation n°18: Take administrative measures to ameliorate the situation of children and women (Recommended by Republic of Congo)

IRI: partially implemented

PARDI response:

Yes the government has done this.

WVU response:

Although Government recognizes women and children as the most vulnerable groups, there is inadequate political will to allocate enough resources into impactful service delivery programs for women and children. For example, initiatives to improve maternal and child health like the new plan on Reproductive, Maternal, Newborn and Child will require additional resources for the health sector from 8% to 15% of the national budget.

Recommendation n°19: Intensify the implementation of the National Action Plan on Women and of gender-sensitive poverty reduction and development programmes (Recommended by Ghana)

IRI: not implemented

Anonymous response:

The National Action plan was revised by the Ministry of gender in 2011 and a number of indicators were set to monitor the implementation.

PARDI response:

No such intensity but gender sensitive poverty reduction and development programmes are place.

WVU response:

Women and gender sensitive poverty reduction is among the four priorities for Uganda's National Development Plan II. However, the challenge continues to be political will to allocate adequate budgetary resources to support the implementation of National Action Plan in favor of gender and women's rights.

Recommendation n°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* (Recommended by Ghana)

IRI: *not implemented*

PARDI response:

Efforts have been made in assisting the children especially in northern Uganda, however due to limited funds, no long term efforts exist.

Recommendation n°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* (Recommended by Mexico)

IRI: *not implemented*

Anonymous response:

The Marriage and Divorce Bill would have played a bill role in harmonising the marriage laws. The president and the members did not support the bill because it touches their culture and would deprive them of the votes from the masses in the next elections. It was rejected also because there was no much sensitisation about the law. People only looked at the controversial issues in the bill and ignored the good. Without passing this bill women's rights will continue to be violated.

PARDI response:

NO harmonized legislation yet and the marriage and divorce bill was not even passed.

Recommendation n°31: *Strengthen efforts to fulfil its obligations under*



CEDAW, including by full implementation of the Domestic Violence Act (Recommended by Australia)

IRI: not implemented

Anonymous response:

There are still gaps in awareness creation. Most of the people in the districts like the probation officers and the community development officers and the family and child protection unit at office get the least funding. The people employed to handle survivors are not trained on this law. How can they implement the law they have no copies of, do not know about and not well funded to handle cases being reported? Domestic violence is still rampant because the laws are not fully applied. The perpetrators walk away with small charges and set a bad example to others who continue with the bad acts knowing that they will come out without much penalty.

CRR response:

Uganda is yet to comply with the recommendation to strengthen efforts to fulfil obligations under CEDAW. Funding for maternal health continues to be among the lowest in the health sector, the level of inadequate access to contraceptive information and services, particularly in the rural areas remains high, the legal framework of abortion or termination of pregnancy remains unclear to women, healthcare providers, and law enforcement officers resulting in high levels of unsafe abortion and preventable maternal injuries and death, and there continues to be a widespread lack of provision of comprehensive, age-appropriate and evidence-based reproductive health information/sexuality education, including prevention of early pregnancy and sexually transmitted infections, including HIV/AIDS. One ongoing issue is the passing into law by the Uganda Parliament of the HIV and AIDS Prevention and Control Bill which contains clauses providing for compulsory testing of pregnant women and other vulnerable persons, the criminalization of HIV transmission, and the non-consensual disclosure of HIV-status to sexual partners--all of which affect women disproportionately and have the potential to expose them to domestic violence and multiple rights violations--including health, privacy and non-discrimination. The Bill is now before the Ugandan President who will decide whether to sign it into law. As it stands, it is not in compliance with international human rights standards, including the International Guidelines on HIV/AIDS and Human Rights.

Centre for Domestic Violence (CEDOVIP) response:

Government of Uganda's intentions to implement fully the Domestic violence act is there but has not been equalized with resource allocations in the national budget. There is no direct funding from government towards any sector responsible for the implementation and only prevention and response is fully funded by donor funds.



