



**Addressing Civic Space  
Restrictions in Uganda: What Role  
for the Universal Periodic Review?**

# CIVICUS

## Who We Are

CIVICUS is a global alliance of civil society organisations and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS strives to promote marginalised voices, especially from the Global South, and has members in countries throughout the world.

### *Edited by*

Andrew Firmin, Editor, Policy and Research, CIVICUS

### *Written and researched by*

David Kode, Senior Policy and Research Officer, CIVICUS

Lizet Vlamings, Senior Researcher, Foundation for Human Rights Initiative (FHRI)



FHRI is a human rights advocacy organisation based in Kampala, Uganda

## Executive summary

This policy action brief, prepared by CIVICUS, the global civil society alliance, and the Foundation for Human Rights Initiative (FHRI), examines a range of restrictions on civil society's fundamental rights recently experienced in Uganda. In particular, these have included a series of break-ins on the premises of civil society organisations (CSOs), in which CSO information has been stolen; attacks on the media, which have included physical attacks on journalists and the closure of private radio stations; the introduction of restrictive legislation, including on CSO operations, the media and the freedom of assembly; and increased restriction of peaceful assemblies, including through the use of excessive force to break up protests.

These restrictions occur most when CSOs and human rights defenders attempt to articulate independent viewpoints and expose government failures and malpractices. They have the effect of making it harder for civil society to play its proper roles and may cause CSOs and journalists to self-censor, something further encouraged by impunity over security force actions. Because of this, the restrictions are undermining gains made in recent decades in Uganda's democratic progress and development efforts.

It is in recognition of these restrictions that the CIVICUS Monitor, an online platform that evaluates civic space - the level of protection of the core civil society freedoms of association, assembly and expression - in countries around the world, assesses Uganda as repressed.<sup>1</sup>

Restrictions have been introduced despite assertions from the government of Uganda that it had made huge progress over the last four years in promoting human rights, adhering to the rule of law and honouring its democratic responsibilities, as stated in its 2016 national report to the Working Group on the United Nations Human Rights Council's (UNHRC) Universal Periodic Review (UPR). The government also stated that it has put in place institutional structures and developed policies and programmes to foster the promotion, protection, implementation and monitoring of human rights.<sup>2</sup>

The main stated objective of Uganda's report was to provide an update on progress made in the implementation of recommendations and voluntary pledges accepted during Uganda's previous UPR review, in 2011. However, a closer look at the state of human rights, and particularly the core civil society rights, of the freedom of association, assembly and

---

<sup>1</sup> CIVICUS Monitor: Uganda, January 2017, <http://bit.ly/2ks6XN2>.

<sup>2</sup> National Report submitted in accordance with paragraph 5 of the annex to the UN Human Rights Council, Resolution 16/21 - Uganda. Human Rights Council Working Group on the Universal Periodic Review, 26<sup>th</sup> Session, 31 October to 11 November 2016.

expression, show that most of the recommendations accepted during Uganda's 2011 review have not been implemented.

While in some cases committees have been created, policies developed and adopted and human rights sections instituted in government departments, human rights violations, including those outlined above, have continued, and in some cases increased, since the last review.

In particular, restrictions increased prominently around the elections held in February 2016.<sup>3</sup> CSOs working on issues such as voter education were harassed, the political opposition was targeted, public assemblies and rallies were forcefully dispersed, social media was blocked on several occasions and independent radio stations accused of giving voice to those who opposed the administration of President Yoweri Museveni were taken off-air.

Given these restrictions, there is a need to ask how the UPR process can make a greater difference to Uganda's human rights, and civil society rights as part of this.

During Uganda's review in November 2016, the government agreed to ensure the full respect of the freedoms of association and peaceful assembly in line with international commitments, and ensure that CSOs and human rights defenders can operate in a safe environment. The process of following up on and implementing the UPR recommendations provides a key opportunity to deepen the engagement between the government and civil society.

