

**JOINT NON-GOVERNMENTAL ORGANISATIONS SUBMISSION TO THE  
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GROUP-THE UNITED NATIONS HUMAN RIGHTS COUNCIL**

**On The Republic of Uganda**

**JOINT SUBMISSION 14<sup>TH</sup>, JULY, 2021**

**BY:**

**(Women's Rights Cluster Report Under the CSO National Stakeholders' Forum on the  
UPR)**

1. Uganda Women's Network Uganda (convener of the Women's Rights Cluster under the National Stakeholders Forum on the UPR), National Association of Women's Organisation (NAWOU), Federation of Women Lawyers in Uganda (FIDA) (co-conveners) in consultation with other CSOs working on Women's rights that include: Women Human Rights Defenders Network, Women Pro-Bono Initiative, Kigezi Women in Development, Action for Development, Albinism Umbrella, Center for Health, Human Rights and Development, Cross Cultural Foundation of Uganda, Femme Forte, Forum for African Women Educationists, LANDNet, Legal Aid Service Providers Network, National Coalition of Human Rights Defenders Uganda, National Union of Women with Disabilities of Uganda, Southern and Eastern Africa Trade Information and Negotiations Institute, Tunaweza Children's Centre, Women of Uganda Network, Women with a Mission, Women's Democracy Network, Young Women's Alliance for Human Rights

**CONTACT**

**Ms. Rita Aciro  
Executive Director**

**Uganda Women's Network Uganda (UWONET)**

**Tel: +256-759-330002**

**Email: [raciro@uwonet.or.ug](mailto:raciro@uwonet.or.ug)**

## **I. Introduction**

1. Uganda has been reviewed twice under the Universal Periodic Review (UPR). In October 2011 and upon review of its first report, various recommendations from UN Member states were received that encompassed various human rights issues. Recommendations accepted and the voluntary pledges implemented in the first cycle in 2011 include the development of a draft National Action Plan on Human Rights, the enactment of a domestic framework prohibiting torture and the creation of institutional mechanisms such as the Parliamentary Standing Committee on Human Rights, the Inter-Ministerial Committee on Human Rights, human rights focal points/ desk officers in various Ministries, Departments and Agencies (MDAs), among others that are intended to ensure human rights issues are incorporated in institutional policies, plans, programmes and budgets, monitored and reported on.
2. On 3 November 2016, Uganda presented its second report before the UPR working group at its 26<sup>th</sup> session held from 31 October to 11 November 2016 in Geneva. During this session, Uganda received 226 recommendations, out of which 148 were accepted and 78 noted. The next review of Uganda under the UPR process is scheduled for January 2022.
3. This report highlights progress made in the implementation of recommendations from the second review and thereafter makes appropriate recommendations for consideration.

## **II. Methodology**

4. The Report was compiled in a participatory and consultative process involving various stakeholders namely; the Civil Society Organisations (CSOs) and human rights activists. Uganda Women's network, National Association of Women Organisations and Uganda Association of Women lawyers coordinated the report compilation. The compilation process of the Report involved a desk review of reports from CSOs and human rights activists that contributed in the implementation of recommendations from the previous review. A meeting was held where recommendations from the second review were shared and discussed with various CSOs and human rights activists who provided an update on the status of implementation. This Report reflects recommendations which were accepted by Uganda with the focus on UPR recommendations affecting the women's cluster.