Below are some of the areas where government has made progress towards the implementation of the DV Act:

- Close collaboration with civil society: Government through the Uganda Law reform Commission and Ministry of Gender collaborated with the Domestic Violence Act coalition translated the law into eight local languages including; Luganda, Runyankole-Rukiga, Rukonzo, Alur, Runyoro-Rutooro, Acholi, Akarimojong and Ateso.
- Opening up to police to establish the directorate: The Uganda Police force has opened up to establish a GBV directorate whose mandate would be to fully implement domestic violence Act.
- Ministry of Health conducted a readiness report to guide government strategies on prevention and response of GBV within the health sector.
- Through the Joint program with Ministry of Gender Labor and Social Development in Busoga aims at prevention and ensuring the law is implemented by duty bearers.
- In Justice, Law and Order sector, the Uganda Women Judges Association embarked on trainings of judges and magistrates on the Domestic Violence Law and distributed copies of the law to duty bearers.

These activities are good sign of progress but they have not been give the push to highlight it as national problem as shown by UDHS 2011 that indicates the 56% of women still experience physical violence, 28% sexual violence and supported by the Uganda Police crime report 2013 which shows that domestic violence and defilement are the leading crimes in Uganda (DV: 3,426, Death as result of DV: 2,326, Defilement: 9,598).

The domestic violence Act was enacted in 2010 and became operational in 2011, however processes that facilitate the implementation of the DV Act are still pending including;

- Absence of the National GBV policy which remains key in the implementation of the DV Act. Although Ministry of Gender, labor and social development has worked on the draft since 2012 there has been no further commitment from cabinet to approve it and prioritize it as national development issue. There is no convincing explanation as to why this is not completed.
- Vigorous Public awareness about the law by the government are also very minimal leaving a gap in information on how survivors can seek support, attitudes, stereotypes, practices and behaviors that perpetuate violence against women are still reinforced while Duty bearers emphasize reconciliation and send survivors home due to stereotypes and inability to recognize Domestic violence as an issue.



- **LC Courts:** Local council courts are listed in the law as the first points of contact for survivors and are mandated to handle DV cases. However, their legal status poses numerous challenges since they expired under the multiparty system of governance, many have since died and not replaced, operations are not legal and the law, the LC Court Act that governs their operations has serious gaps regarding handling of GBV/DV cases. The ministry of Local government which supervises the LCs is not involved in the implementation process thereby making it difficult for them to prioritize it.
- **Training of duty bearers:** the law mandates government to train duty bearers in skills to enable them to effectively handle cases of domestic violence. However trainings are minimal which poses challenges for survivors in accessing justice. A survey conducted in the Kampala by CEDOVIP showed that many had no access to the copies of the law.
- **Shelters:** the law further mandates government to establish public shelters for survivors but to date; government has not committed any resources towards this although Ministry of gender developed the national GBV shelter guidelines.
- **Legal and administrative reforms;** processes to reform/ amend policies in harmony with the DV Act is slow eg; the local council Act, Evidence Act 1909 and penal code Act have not yet been amended to cater for gaps that continue to expose women to discrimination in access to justice. Administratively Police, health and judiciary have not yet institutionalized prevention and response to DV. Procedures and guidelines of how cases should be handled within institutions have also not changed thereby making it increasingly hard for survivors to access justice under the law.
- **Coordination:** there is no proper coordination of duty bearers to ensure that justice system reinforce the protection orders as provided under the law among other things. There is need to assess the cases through the justice system to establish the impact of the judgments to the survivors as new law and ensure access to a copy of the law.
- **Ministry of Health** is still unclear of what needs to be done, they remain rhetoric on the issue but when it comes to resources allocation, there are no concrete actions.
- **Judiciary:** Officers are not aware of the law, and still consider it as a misunderstanding and not given due attention. This explains why the procedures for handling DV cases are weak; there is no victim/ witness protection, and not many convictions in this regard. A lot remains to be done.
- **Parliament** remains relaxed because they think that since they passed the law, everything is settled. They are not looking for the budgetary



allocations despite the economic costs associated to Domestic Violence (CEDOVIP report on the economic cost of domestic violence in Uganda established that Uganda loses 77 billion shillings every year responding to DV). Yet domestic violence is an economic and education indicator.