Despite the high level of civic space restrictions, Uganda still has a vibrant and diverse civil society that has shown itself willing to seize the opportunities provided by the UPR process to work with the government, and the diplomatic and donor community, and encourage greater accountability over Uganda's human rights performance. It has done so by forming new structures that bring together over 150 CSOs to prepare submissions to the UPR process, monitor the implementation of UPR recommendations and engage constructively with the government on how recommendations can best be implemented.

On its own, the UPR process cannot solve Uganda's human rights concerns. But if it prompts a renewed commitment by both the government and civil society to work together to implement and monitor the recommendations up to the next review, the state of human rights and the quality of civic space in Uganda will undoubtedly improve.

---

<sup>3</sup> 'Case study: crackdown ahead of election in Uganda', CIVICUS State of Civil Society Report 2016, <http://bit.ly/2ks0t0r>.

## ***Recommendations***

In order to realise this potential, the government should:

- Create mechanisms and structures in collaboration with civil society through which recommendations accepted during the UPR review can be effectively implemented and monitored.
- Allow CSOs access to documents and processes that will enable them to monitor the implementation of UPR recommendations and hold the government to account effectively.
- Together with civil society, conduct training activities with the relevant government departments, the judiciary, legislature and armed forces on the significance of the UPR process and the role they should play to ensure that the commitments made are adhered to.
- Fully investigate all incidents of break-ins at CSO premises, make the findings of investigations public and bring to justice the perpetrators of burglaries.
- Desist from harassing, attacking and intimidating journalists who cover assemblies of opposition parties or report on issues considered sensitive by the government.
- Stop obstructing live radio broadcasts that involve civil society and members of the political opposition, particularly during periods of elections.
- Review and amend the restrictive provisions of the Public Order Management Act (POMA) that are used to target peaceful assemblies, and replace them with more enabling provisions.

Civil society should:

- Continue to mainstream the participation of civil society in the UPR process, identify opportunities for engaging with the government and ensure that mechanisms that have been created to monitor the implementation of UPR recommendations are utilised effectively.
- Build on the networks that have been created to date by establishing a national UPR coalition with terms of reference that will enable civil society to follow-up effectively on UPR commitments.
- Continue to organise training events and workshops with civil society groups working at different levels and on diverse themes to engage with multiple stakeholders and to monitor the implementation of UPR recommendations.

## **Civic space restrictions**

This policy action brief is informed by a series of engagements between CIVICUS and CSOs in Uganda, including joint UPR submissions, a solidarity mission that took place between 17 and 20 July 2016 in Uganda, side events at the UNHRC on human rights issues affecting Uganda and alerts calling on the Ugandan authorities to respect the rights of CSOs and human rights defenders. Evidence gathered through these various means indicates that the key current ways in which civil society rights are being restricted are as follows.

### ***Office-break-ins and vandalism of CSO premises***

Civil society remains active in Uganda, with an estimated 11,500 registered CSOs working on a range of issues across the country.<sup>4</sup> Many CSOs, particularly those working on issues of human rights, democracy, corruption, media rights, the rule of law, governance and electoral reform, are often in the position of critiquing and advocating for changes in government policies and actions that encroach on the rights of citizens.

For example, CSOs working on election-related issues conduct campaigns ahead of elections urging Ugandans to vote, while others are involved in monitoring elections. Human rights organisations and those working on media rights actively document human rights abuses, release reports on human rights violations and hold workshops on human rights issues.

The Ugandan government regularly responds by targeting, harassing and intimidating organisations that carry out these essential roles. For example, on 27 November 2015, the Citizens Coalition for Electoral Democracy in Uganda (CCEDU) was ordered by the Electoral Commission to stop broadcasting its voter education campaign, *Topowa*, which encouraged citizens to vote during the 2016 elections. CCEDU was only able to resume its campaign after negotiating its content with the Electoral Commission.