## **III. Progress in implementation of the accepted recommendations**

### **A. Implementation of accepted UPR recommendations**

#### **1. Theme A12 Acceptance of international norms-Recommendations 115.4, 115.17, 116.6, 117.15, 117.39, 117.51**

5. Uganda enacted the Prevention and Prohibition of Torture Regulations, 2017 to operationalise the Prevention and Prohibition of Torture Act, 2012. The Prevention and Prohibition of Torture Regulations, 2017 provide the procedure for complaints, investigation and reporting. In 2017, the Committee on Human Rights pledged to support a motion in Parliament for the ratification of the Optional Protocol to the Convention against Torture (OPCAT), 2002.
6. Parliament passed the Law Revision (Penalties in Criminal Matters) Misc. (Amendment) Act, 2019 that aims at removing all references to the mandatory death penalty and to restrict its application to "the most serious crimes" by converting maximum penalties to life imprisonment; removing the restriction on mitigation for convictions carrying a death penalty; defining life imprisonment and related matters. The Employment (Amendment) Bill 2019 that seeks to operationalise provisions of Article 40 of the Constitution to all categories of workers specifically domestic workers has been presented to Parliament.
7. The Government of Uganda has put in place a number of interventions to eliminate trafficking in persons over the past 5 years. These interventions include enactment of the Kampala Child Protection Ordinance 2019, launching of the second Uganda National Action Plan (NAP) for the Prevention on Trafficking in Persons (2019 -2024) and the National Referral Guidelines for Management of Victims of Trafficking, formation of the Anti-Trafficking in Persons Department of the Uganda Police Force (July 2019), establishment of trafficking-specific desks in the Office of the Director of Public Prosecution (ODPP) and development of strategic partnerships for capacity building of

police, the judiciary and prosecution. In 2018, government reported investigating 286 cases of trafficking, prosecuting 63 suspected cases and convicting 6 traffickers, in 2019, government reported investigating 120 cases of trafficking.

In spite of these interventions, Uganda was still on the Tier 2 Watch List rating on the 2020 USA Trafficking in Persons Report (a rating reserved for countries that do not meet the minimum standards of the United States Trafficking Victims Protection Act (TVPA) but are making efforts to do so). Uganda has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance, 2007 and the Convention on the Reduction of Statelessness, 1961.

### **Recommendation**

8. Government should ratify the International Convention for the Protection of All Persons from Enforced Disappearance, 2007 , Convention on the Reduction of Statelessness,1961 and the Optional Protocol to the Convention against Torture, 2002.

### **2. Theme A41 Constitutional and legislative framework- Recommendations 115.25, 116.5, 116.10**

9. The Children (Amendment) Act 2016 established the National Children Authority and its functions. In a bid to promote the right to access to justice, the National Legal Aid Bill (2020), was on 11th May, 2021 tabled before Parliament. Uganda also passed a National Transitional Justice Policy on 17th June 2019 to address justice, accountability and reconciliation needs of post-conflict Uganda.

10. The Marriage and Divorce Bill, 2009 has not been enacted into law. Before the second reading, the Deputy Attorney General informed the house that due to divergent opinions on the Bill, the government was not fully prepared to present the Bill for the second reading.

11. Uganda's health budget has been continuously below 15% as required under the Abuja declaration. The budget allocation to the Health Sector was 8.9% in Financial Year 2018/2019 and 9.2% in Financial Year 2019/20.

### **Recommendations**

12. Government should address the divergent opinions on Marriage and Divorce Bill , 2009 and fast track the process of the enactment of the Marriage and Divorce Bill, 2009 and the National Legal Aid Bill (2020).
13. Government should provide adequate resources for the effective implementation of the National Transition Justice Policy, 2019.
14. Government should increase the budget allocation to the health sector to 15% in line with the Abuja Declaration.

### **3. Theme A45 National Human Rights Institution (NHRI) -Recommendations 115.41**

15. The Human Rights Enforcement Act, 2019 was enacted to give effect to Article 50 (4) of the Constitution by providing for the procedure of enforcing human rights under Chapter Four of the Constitution; and for related matters.

### **Recommendation**

16. Government should ensure the effective implementation of the Human Rights Enforcement Act , 2019.

### **4. Theme A46 National Plans of Action on Human Rights (or specific areas)-Recommendations 115.27, 115.33, 115.34**

17. The government adopted the National Action Plan for Business and Human Rights. CSOs are in the process of drafting a National Action Plan for Persons with Albinism, this process was however affected by the emergency of the Covid 19 pandemic.