- Uganda Police Force is struggling with the establishment of the GBV directorate and there only seems be donor funds. Child and Family Protection unit is the least resourced, It is not taken as main stream issue compared to other crimes.

Recommendation n°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* (Recommended by Azerbaijan)

IRI: *partially implemented*

PARDI response:

Women have been involved but attention is on all women so sometimes rural women don't benefit much.

Recommendation n°44: *Complete its strict approach to female genital mutilations with awareness-raising, prevention and education of the concerned communities* (Recommended by France)

IRI: *not implemented*

Anonymous response:

The challenge in elimination of the practice include lack of ordinances and by-laws, difficulty in arresting the traditional surgeons, girls and surgeons crossing over to the Kenyan border, limited funds to mobilise communities and economic dependency on the practice for survival.

PARDI response:

The practice still exists unless strict punishments are given, awareness is not sufficient.

Recommendation n°45: *Ensure the implementation of laws protecting women from violence, including sexual violence and sexual harassment* (Recommended by Czech Republic)

IRI: -

PARDI response:

These laws are in place but the recent mini skirt bill had sparked harassment.

Recommendation n°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 (Recommended by Poland)

IRI: *not implemented*

PARDI response:

Practice still exists and no clear punishment is set.

Recommendation n°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 (Recommended by Slovenia)

IRI: *partially implemented*

PARDI response:

Equal rights for women is a yes but mutilation still exists in some remote villages.

Recommendation n°49: Implement the recently approved legislation on discrimination and violence against women and on prohibition of Genital Female Mutilation (Recommended by Spain)

IRI: *partially implemented*

PARDI response:

Implemented only that, action is still very slow.

Recommendation n°51: Continue its initiatives aimed at improving the rights of Ugandan women and girls, including through the enforcement of the domestic violence act (Recommended by Burkina Faso)

IRI: *fully implemented*

Anonymous response:

There are low levels of community awareness on their provisions, there is transfer of trained staff, non functionality of local councils courts that are nearer to the people, lack of psycho-social support mechanisms for survivors and lack of clarity on penalties for crimes like early marriages, forced marriages and marital rape.

CRR response:

One ongoing issue is the passing into law by the Uganda Parliament of the HIV and AIDS Prevention and Control Bill which contains clauses providing for compulsory testing of pregnant women and other vulnerable persons, the criminalization of HIV transmission, and the nonconsensual disclosure of HIV-status to sexual partners--all of which affect women disproportionately and have the potential to expose them to domestic violence and multiple rights violations--including health, privacy and non-discrimination. The Bill is now before the Ugandan President who will decide whether to sign it into law. As it stands, it is not in compliance with



international human rights standards, including the International Guidelines on HIV/AIDS and Human Rights.

PARDI response:

Government has made good efforts here.

Recommendation n°52: *Prevent, investigate and prosecute sexual and gender violence against all women, including women with disabilities* (Recommended by Chile)

IRI: not implemented

NUDIPU response:

DPOs recognise the existence of various laws aimed at preventing exploitation, violence and abuse but there is a need for government to align/amend these laws and policies to include measures for the protection of persons with disabilities. According to a recent Human Rights Watch Report over one third of women with disabilities have experienced some form of sexual and gender based violence.