A common recent tactic used to intimidate and harass CSOs, particularly those that work on issues considered sensitive by the authorities, is to break into their offices or premises. Almost all of the major human rights organisations based in the capital, Kampala, have been victims of office break-ins in recent years. Since September 2012, more than 24 organisations have had their offices broken into. Three human rights organisations were victims of these attacks within a single month following the elections, between April and May 2016.<sup>5</sup>

On 24 May 2016 the office of the Forum for African Women Educationists (FAWE) was broken into. The intruders stole a server, laptop and computers. On 29 June 2015, the office of the

---

<sup>4</sup> On 16 April 2015, Stephen Okello, who at the time was the Acting Secretary of the NGO Board informed the Foundation for Human Rights Initiative that there were approximately 11,500 CSOs in Uganda.

<sup>5</sup> 'Human Rights Watch, Amnesty International, HRAPF and 28 other NGOs issue letter in CSO break-ins', Human Rights Awareness and Promotion Forum, 13 June 2016, <http://bit.ly/2jYK5Up>.

Human Rights Network for Journalists Uganda (HRNJ-U) was broken into, the premises searched and sensitive information stolen.

Some burglaries have had fatal consequences. On 22 May 2016, burglars ransacked the premises of the Human Rights Awareness and Promotion Forum (HRAPF) and took several documents. During the break-in the intruders killed security guard Emmanuel Arituha. His body was discovered the following morning. This attack was preceded by break-ins at the homes of the HRAPF's head of advocacy and deputy director, during which a back-up hard drive and other sensitive information was stolen.<sup>6</sup> Another security guard was killed in in July 2015 when burglars broke into the offices of the Uganda Land Alliance.<sup>7</sup>

These attacks follow a common pattern that suggests they are not regular burglaries: expensive items are usually left behind as the intruders generally take devices that store information. Organisations that work on human rights issues are targeted and in some cases the attacks occur just before the release of crucial human rights reports. Even though all attacks are reported to the police, and in most cases security footage with images of the burglars is handed over, no conclusive investigations are carried out and the police do not provide adequate updates on cases opened. This lack of accountability on the part of the police fuels impunity. It enables attacks to continue and forces the representatives and staff of CSOs to work in fear. Some resort to self-censorship.

### ***Silencing the media to curb the flow of information***

The media play an important role in promoting democracy and good governance and providing citizens with information about political dynamics and decisions that affect them. The Constitution of Uganda guarantees the right of every person to the freedom of speech and expression, which includes freedom of the press, and Uganda's domestic legal frameworks recognise the important role of the media. Uganda has a vibrant media that has often reported on government actions, issues affecting citizens, civil society activity and the views of members of the political opposition.

However, reporting by independent media is increasingly being restricted by the authorities and there was a marked increase in attacks on journalists and restrictions on independent media agencies around the period of the 2016 elections.

Physical attacks on journalists increased in the lead-up to the 2016 elections. On three separate occasions in two months, between 15 October and 16 November 2015, three

---

<sup>6</sup> 'Press Release: Violent break in at HRAPF offices', Human Rights Awareness and Promotion Forum, 23 May 2016, <http://bit.ly/2jYQJKm>.

<sup>7</sup> 'Thugs attack Uganda Land Alliance, kill security guard', URN, 17 July 2015, <http://bit.ly/2krT0hZ>.

journalists were shot as they covered political events related to the elections. Ivan Vincent Mukisa, a journalist with Radio One, was shot and injured on 15 October 2015 while reporting on a scuffle in Jinja between the police and supporters of opposition leader Kizza Besigye.<sup>8</sup> NTV journalist Enoch Matovu was shot at on 29 October 2015 as he covered an incident of vote rigging at the ruling National Resistance Movement (NRM) party's election in Mityana, receiving a head injury.