18. Implementation of the Uganda Gender Policy Action Plan was integrated into National Development Plan III. Though Uganda scores well in terms of social indicators and above average on economic participation, however according to the Gender and energy country brief: UGANDA, 2020), political representation and empowerment of women in Uganda scores poorly.

## **Recommendations**

19. Government should develop a National Action Plan for Persons with Albinism and provide adequate resources for the effective implementation of the National Action Plan for Business and Human Rights.
20. Government should strengthen initiatives to empower women participate in the political process.

### **5. Theme A54 Awareness raising and dissemination-Recommendations 115.60, 115.90**

21. A number of institutions are engaged in the training of public officials on protection of vulnerable persons. For instance, the Uganda People's Defence Forces (UPDF) instituted human rights refresher training courses for its Local Defence Unit (LDU) officers to increase respect for human rights. However, there is not a permanent and sustainable programme in place to train public officials on protection of vulnerable persons.
22. The traditional justice system has been strengthened through capacity building on human rights for cultural leaders, local government officials and selected police officers; and creation of referral chains between the formal and informal actors in justice.

## **Recommendation**

23. Government should put in place and prioritise funding of civic education programmes that focus on the protection of vulnerable groups.

### **6. Theme B31 Equality & non-discrimination- Recommendations 115.60, 115.97**

24. Government passed the Persons with Disabilities Act, 2020 which provides for the respect and promotion of the fundamental and other human rights and freedoms of PWDs. The Persons With Disabilities Policy, 2006 requires that adequate resource allocation is made for programmes that support the empowerment of PWDs including women and girls with disabilities and persons with albinism. Implementation of programmes for persons with albinism however still face challenges among others lack of official statistics on the numbers of persons with albinism and negative perceptions of persons living with albinism.

## **Recommendations**

25. Government should collect National evidence-based data and engage relevant stakeholders on issues of persons with albinism.
26. Government should increase awareness initiatives on albinism to combat myths and misconceptions towards persons living with albinism.

### **7. Theme D7 Right to participation in public affairs and right to vote– Recommendations 115.107**

27. During the 2021 General elections, COVID19 restrictions aggravated the existing gender disparities for women. Scientific elections disfranchised many women and girls from participation and increased the cost of participation of both candidates and voters due to restrictions placed on movement to constituencies.

## **Recommendations**

28. Government should ensure that provisions of the law on access to especially state-owned and private media houses are adhered to by all public media to prevent the disenfranchisement on the basis of economic standing, gender or political affiliation
29. Government should strengthen initiatives to ensure participation of women and girls in the electoral process.

### **8. Theme D25 Prohibition of torture and cruel, inhuman or degrading treatment– Recommendations 115.102**

30. Though Uganda has ratified and domesticated provisions on torture, there are still delays in carrying out investigations on the use of excessive force by state agents against members of the opposition. Since the January 14, 2021, National General Elections in Uganda, the space of civil society has been shrinking. In the immediate aftermath of the elections, the space has been epitomised by enforced disappearances, torture, illegal detentions and the trial of civilians in the military court. There are new cases of missing persons being reported by media, family members, and Opposition Political party leaders. As of March 2021, it is estimated that over 500 cases of enforced disappearances and illegal detentions had occurred in the context of the post-election aftermath.

## **Recommendations**

30. Government should expediate investigations and prosecute state agents involved in the use of excessive force against members of the opposition; and enforced disappearances and illegal detention.
31. Government should enact a specific legislation for Human Rights Defenders which creates offences and penalties and provides a mechanism in the event of violation of rights of human rights.

### **9. Theme D27 Prohibition of slavery, trafficking-Recommendations 115.15, 115.16, 115.81**

32. Government has put in place a multisectoral institutional framework that includes the Ministry of Internal Affairs, Immigration department, Ministry of Foreign Affairs, Ministry of Gender, Labour and Social Development (MGLSD) and local governments. Uganda has a National Taskforce led by the Ministry of Internal Affairs (MIA) under the Coordination Office to Combat Trafficking in Persons. Other interventions to address trafficking include issuing of licenses to export companies by MGLSD ; deployment of security along border points to counter trafficking; and resettlement of children who live on streets either through settling them with parents or provision of alternative care.