Field findings also revealed that women and girls with disabilities experience various forms of sexual violence and abuse such as defilement, rape and incest. For example a case of incest in Iganga of a deaf blind girl defiled by a family member was reported, but was unable to identify the perpetrator. 17 cases of rape and defilement of deaf women and girls have been reported to UNAD by 2011. At least 80% of young women with disabilities above the age of fifteen years reached in reproductive sexual health training by NUWODU have been sexually violated in some way (Research Project Report on Knowledge, Attitudes and Use of Rights for Girls and Women with Disabilities in Sexual and Reproductive Health Case Study: Mpigi and Kamuli Districts, NUWODU, April 2012). The NUDIPU Rapid Survey on Gender Based Violence against Women with Disabilities and the Condition of Persons with Psychosocial Disabilities, 2012 indicates a high prevalence of violence against women. Four of the women interviewed individually reported experiencing physical or sexual violence, or both. Three of these women were raped – two by strangers and one by her teacher whilst still at school. The woman raped by the teacher became pregnant. One woman reported severe physical and psychological violence inflicted on her as a child by her father.

This report notes that women with disabilities are vulnerable to such crimes because of their isolation, lack of support structures, limitations in physical mobility, communication barriers and also because of myths that women with disabilities are weak, stupid, or asexual. It is also important to note that persons with disabilities and women with disabilities are not empowered to



report cases of exploitation, violence and abuse due to their lack of awareness of their rights.

PARDI response:

Not much prevention available, but have tried to prosecute.

Recommendation n°53: *Prevent and investigate the incidents of sexual violence against women and bring perpetrators to justice* (Recommended by France)

IRI: *partially implemented*

PARDI response:

Less prevention but investigations in place and yet, justice with evidence exists.

Recommendation n°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* (Recommended by Canada)

IRI: *not implemented*

NUDIPU response:

Under the Constitution of Uganda and the Persons with Disabilities Act persons with disabilities have a right to respect and human dignity to belong, to enjoy, practice, profess, maintain, and promote any culture, institution, language, tradition, creed or religion in community with others. Apart from referring to these laws the state has not made any effort to report on what it has done to implement these rights.

PARDI response:

Some big cases are investigated but smaller ones dropped which are the most common.

WVU response:

The challenges facing handling cases of gender violence include; lack of facilitation for investing institutions and as a result requesting the victims to meet the costs, inadequate medical staff to provide medical examinations and delays in delivering justice.

Recommendation n°55: *Investigate cases of gender violence and bring perpetrators to justice and provide legal and medical support to victims* (Recommended by Brazil)

IRI: *not implemented*

CRR response:

Uganda has still not clarified its laws concerning abortion and has not amended its Penal Code to reflect the circumstances permitting legal abortion set forth in its Reproductive Health Guidelines, one of which is rape. Accordingly, the provision of legal and medical support to victims of sexual violence, and particularly those who become pregnant as a result, continues to be seriously hampered by the widespread lack of clarity about when abortion is legal.

PARDI response:

Not in most cases, such is usually ignored.

WVU response:

The challenges facing handling cases of gender violence include; lack of facilitation for investing institutions and as a result requesting the victims to meet the costs, inadequate medical staff to provide medical examinations and delays in delivering justice.

Recommendation n°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 (Recommended by Zimbabwe)

IRI: not implemented

PARDI response:

No such measures available.

Recommendation n°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 (Recommended by Czech Republic)

IRI: partially implemented

WVU response:

The Uganda Police is doing all it can to prosecute culprits of ritual killings of children and adults. However, there is need for more efforts on preventions strategies like raising awareness and involving communities for timely and evidence based reporting.

Recommendation n°59: Continue efforts to provide better protection for the children, including reviewing its juvenile justice system (Recommended by Indonesia)

IRI: partially implemented

PARDI response:

Just trying to be implemented, but not so much is done.



Recommendation n°72: *Strengthen and further develop measures to ensure that all children born within the national territory are registered* (Recommended by Ghana)

IRI: *partially implemented*

PARDI response:

Not all children born here are registered.

WVU response:

The Government is in the process of reviewing the old Birth registration Act and also formulate an appropriate birth and death registration.

Recommendation n°91: *Improve health indicators, particularly decrease maternal Mortality Rates which remain short of the 2015 MDG's target* (Recommended by Turkey)

IRI: *partially implemented*

PARDI response:

Health indicators are not that very improved as required.