On 16 November 2015, Delta TV journalist Isaac Kugonza was shot as he covered a scuffle between police and supporters of opposition candidate Erias Lukwago that occurred as the police sought to prevent Mr Lukwago from walking to the headquarters of the Electoral Commission to submit papers for his nomination to stand as Lord Mayor of Kampala.<sup>9</sup> Journalists have also been physically assaulted and intimidated as they covered opposition rallies, and a senior police commander threatened to shoot journalists on 10 January 2016.<sup>10</sup>

On Election Day, 18 February 2016, the authorities blocked access to social media and mobile phones. The Uganda Communication Commission (UCC) stated that the blackout had been imposed for security reasons. President Museveni confirmed that same day that he had ordered the blackout on the basis that people were using social media to spread false information. The block on social media was only lifted on 21 February 2016. Again on 12 May 2016, during President Museveni's inauguration, citizens could not access social media sites, including Facebook, Twitter and WhatsApp, key platforms used by journalists to circulate news. The authorities stated that the blackout had again been imposed for security reasons.<sup>11</sup> The UCC reported that the block was intended to prevent terrorists from taking advantage of the presence of foreign leaders at the inauguration.

Attacks on the media continued following the elections. On 27 February 2016, Abubaker Muhamed of the Daily Monitor and five other journalists were arrested for security reasons while covering the arrest of Kizza Besigye outside his home.<sup>12</sup> They were allegedly tortured while in a police van following their arrest. Six others were arrested and accused of inciting violence.<sup>13</sup>

---

<sup>8</sup> 'Uganda: "when I was tortured, no one came out" Freedom of expression and assembly in peril ahead of 2016 polls', Chapter Four Uganda, <http://bit.ly/29X7M6Y>.

<sup>9</sup> 'Delta TV journalist shot in the head, admitted, in critical condition', Human Rights Network for Journalists - Uganda, 17 November 2015, <http://bit.ly/1PMsB64>.

<sup>10</sup> 'Ugandan Police Commander threatens to shoot journalists, seizes reporting equipment', IFEX, 14 January 2016, <http://bit.ly/2ki4jpY>.

<sup>11</sup> 'Uganda: government clamps down on fundamental rights and dismisses obligations under Rome statute', East and Horn of Africa Human Rights Defenders Project, 13 May 2016, <http://bit.ly/2ki7o9h>.

<sup>12</sup> The other journalists arrested were Abubaker Lubowa, Mukiibi Eriasa Sserunjog and Zirabamu Zaale of the Daily Monitor, Mugerwa Gerald of Delta TV, Suhair Boss Mugabi of NTV and Nicholas Bumulanzeeki of the Observer Newspaper.

<sup>13</sup> These included Kiwanuka Stephen and Nakiwala Faridah of BBSTV, Elijah Turyagu Manawe and Dean Saava Lubowa of NBS TV, Sendegeya Mohammed of CBS TV and Mukose Arnold of Slat Radio.



Shortly before the inauguration of President Museveni, the authorities imposed a ban on media coverage of all political activities related to the 'defiance campaign' of the lead opposition party, the Forum for Democratic Change (FDC). The authorities threatened to extend the ban to social media if media houses used that platform, and to revoke the licenses of all media companies that gave live coverage to the defiance campaign.

### ***Targeting of private radio stations***

One of the strategies used by the government to restrict the freedom of expression and access to the media is to target independent radio stations and radio journalists, particularly those that broadcast the views of activists, members of the political opposition and others who focus on human rights and advocacy.

In Uganda, radio remains the most accessible, affordable and available source of information for citizens. However, most private radio stations are owned by government officials, parliamentarians, business leaders and individuals associated with the ruling party, which means that in most cases they echo government propaganda, are business-centric and do not provide space for those who are not sympathetic towards the government. Many opposition members of parliament and other opposition politicians also own radio stations, but these are often seen as biased against the government.

Other stations are owned by independent citizens, and some by CSOs that use radio as a medium to promote human rights, good governance and community development, particularly in rural areas and among communities that do not have access to public and international radio stations. Radio stations can provide communities with information on issues related to agriculture, corruption, hygiene and sanitation, land disputes and local governance.