34. There are however challenges that hinder the effective implementation of the Prevention of Trafficking in Persons' Act 2009 including porous border points used by criminals to traffic girls and young women into sexual slavery, prostitution labour exploitation and other forms of abuse; high levels of internal and external trafficking affecting mostly girls and young women for domestic work and sexual exploitation in-country and in Arab Countries; and weak enforcement and follow up on labour export countries which results into exploitation of girls and young women.

## **Recommendations**

35. Government should strengthen efforts to investigate cases of trafficking and fully prosecute alleged traffickers and complicit officers.
36. Government should scale up civic awareness initiatives for mass sensitisation by developing simplified and translated educational and training programmes for the populace on domestic and external trafficking of persons.
37. Government should have Memoranda of Understanding and/or mutually enforceable standard contracts with destination country governments on migrant worker rights, to increase protective services for victims including on the release and repatriation of Ugandan migrant workers exploited by employers abroad.

### **10. Theme D29 Domestic violence -Recommendations 115.68**

38. There were various initiatives to enforce existing laws such as the Domestic Violence Act 2010, and The National Strategy to end Child Marriage and Teenage Pregnancy 2014/15 -2019/2020. In 2021, Parliament passed the Sexual Offences Bill which is waiting Presidential assent and a Sexual GBV Desk has been established at Uganda Police Force. The MGLSD established Gender Based Violence (GBV) shelters to provide rehabilitation and other basic services.

39. In spite of the efforts, domestic and sexual violence still ranked as the highest committed offences in Uganda. Some of the reasons that perpetrate GBV include weak enforcement of laws, existence of strong cultural norms and cultural practices that promote and normalise domestic violence, and the limited number of GBV Shelters. The Police Annual Report, 2020 stated that a total of 14,230 girls were defiled; 301 were defiled by people living with HIV and 120 were defiled by parents/ guardians. There was a 22.5% increase in teenage pregnancy registered among girls (10-24) between March and June 2020, a 336.5% increase in teenage pregnancy among the 10–14year olds, between March and September 2020 and a 31% increase in child marriages. Domestic violence increased from 13,693 in 2019 to 17,644 in 2020 marking a 29% increase.

## **Recommendations**

40. Government should invest in and dedicate specific and adequate resources to institutions within the Justice, Law and Order Sector to among others strengthen skills in investigation (including medical), prosecution and psycho-

social services.

41. Government should increase the number of emergency shelters to cover more districts to ensure that shelter is available when needed by all victims.

**12. Theme E21 Right to an adequate standard of living - general– Recommendations 115.137, 115.140, 115.142**

42. The Persons With Disabilities Act, 2020 recognises employment quotas for PWDs. PWDs have the freedom to undertake courses of own choice; government has maintained the provision of additional points during assessment under the student's higher education loan schemes and the grant of 63 scholarships for students with disability joining public university; and ensuring PWDs are represented on the Equal Opportunities Commission. Persons with albinism however rarely enjoy access to adequate services including health and education

**Recommendation**

43. Government should put in place and strengthen measures to address conditions of persons with albinism including access to services such as education and health.

**13. Theme E41 Right to health (General)-Recommendations 115.114, 115.115, 115.119, 115.122**

44. On 15<sup>th</sup> May 2016, His Excellency the President of the Republic of Uganda made the “Every Woman Every Child” Global Health Strategy (EWEC). As a result of efforts from various stakeholders, there has been a reduction in under five mortalities from 152 to 64 deaths per 1000 live births from 2000-2016 and child mortality decreased from 38 deaths per 1000 live births in 2011 to 22 live births to 2016 (UDHS, 2016).