WVU response:

In attempt to improve the health indicators particularly maternal mortality, the government launched an acceleration plan called the Reproductive, maternal newborn and child health, under the global initiative – A Promise Renewed (APR).

Recommendation n°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* (Recommended by Poland)

IRI: *fully implemented*

PARDI response:

Yes, was implemented and the budget for education was improved.

WVU response:

The education sector receives higher budgetary allocations as a proportion of the national budget as compared to other social service sectors. The challenges continues to be accountability and utilization of the resources which has not be translated into learning outcomes for especially the most vulnerable children.

Recommendation n°97: *Continue to reinforce the development policy on primary education* (Recommended by Angola)

IRI: *fully implemented*

PARDI response:

Implemented

WVU response:

The Government continues to support implementation of the Universal Primary Education (UPE). Schools inspection to monitor standards have been reinforced.

Recommendation n°103: *Improve the protection of children by fighting against child labour* (Recommended by Holy See)

IRI: *partially implemented*

PARDI response:

Implemented

WVU response:

There is need for a more structured approach supported by appropriate institutions and structures.

Recommendation n°143: *Amending or reforming other areas than the Domestic Violence Act of Ugandan legislation where women still face discrimination* (Recommended by Norway)

IRI: *partially implemented*

PARDI response:

Effort has been shown here but not so much.

Recommendation n°160: *Introduce, as a matter of urgency, comprehensive, efficient measures to prevent and combat the widespread economic exploitation of children, in line with its international commitments, notably ILO Conventions No. 138 and 182* (Recommended by Slovakia)

IRI: *partially implemented*

PARDI response:

Not fully implemented

WVU response:

In collaboration with other actors, Uganda has taken a position to fight wide spread economic exploitation children. However, structured measures and instruments in-line with the ILO convention No.138 and 182, are yet to be put in place.

Other

Recommendation n°6: *Continue to take measures to ensure an effective compliance with the legislations regarding the most vulnerable groups of the population (Recommended by Costa Rica)*

IRI: *fully implemented*

PARDI response:

Government is trying its best but some groups still suffer.

WVU response:

Uganda has taken measures to facilitate protection of rights for the most vulnerable categories, like the Orphans and Vulnerable Children's police and the Domestic Violence Act (2010). However, the challenge continues to be their translation into effective programs for services delivery at the community levels. For example, on average the Government allocates the Ministry of Gender Labor and Social Development only 1% of the total national budget.

Recommendation n°7: *Continue efforts to build and strengthen national human rights and democratic institutions (Recommended by Nepal)*

IRI: *fully implemented*

PARDI response:

For human rights fairly but there is still some tension in democratic institutions.

WVU response:

This is still work in progress.

Recommendation n°8: *Ensure the independence and adequate capacity of the Ugandan Human Rights Commission (Recommended by Austria)*

IRI: *partially implemented*

PARDI response:

Trying its best to attain that.

WVU response:

The Human Rights Commission is in principle an independent institution, but in practice it plays along with Government interests at the expense of citizens concerns.

Recommendation n°14: *Establish a permanent institution to synchronise the implementation of recommendations, the monitoring of performance and reporting* (Recommended by Hungary)

IRI: *partially implemented*

PARDI response:

Yes, but it is still inefficient and corruptible.

WVU response:

A multi-stake-holder institution is not yet in place.

Recommendation n°15: *Enhance the status of the national plan of UPR follow up into a comprehensive national human rights' plan of action* (Recommended by Indonesia)

IRI: *partially implemented*

PARDI response:

Not yet fully implemented

WVU response:

The Development of a national human rights plan of action is in place.

Recommendation n°16: *Ensure effective implementation of the Proposed National Plan of Action for the issues raised in its National Report as well as UPR recommendations* (Recommended by Tanzania)

IRI: *not implemented*

PARDI response:

Not fully implemented

WVU response:

Uganda is in the process of finalizing the National Plan of Action and issues raised in the report and UPR will be taken into consideration in the process of implementation.