In an interview with CIVICUS, human rights defender and head of the National Foundation for Democracy and Human Rights in Uganda (NAFODU), Justus Orishaba Bagamuhunda, discussed how his organisation runs a radio station, Freedom Radio 94.7 FM, to promote and advance human rights in communities in south west Uganda. He noted:

“Some private and commercial radio stations don't allow members of the political opposition and human rights and advocacy organisations access to airwaves, and hence stations like Freedom Radio provide a platform for those who are denied access at stations sympathetic to the government to disseminate their messages.”<sup>14</sup>

---

<sup>14</sup> 'Ahead of the 2016 elections, civil society groups are concerned about a deteriorating environment', CIVICUS, 13 October 2015, <http://bit.ly/2jQDkBP>.

The provision of space to civil society representatives and members of the political opposition by radio stations attracts reprisals from the government.

The authorities have targeted several independent radio stations, closing some down and confiscating equipment after accusing them of siding with the political opposition. In one instance, on 21 January 2016, the UCC revoked the licence of Endigyito FM and confiscated its broadcasting equipment, two days after the station hosted opposition politician Amama Mbabazi.<sup>15</sup>

Security forces and government officials have even stormed radio stations while they are live on air and switched off programmes deemed to support the views of the opposition. For example, on 13 February 2016, police stormed Radio North FM in Lira and arrested journalist Jakican Richard Mungu, and also detained seven members of opposition parties, while they held live discussions about the presidential debate.

Such restrictions have compelled many private radio stations to resort to self-censorship to avoid reprisals from the state.

### ***The use of restrictive legislation to stifle fundamental freedoms***

A new NGO Act was approved by President Museveni and signed into law in January 2016, shortly before the elections. It was extensively reviewed before it was passed following major concerns expressed by civil society, but several restrictive provisions remain. Section 44 of the Act imposes special obligations on CSOs. For example, it requires CSOs to seek approval from the District NGO Monitoring Committees, Local Government and NGO Bureau before extending activities to a new geographical area. Section 44 also stipulates that CSOs must be non-partisan and not engage in any acts prejudicial to the security or interests and dignity of the people of Uganda. These provisions are very broad and leave considerable scope for selective and politicised interpretation by state officials.

After the 2016 elections, the government submitted the Uganda Communications (Amendment) Bill, 2016 to parliament. The Bill seeks to amend Section 93(1) of the 2013 Ugandan Communications Act, revoking requirements for parliamentary approval of regulations put forward by the Minister of Communications. The implication will be that the minister will gain more powers to control regulations and state communications, free from parliamentary oversight.

---

<sup>15</sup> 'Uganda forces radio station off the air ahead of elections', Committee to Protect Journalists, 28 January 2016, <http://bit.ly/2krYF7Y>.

In addition, the Public Order Management Act, 2013 (POMA) imposes restrictions on public meetings and assemblies, with the exception of town hall meetings. For instance, according to Section 5(2)(c) of the Act, public gatherings other than town hall meetings are only allowed between 7am and 7pm. The Act further restricts public gatherings from taking place in areas designated as “restricted areas including the parliament building, State House, the international airport and the courts.”

In cases of spontaneous public meetings, the POMA empowers authorised officers to disperse the meeting if they determine that the venue is not suitable for purposes of traffic or crowd control, or if a meeting is deemed to interfere with lawful business. Security forces also have powers to prevent meetings that are held contrary to the Act’s provisions.

The main challenge with the POMA is the biased manner in which it is implemented. Groups and organisations that are critical of the government and that call for accountability for government actions are particularly targeted.

### ***Growing intolerance towards peaceful assemblies***

It is a long-standing practice in Uganda for CSOs and political activists to use public spaces to demonstrate peacefully against government actions and to advocate for change when the authorities have failed to heed the voices and wishes of citizens. Article 29 (1) (d) of the Ugandan Constitution recognises this by guaranteeing the right of citizens to assemble and demonstrate together with others peacefully and unarmed, and to petition.