45. In spite the above interventions, over the last 5 years, the budget to the health sector has continuously declined. Currently, the health sector budget allocation is estimated to decline by 9.3% (UGX 2,781.17 billion in FY2020/21 to UGX 2,522.88 billion in FY2021/22. Uganda also continues to suffer a persistently high maternal mortality ratio (MMR) currently at 336 per 100,000 live . The court's orders in the petition of the Center for Health Human Rights and Development (CEHURD) and 3 Others v Attorney General, Constitutional Petition No. 16 of 2011 which tasked the government to prioritise maternal health care and allocate sufficient funds have not been implemented.

**Recommendations**

46. The Government should prioritise increasing funding to basic maternal health care, primary health care, health research, human resource and medicines and related commodities
47. The Government should implement court's orders in the petition of the Center for Health Human Rights and Development (CEHURD) and 3 Others v Attorney General, Constitutional Petition No. 16 of 2011 which tasked the government to prioritise maternal health care and allocate sufficient funds.

**14. Theme E43 Access to sexual and reproductive health and services - Recommendations 115. 118, 116.2 116.12, 117.5**

48. Government has put in place initiatives to promote sexual and reproductive health and rights which include the Uganda National Minimum Health Care Package, National Sexuality Framework (2018), Adolescent Health Policy Guidelines and Service Standards (2012), National Strategic Plan for Cervical Cancer Prevention and Control in Uganda (2010-2014), and the National Strategy for the Prevention of Teenage Pregnancy and Child Marriage. In 2021, Parliament passed the National Health Insurance Scheme (NHIS) Bill, 2019, the bill seeks to provide universal healthcare to all. Government developed the National Sexuality Framework and the National School Health Policy 2018-2023.

49. Currently, 14% of unintended pregnancies ended in abortion while unsafe abortion accounted for more than 8% of maternal mortality. Government withdrew the Abortion Guidelines launched in 2016 due to opposition from various sectors of the society. Abortion in Uganda is legal only if its performed by a licensed medical doctor in a situation where the life of the mother is deemed to be at risk.

**Recommendations**

50. Government should pay special attention to health needs and rights of vulnerable and disadvantaged girls and women including adolescent girls, older women, refugee women, internally displaced women, women with

disabilities, and indigenous women.

51. Government should disseminate information on the policies and laws including National Sexuality Framework (2018), Adolescent Health Policy Guidelines and Service Standards (2012), National Strategic Plan for Cervical Cancer Prevention and Control in Uganda (2010-2014), and the National Strategy for the Prevention of Teenage Pregnancy and Child Marriage
52. Government should fast track the process of the enactment of the National Health Insurance Bill, 2019.

**14. Theme E51 Right to education (General) and Theme E52 Primary Education-Recommendations 115.124, 115.123, 115.126, 115.127, 115.128**

53. Government has taken steps to implement the Gender in Education Policy 2016, the Gender in Education Strategic Plan (2015-2020), the National Strategy for Girls Education (2017-2020), and the National Strategic Plan on Violence against Children in Schools (2015-2020). Government passed the National Guidelines for Prevention of teenage pregnancy and re-entry of child mothers in school settings, 2020 and the Gender in Education Strategic Plan (2015-2020). Measures to implement policies and strategies include provision of free education for all especially Universal Primary Education, promotion of gender equity budgeting, construction of changing rooms for girls, the recruitment of Senior Women and Men Teachers in schools, the rollout of the new Ordinary Level curriculum in February 2020 through training of teachers and the passing of the Guidelines for the Roles of Senior Women and Men Teachers 2020.

53. Although the above measures have been put in place, there are challenges including high school dropouts, high incidences of Violence Against Children (VAC) in schools and institutions of learning and low completion rates for UPE which stands at 61% and USE at 36%.

**Recommendations**

54. Government should strengthen monitoring of education delivery in both primary and secondary schools to ensure quality education.
55. Government should review the Universal Primary Education and Universal Secondary Education policies to among others address low completion rates.