Recommendation n°24: *Draw up and implement a national plan of action on the implementation of recommendations made in the course of the UPR* (Recommended by Russian Federation)

IRI: *partially implemented*

PARDI response:

[...]

WVU response:

The process is on-going



Recommendation n°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* (Recommended by China)

IRI: *partially implemented*

PARDI response:

There is no sign of immediate action on this, therefore sustainability cannot be assured.

WVU response:

The process is on-going

Recommendation n°26: *Establish a separate centralised mechanism for the preparation of national human rights reports* (Recommended by Russian Federation)

IRI: *not implemented*

PARDI response:

NO, there are still many agencies on human rights though there is the Uganda human rights commission.

Recommendation n°27: *Establish a "one stop" centre to handle human rights treaty bodies and reporting obligations* (Recommended by Rwanda)

IRI: *not implemented*

PARDI response:

There is no established one stop centre.

Recommendation n°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* (Recommended by Mozambique)

IRI: *partially implemented*

PARDI response:

Yes it [the Government of Uganda] is trying.

Recommendation n°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* (Recommended by Algeria)

IRI: *partially implemented*

NUDIPU response:

Access to justice continues to be a major challenge for persons with disabilities in Uganda.



There are inbuilt barriers within the legal system itself as well as environmental and information barriers. This coupled with the absence of any judicial activism towards legal reform means that access to justice becomes an almost impossible right for persons with disabilities. The Constitution provides the right to a fair trial under Article 28. Article 126 (2) (a) further provides that in adjudicating cases of both a civil and criminal nature, the courts should, subject to the law, ensure that justice is done to all, irrespective of their social or economic status. However within the current legal framework, no special attention is given to ensure the involvement of persons with disabilities in the administration of justice on an equal basis with others, often resulting in their exclusion and marginalisation.) People with psychosocial and intellectual disabilities are denied access to justice because there is no reasonable accommodation made for them either in police custody or the courts of law. In terms of legal procedures, the modest provision of recognising witnesses with speaking disabilities is welcome but it is noted that this is the only disability considered. There are a number of persons with disabilities facing challenges in accessing the legal system which are not recognised under the law.

Other legislation such as the Trial on Indictment Act (1971) which forbids certain disabilities from participating in the legal proceedings should be abolished.

In addition there has not been enough training for sign language interpreters and Braille services are almost unheard of in the court system.

There is no work done on the communication needs of persons with intellectual disabilities. Officials in the justice system lack both awareness and the skills necessary to support persons with disabilities. This therefore prejudices access to justice on an equal basis as others. So for example the assistive devices of persons with disabilities are often removed from them thereby taking away both their dignity and mobility. All these factors continue to limit access to justice for persons with disabilities in Uganda. New Vision reported in February 2008 that forty deaf people remain in prison without trial due to communication constraints. The article quotes Mr Alex Ndeezi, MP for persons with disabilities, who raised this issue during a debate on the Report of the Committee on Equal Opportunities (New Vision 21/02/08). In 2009, UNAD intervened in the cases of 23 deaf persons who had been remanded in Mbarara prison due to the lack of sign language knowledge and interpreters. Many of these prisoners were ignorant of the cases being brought against them due to the lack of communication and all



were subsequently released (Uganda National Association of the Deaf, Monthly Report on Human Rights Advocacy and Activists, 31/10/09).

Interviewing persons with disabilities in the field indicated that because of poverty and illiteracy many are unable to file even a simple civil suit or take out a private prosecution. Some of the persons Trial on Indictment, Chapter 23, First Schedule, The Assessors Rules, No. 2 Persons with disabilities we interviewed expressed concern that they fear to report cases because they are poor. This impedes their access to justice.

Many people with psychosocial disabilities are detained in mental health institutions and their access to justice is denied. Physical accessibility to some courts of law still remains a problem as many courts including the High Court in Kampala have no access ramps. The dock system is also problematic and does not make provision for some persons with disabilities such as the little people and those who are not able to stand in the dock either as suspects or witnesses.

PARDI response:

Trying but not working out so well.