In the aftermath of the presidential elections in 2011, civil society and political activists created the Activists for Change platform to highlight economic challenges and express concerns over raising food and fuel costs.<sup>16</sup> The group’s objective was to foster peaceful change in Uganda and to encourage the authorities to allocate economic resources equitably between Ugandans by using non-violent and peaceful protests. Members of the group used peaceful demonstrations to make their voices heard and also adopted the tactic of holding ‘walk to work’ protests to raise awareness of the economic challenges facing Ugandans, particularly with increasing fuel costs. The response of the authorities to this group was to disperse demonstrations violently, arrest activists and charge them with inciting violence and treason. The authorities eventually declared the group unlawful.<sup>17</sup>

In November 2012, the Black Monday Campaign was created by civil society, and anti-corruption activists in particular, to mobilise citizens and call for an end to corruption in the

---

<sup>16</sup> ‘Uganda’s walk-to-work protests kick up dust,’ Al Jazeera, April 2011, <http://bit.ly/2jQYP5G>.

<sup>17</sup> ‘Government bans opposition pressure group activists for change’, New Vision, 4 April 2012, <http://bit.ly/2jdTJOI>.

public service. The movement held peaceful demonstrations in which many activists used signs, symbols and graphics displayed on placards and flyers to reveal the extent of corruption in the public services and in negotiations between the government and businesses. The campaign also distributed newsletters on corruption scandals and ways in which activists can fight corruption. Some peaceful demonstrations were disrupted by security forces and on several occasions activists were arrested.

In the months leading to the 2016 elections the security forces engaged in a campaign to target the freedom of assembly, particularly against opposition party rallies and consultations in preparation for the elections. Violence was used as the main strategy to disperse peaceful assemblies, and the authorities also used preventive arrests and detentions to deter other assemblies from taking place.

After the elections the police again used violence to disperse supporters of Kizza Besigye. In July 2016, the police indiscriminately used canes and electric cables to beat up and disperse Kizza Besigye supporters who had assembled when he was released from jail after being detained for two months on treason charges.

On 13 September 2016, 25 women representing different CSOs were arrested as they assembled to hand over a petition to the Speaker of Parliament on proposed constitutional amendments to lift age limits for judges and electoral commissioners. The women were concerned about the proposed review as they argued that it will pave the way for the removal of presidential term limits, in order to extend the term of President Museveni beyond 2021.

### **What role for the Universal Periodic Review Process?**

The UPR is a unique mechanism of the UNHRC in which the human rights records of states are reviewed every four and a half years. Following each review, a report is released with recommendations that the state under review should implement before the next review. The UPR process provides opportunities for CSOs to engage with states on human rights conditions and for submissions to be made with recommendations on ways to improve human rights.

Uganda was reviewed for the second time on 3 November 2016 and received a total of 226 recommendations. According to the report of the UPR Working Group, the government fully accepted 143 recommendations. However, 65 recommendations did not enjoy the support of the government and were thus noted.<sup>18</sup> It accepted commitments to guarantee the rights of citizens to the freedom of association, assembly and expression, and to ensure the

---

<sup>18</sup> 'Report of the Working Group on the Universal Periodic Review: Uganda', United Nations Human Rights Council, 27 December 2016, <http://bit.ly/2lr2zOV>.

enforcement and implementation of laws in line with the constitution and its obligations under international and regional law. The government of Uganda also agreed to ensure that CSOs and human rights defenders operate in a safe environment and that allegations of intimidation, harassment and violence are fully investigated, and perpetrators of rights abuses are held accountable for their actions.

The government of Uganda has taken some steps to address human rights violations and created structures that could assist in improving the state of human rights. In 2014 the government developed the National Action Plan (NAP) to enhance its capacity, and that of Ugandan citizens, to promote and protect human rights. It created a human rights cabinet sub-committee to provide advice on issues related to human rights, with the expressed aim of ensuring that the government and other parties respect national, regional and international human rights commitments. A unit for human rights was also created at the Ministry of Justice and Constitutional Affairs to coordinate the implementation of the NAP and prepare reports for submission to regional and international human rights institutions and instruments.