**15. Theme F4 Persons with disabilities-Recommendations 115.127, 115.129, 115.130, 115.131**

56. Several policies, laws and programs have been put in place to guarantee PWDs enjoyment of their rights. These include, Persons with Disabilities Act, 2020 and the Inclusive Education Policy. The government has encouraged all media houses (televisions) to have sign language interpreters during key programs like news and has created an enabling environment for organisations working on PWDs. For, instance the NGO policy allows Disability Persons Organisations to access donor funding. There are however challenges of PWDs accessing employment, education and other social services. Though the Disability Act 2019, reinstated the employment quotas for persons with disabilities, since passing the law, there is no evidence of implementation.

**Recommendations**

57. Government should increase awareness raising on the rights of Persons With Disabilities to education and other social services.
58. Government should establish an affirmative action mechanism to enable Persons With Disabilities compete more favourably in job markets and put in place measures to ensure employers are trained on disability needs and costs.

**16. Theme F11 Advancement of women-Recommendations 115.56**

59. Interventions prioritised under NDPIII included promoting women's security of tenure, land access, economic empowerment, leadership and participation in decision making. Negative patriarchal/ male dominance beliefs and practices however continue to hinder the realisation of women's land rights. Customary laws that run parallel to the formal statutory laws continue to perpetrate conflicts when settling land related matters.

60. The government passed the Employment Amendment Bill, 2019 to operationalise the provisions of Article 40 of the Constitution to all categories of workers in Uganda, make provision for the regulation of employment of domestic workers in Uganda so as to improve their working conditions and to provide for the recruitment and employment of Ugandan migrant workers abroad. Government is in the process of drafting the Domestic

Workers Regulations, 2020 to strengthen protection of domestic workers and Breast-Feeding Regulations, 2020 which are intended to strengthen labour rights and protection of working breast feeding mothers.

### **Recommendations**

61. Government should adopt gender analytical frameworks that trace the roots of gender inequalities and limited participation of women and girls in development including: inadequate social participation; lack of social integration and lack of power that leads to deprivation of capability and poverty.
62. Government should fast track the assent of the Employment Amendment Bill 2019 and expedite the development and approval of the Breastfeeding Guidelines, 2020 and the Domestic Workers Regulations, 2020.
63. Government should synchronise both customary and formal legislation in consultation with and through active involvement of the cultural and religious institutions

### **17. Theme F12 Discrimination against women - Recommendations 115.49, 115.51, 115.52, 115.53, 115.57, 115.59, 115.62, 115.69, 115.8 115.90, 116.1, 116.7, 117.37**

64. Parliament passed the Sexual Offences Bill, 2019 which provides for criminalisation of a range of sexual offenses that had not been provided for in the existing law. Efforts are in place to advocate for the passing of the Marriage and Divorce Bill through awareness creation on the interconnectedness between the bill and culture. The Succession Amendment Bill 2018 was enacted and it among others protects women's rights to residential property of an interstate, as long as the living spouse or child of an intestate is in occupancy, which will not affect the percentage of their share on the property of the intestate.
64. Although the 2004 and 2010 amendments to the Land Act provide legal protection to a spouse occupying family land by requiring consent before any transactions in land, in practice women continue to be dispossessed of land. They are either forced to give consent through actual or threatened violence, and are too poor to pursue legal remedies following the unlawful sale of their land.
65. Social protection programs like the Uganda Women Entrepreneurship Program (UWEP) have been established to empower women economically for self-sustenance, among others. Through the development approach, selected communities in Uganda are realising that entrenched stereotypes and patriarchal attitudes are an obstacle to sustainable development. Some cultural institutions in Uganda have put in place by-laws for the protection of the property rights of women and girls.
66. Despite measures taken to combat Violence Against Women, Online VAW/G is still ignored despite violating the freedom of expression, right to information, privacy and data protection. This manifests into less participation in politics and online spaces and the widening of the gender digital divide among others. Though the Anti Pornography Act 2014, criminalises the production, trafficking in, publication, broadcasting, procuring, importing, exporting, selling or abetting any form of pornography no action has been taken on the persons who distribute, publish and broadcast pornographic pictures/videos to the public.