Recommendation n°98: *Continue efforts to protect the rights of marginalized and vulnerable population* (Recommended by Nepal)

IRI: *fully implemented*

PARDI response:

Efforts are there but they need more support.

Recommendation n°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* (Recommended by Zimbabwe)

IRI: *fully implemented*

WVU response:

The Government adopted the Plan for Recovery and Development Program to address issues of resettlement of IDPs and now in process of review to plan for third phase (PRDP II).

Recommendation n°144: *Enact the Marriage and Divorce Bill* (Recommended by Norway)

IRI: *not implemented*

CRR response:

Uganda is yet to amend discriminatory provisions in the Bill and has not enacted it.

PARDI response:

The bill was rejected, not implemented.

WVU response:

This has not yet been enacted due to some contradictory clauses.

Recommendation n°183: *To develop and implement a national action plan on human rights issues* (Recommended by Uganda)

IRI: *partially implemented*

PARDI response:

Not yet implemented

WVU response:

The consultations have started to develop a national action plan on human rights.

Recommendation n°184: *To carry out an annual review of the human rights situation in the country and report as appropriate* (Recommended by Uganda)

IRI: *partially implemented*

PARDI response:

Not yet fully in place

WVU response:

The Human Rights Commission prepares and disseminates an annual human rights report.

Recommendation n°185: *To establish a Cabinet subcommittee to provide policy oversight and guidance on human rights issues* (Recommended by Uganda)

IRI: *not implemented*

PARDI response:

Not yet implemented

WVU response:

This has not been effectively implemented.

Recommendation n°186: *To mainstream human rights issues in all aspects of governance* (Recommended by Uganda)

IRI: *not implemented*

PARDI response:

Not yet implemented

WVU response:

Still more work has to be done to mainstream human rights in all aspects of governance. The budgeting process for example does not take a human rights based approach.

Recommendation n°187: *To establish an inter-ministerial technical committee to provide technical back-up to the Cabinet subcommittee* (Recommended by Uganda)

IRI: *not implemented*

WVU response:

This has not been effectively implemented

Recommendation n°188: *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* (Recommended by Uganda)

IRI: *partially implemented*

PARDI response:

Plan underway but not functional

WVU response:

The impact of the human rights desk is not felt at the national level and possibly it is not well resources

Recommendation n°189: *To establish a focal point within the Ministry of Foreign Affairs to provide coordination with stakeholders and the international community* (Recommended by Uganda)

IRI: *fully implemented*

WVU response:

The Ministry of Foreign Affairs has put in place a multi-lateral team to ensure coordination with stakeholders and the international community.

Recommendation n°190: *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* (Recommended by Uganda)

IRI: *partially implemented*

PARDI response:

Not implemented



WVU response:

Not all ministries have adopted the recommendation and where focal points exist, they are not functional probably due to limited capacities.

Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we apply the same procedure for data collection about all States:

1. We contact the Permanent Mission to the UN either in Geneva or New York;
2. We contact all NGOs that took part in the process. Whenever NGOs were part of coalitions, each NGO is contacted individually;
3. The National Institution for Human Rights is contacted, whenever one exists.
4. UN Agencies, which sent information for the UPR, are also contacted.

We post our requests to the States and send e-mails to NHRIs, NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation are not contacted and those stakeholders' submissions are not taken into account.

However, since the UPR is meant to be a process that aims to share best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing recommendations and voluntary pledges

The stakeholders that we contact are encouraged to use an Excel sheet, which we provide, that includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split among recommendations to which we think it belongs. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention whether the recommendation was “fully implemented” or “not implemented”, *UPR Info* usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.

UPR Info retains the right to edit comments that are considered to not directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the



recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation is given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.



Uncommented recommendations

Hereby the recommendations which the MIA does not address:

XXXXXXXXXXXXXXXXXREMOVEIFNOTRELEVANTXXXXXXXXXXXXXXXXXXXX

A= Action Category (see on [our website](#))

SMR = State making recommendation

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