If utilised effectively, these structures will assist in the monitoring of human rights violations and inform government departments and officials about their human rights obligations as they carry out their activities. However, there are grounds to be doubtful: an assessment of the state of human rights during Uganda's most recent review on 3 November 2016 shows that most of the recommendations accepted by the government during its first review in 2011 were not implemented.

Lessons from this should be learned for the implementation of the current recommendations. The government should prioritise its engagement with civil society in the formulation and implementation of policies and legislation affecting citizens. There should be regular consultations between different arms of government, particularly the judiciary, security sector and the legislature, on human rights issues and on ways to adhere to constitutional, regional and international human rights obligations.

Collaboration between the government and civil society that goes beyond mere rhetoric is critical for the effective implementation of the UPR recommendations and to improve Uganda's human rights regime. Collaboration is more effective if it is developed over time and based on trust and transparency among all actors. It is also important for the UPR process at the national level to be implemented in a way that takes into account other ongoing national initiatives that focus on the advancement of human rights, democracy and respect for the rule of law.

### ***Civil society participation in the UPR process***

Civil society in Uganda has participated actively in the UPR process since the first review in 2011. It has done so by engaging with the diplomatic community and partners in the international community working on the UPR, and by creating structures to monitor the implementation of UPR recommendations. The Uganda National Stakeholders' Forum on the UPR consists of over 150 CSOs working on the protection and promotion of human rights in Uganda. The Forum convened in October 2015 to raise awareness about the UPR process and ensure active participation from organisations across Uganda. During this first session, thematic clusters were created and cluster chairs appointed to work on different aspects of human rights, including civil and political rights, socio-economic rights and collective rights.

The cluster chairs are part of the UPR Steering Committee, which is composed of representatives from different clusters of civil society groups working on different themes to follow up on the implementation of UPR recommendations. The Steering Committee convened several times in 2016 in preparation for the UPR review. Over 12 stakeholder reports were submitted by the different clusters, and consolidated into one report by the Forum ahead of the review. The Steering Committee also engaged with the diplomatic and donor community in Uganda to raise awareness of the human rights situation in Uganda and the progress made since the first UPR cycle in 2011.

Prior to the UPR pre-session, Ugandan civil society, together with UPR Info, an international CSO that works to increase awareness about the UPR and build the capacity of different actors to engage effectively with the UPR process, organised a workshop in Uganda that brought together civil society groups from across Uganda to build consensus on focus areas and establish a coordinated approach for effective participation in the second UPR cycle, as well as engage with the diplomatic community. In December 2016, following Uganda's review, Ugandan civil society, UPR Info and the Office of the UN High Commissioner for Human Rights organised a workshop to develop action strategies and implementation plans for the recommendations of the review. This workshop was attended by over 100 organisations from across Uganda. The implementation plans developed set out the actions that civil society expects the government to take to implement the UPR recommendations, while the action strategies indicate how civil society intends to complement the government's efforts to see full implementation. At the end of the workshop an outcome charter was adopted, in which civil society expressed its commitment to establishing a UPR Coalition for effective follow-up of the UPR recommendations.

In addition, civil society actively participated in pre-UPR sessions at the UNHRC in Geneva and held discussions with representatives from permanent missions in Geneva to raise awareness of the human rights situation in Uganda. Following the official adoption of Uganda's UPR recommendations in March 2017, Ugandan civil society and UPR Info will organise a

multi-stakeholder dialogue to engage in constructive dialogue with the government on the implementation of the recommendations, and to construct a joint national implementation matrix.

## **Conclusion**

The regular organisation of elections, the vibrant nature of political parties, the dynamism and active nature of CSOs in different areas of economic, social and political life and a vociferous media all show the strides Uganda has taken since democracy was restored in 1996. However, the examples of civic space restrictions and human rights violations highlighted in this brief show the challenges that CSOs encounter on a regular basis. It is clear that CSOs, citizens and independent media face restrictions when they seek to articulate their views and participate in public assemblies about government failures and malpractices. Such restrictions can have devastating effects on the lives of activists, human rights defenders, journalists and citizens in general, and also undermine the gains made in Uganda's democratic progress and development efforts.