### **Recommendations**

67. Government should enact the witness protection law and among other establish a witness protection agency and a witness protection programme to guarantee safety of witnesses before, during and after court proceedings.
68. Government should ensure women are involved in all stages of Information and Communications Technology policy implementation so that their views are included in policy formulation.

### **18. Theme F13 Violence against women - Recommendations 115.10, 115.11, 115.12, 115.13, 115.18, 115.37, 115.51, 115.53, 115.54, 115.61, 115.63, 115.65, 115.66, 115.67, 115.72, 115.73, 115.75, 115.76, 115.89, 115.91, 115.98, 116.8, 116.9**

#### *Female Genital Mutilation*

69. Under the guidance of the MGLSD and other civil society organisations, a Council of Traditional Leaders in Africa (COTLA)- Uganda chapter was established by cultural leaders from the 17 recognised cultural institutions in Uganda. Uganda has tried to raise national awareness on commemoration of the International Day of Zero Tolerance for Female Genital Mutilation in order to raise awareness on its dangers and advocate for its elimination and has developed the National Gender Based Violence Database (NGBVD).

70. While Uganda has enacted legislation against Female Genital Mutilation (FGM), and Section 6 of the Children Act 1997 (as amended in 2016) prohibits and punishes harmful cultural practice against children implementation and enforcement has been hindered especially due to culture.

#### *Gender Based Violence*

71. Government has put in place various laws and policies including the Employment Act, 2006 the Employment (Sexual Harassment) Regulations 2012, National Policy on Elimination of Gender Based Violence, 2019 the National Guidelines for the provision of Psychosocial Support for Gender-Based Violence Victims/survivors, 2013. In May 2017 the Government developed a National Male Involvement Strategy for the Prevention and Response to GBV. In 2016, the East African Community (EAC) enacted the EAC Prohibition of FGM Act, 2016 to promote cooperation in the prosecution of perpetrators of FGM through harmonisation of laws, policies and strategies to end FGM in the region.

72. Government has carried out various interventions during 16 days of Activism and National Women's Day celebrations. Efforts have been made to strengthen the capacity of duty bearers to effectively respond to cases of SGBV, copies of the referral pathway and case management forms to document cases of SGBV have been developed and the national help line has been upgraded although there has been limited awareness on the utilisation of the helpline among the women and children. Uganda is an active participant in joint action within the East African region particularly on the issue of post conflict response to Gender Based Violence.

73. Though the NDPIII states that police invested in mobilising and empowering communities to prevent violence, which led to a decline of 25% between 2015 and 2019, GBV rates greatly increased during the outbreak of COVID-19.

74. Implementation of the Domestic Violence Regulations, 2011 that sought to operationalise the Domestic Violence Act (DVA) has continued to be slow, which continues to have consequences for women accessing justice. Courts in Uganda continue to follow the old Common Law practice exempting husbands from charges of rape. The DVA includes sexual abuse in a domestic relationship, however the DPP and the police have not yet put this section of the DVA to the test.

#### *Persons with Albinism*

75. Various initiatives have been started including awareness raising in communities for girls with albinism to access education, radio talk shows have been conducted advocating on rights of women with albinism which has increased awareness of the rights of the women with albinism.

### **Recommendations**

76. Government should work closely with cultural leaders and institutions to embrace supporting girl-child education against harmful practices like Female Genital Mutilation.

77. Government should strengthen monitoring of the implementation framework in order to track progress and identify priority gaps for improvement in enjoyment of rights for persons with albinism.

### **19. Theme F14 Participation of women in political and public life – Recommendations 115.50**

78. Uganda has continued to implement Article 32 of its Constitution on Affirmative Action in Article 78 (1) (a) which provides for *one woman representative for every district and Article 180 (2) (b) which provides for 1/3 of membership of each local government council to be reserved for women*. The affirmative action include provision of quotas for women in Parliament and local government. These measures have had positive impact by increasing the numbers of women in politics and in the professional labour force. Thirty-five (35%) of parliamentarians are women with more than 84% of whom are occupying affirmative action seats, though it is increasingly hard for women to contest for direct seats because of politics being highly commercialised.

79. Despite Article 33 (6) of the Constitution prohibiting laws, cultures, traditions and customs which are against the dignity and welfare and interest of women, and other marginalised groups, women's participation in politics is still affected by gender stereotypes and patriarchal beliefs. that exclude women from the open seat (where both men and women can contest for elective positions). Men continue to largely participate in the political processes and occupy office more than women. Many women and girls are highly deterred to participate in elections because of a highly monetised political space and high levels of electoral violence that targets them. Uganda has not ratified the African Charter on Democracy, Elections and Governance to meet the 50% representation target .

## **Recommendation**

80. Government should ratify the African Charter on Democracy, Elections and Governance, 2007.

### **24. Theme H1 Human rights defenders– Recommendations 115.96 115.106, 115.110**

#### *Human Rights Defenders*

81. Uganda made efforts to investigate threats against human rights but in some cases failed to release findings from investigations or make arrests regarding NGO office break-ins and the arbitrary restriction of Human Rights Defenders' (HRDs) rights to freedom of assembly under the POMA 2013 which has increased impunity of security agents who violate the rights of HRDs and activists as they undertake human rights work. Government continues to restrict freedom of expression, association and peaceful assembly, with HRDs being victim of threats, intimidation and judicial harassment.

82. The vulnerability of Women Human Rights Defenders remains aggravated by persisting social and cultural practices, intimidation and threats, inadequate resources, as well as an inadequate legislative framework and limited access to justice.

#### *Human Rights Enforcement Act*

83. In March 2019, the president signed into law the *Human Rights Enforcement Act, 2019*, which operationalises the guarantees of human rights and freedoms under Chapter Four of the Constitution and offers guidance to courts on how to enforce human rights under Article 50 of the Constitution. The key aspect of this law is the creation of personal liability for public officials who violate the fundamental rights and freedoms of others, regardless of whether this is done in an official capacity or not. In spite of this, it has been noted that the Act has not yet been fully implemented.

84. In July 2020, Uganda's Parliament moved a motion to introduce the Human Rights Defenders Protection Bill 2020 in a plenary sitting.

85. In 2017, the Government of Uganda adopted the *Prevention and Prohibition of Torture Regulations*. Nevertheless, the Chairperson of the Uganda Human Rights Commission noted that the Government is failing to pay compensation to victims of torture, which encourages the growth of impunity by the perpetrators

86. Section 8 of the POMA, 2013 gave wide discretionary powers to the Uganda Police Force to deny and disperse assemblies, and has been frequently used to facilitate arbitrary arrests of political activists. On 26 March 2020, Uganda's Constitutional Court declared Section 8 illegal and unconstitutional, however, the crackdown on political opposition in 2020 and 2021 continued.

87. In the 2017 report, of the former UN Special Rapporteur on HRD, Michel Forst, expressed concern over the 2016 NGO Act and called on the Government of Uganda to align with international human rights standards. However, no further steps have been taken in this regard.

## **Recommendations**

88. Government should review the NGO Act, 2016 to ensure that it facilitates the work of Human Rights Defenders.

89. Government should expedite and conclude investigations of perpetrators who have broken into offices of Human Rights Defenders and violated their rights.

90. Government should implement the Prevention and Prohibition of Torture, Act, 2012 and prosecute officers who have committed acts of torture.

91. Government should put in place mechanisms to address the vulnerability of Women Human Rights Defenders.

## **V. Conclusion**

92. Whilst Uganda has made progress in the promotion and protection of human rights, it still has a long way to go to address challenges that hinder the enjoyment of human rights and freedoms including through domestication of international human right standards, ensuring accountability for human rights violations, recognising the work of Human Rights Defenders, strengthening initiatives focusing on vulnerable persons and ensuring the effective implementation of economic , social and cultural rights.

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