The spate of break-ins at CSO offices and attacks and intimidation of CSO staff have serious impacts on the ability of civil society to play its proper roles. Important information is destroyed, annual plans of CSOs are derailed and the need to replace stolen equipment or invest in additional security, something many CSOs have had to do, creates additional financial burdens. Crucially, these attacks force many in civil society to resort to self-censorship. The failure of the authorities to bring the perpetrators of attacks to justice increases the levels of impunity and enables further attacks.

The Constitution of Uganda provides for the freedom of expression and Uganda has a vibrant media comprising hundreds of private radio stations and newspapers in addition to public media. Radio remains a crucial medium, particularly for citizens in rural areas, which means that the attacks and restrictions imposed on radio stations starve rural communities of important information on decisions that affect them. The fact that the authorities prevent members of opposition parties from airing their views limits the ability of citizens, particularly in rural areas, to make informed electoral choices. Physical attacks on and intimidation of journalists have a chilling effect on other journalists, who work in fear and are more inclined to self-censor. The sometimes acrimonious relationship between the government and the media is heightened by the fact that some government representatives accuse the media of colluding with the political opposition.

With the necessary political will the UPR process can serve to increase engagement between the government and civil society and provide a solid foundation for the effective

implementation of Uganda's review recommendations. While the UPR alone cannot solve Uganda's human rights concerns, a renewed dedication of time and resources by the government and civil society, and commitment to implement and monitor the recommendations between now and the next review, will unquestionably improve the state of human rights and the quality of civic space in Uganda.

## **Recommendations**

### ***To the government of Uganda***

- Create mechanisms and structures in collaboration with civil society through which recommendations accepted during the UPR review can be effectively implemented and monitored.
- Allow CSOs access to documents and processes that will enable them to monitor the implementation of UPR recommendations and hold the government to account effectively.
- Together with civil society, conduct training activities with the relevant government departments, the judiciary, legislature and armed forces on the significance of the UPR process and the role they should play to ensure that the commitments made are adhered to.
- Fully investigate all incidents of break-ins at CSO premises, make the findings of investigations public and bring to justice the perpetrators of burglaries.
- Desist from harassing, attacking and intimidating journalists who cover assemblies of opposition parties or report on issues considered sensitive by the government.
- Stop obstructing live radio broadcasts that involve civil society and members of the political opposition, particularly during periods of elections.
- Review and amend the restrictive provisions of the POMA that are used to target peaceful assemblies, and replace them with more enabling provisions.

### ***To civil society***

- Continue to mainstream the participation of civil society in the UPR process, identify opportunities for engaging with the government and ensure that mechanisms that have been created to monitor the implementation of UPR recommendations are utilised effectively.



- Build on the networks that have been created to date by establishing a national UPR coalition with terms of reference that will enable civil society to follow-up effectively on UPR commitments.
- Continue to organise training events and workshops with civil society groups working at different levels and on diverse themes to engage with multiple stakeholders and to monitor the implementation of UPR recommendations.

---

# CONTACT US



[civicus.org](http://civicus.org)



[info@civicus.org](mailto:info@civicus.org)



[/CIVICUS](https://www.facebook.com/CIVICUS)



[@CIVICUSalliance](https://twitter.com/CIVICUSalliance)

## SOUTH AFRICA



CIVICUS House  
25 Owl Street  
6th Floor  
Johannesburg, 2092  
Tel: +27 (0)11 833 5959

## SWITZERLAND



11 Avenue de la Paix  
CH - 1202  
Geneva  
Tel: +41 (0)22 733 3435

## UNITED STATES



355 Lexington Ave  
New York  
NY 10017  
United States

## UNITED KINGDOM



Unit 60  
Eurolink Business Centre  
49 Effra Road  
London SW2 1BZ  
Tel: +44 (0)20 7733 9696