

CIVIL SOCIETY COALITION ON HUMAN RIGHTS & CONSTITUTIONAL LAW



REFUGEE LAW PROJECT



AWDF



FIDA UGANDA



Center for Domestic Violence Prevention



Centre for Women in Governance (CEWIGO)

Integrity Uganda

Spectrum Uganda

Uganda Feminist Forum

National Guidance & Empowerment Network of People Living with HIV/AIDS (NGEN+)

Uganda Health Press & Science Association

National Association of Women's Organisation in Uganda (NAWOU)

MIFUMI

AKINA MAMA WA AFRIKA
A Non-Governmental Development Organisation for African WomenMENTORING AND EMPOWERMENT PROGRAMME
FOR YOUNG WOMEN
Sustaining Women's LeadershipADVOCATES FOR
PUBLIC INTERNATIONAL LAW
UGANDAWONETHA
Women's Organisation and
Network for Human Rights Advocacy

The Rise & Fall of Human Rights in Uganda?

Human Rights Day, 10th December 2010

As a Coalition of Civil Society Organisations concerned with protecting and enhancing the rights and liberties enshrined in Uganda's 1995 Constitution, we take the occasion of this year's International Human Rights Day to applaud Uganda's unblemished record on signing and ratifying human rights instruments over the years. These give the distinct impression that human rights in Uganda are on the rise. We note with concern, however, a number of more concrete indicators which suggest that Uganda's human rights record may if anything be in decline.

Although we could point to a range of issues that raise concern, sexual rights are always a good indicator of a country's democratic credentials. Hence, the Coalition was deeply concerned about the uncalled for closure in late November of a regional sex worker conference convened by Akina Mama wa Afrika. That action demonstrated the ease with which undemocratic considerations are allowed to override constitutional rights, particularly since there is currently no law prohibiting people from talking about sex work!

The closure of a convening of human rights defenders - and especially minority rights defenders - is wholly contrary to the theme of this year's Human Rights Day celebration, namely **"Human rights defenders who act to end discrimination"**.

The illegal decision to stop people from even talking about issues surrounding sex work not only demonstrates some of the risks and harassment to which human rights defenders are exposed, both from state and non state actors, it also brings to mind another notorious indicator of Uganda's declining respect for rights, namely the Anti-homosexuality Bill which was tabled in October 2009. That bill—which aroused the indignation and disbelief of all rights-oriented citizens, NGOs and governments around the world, and which threatened to punish anybody who even talked about same-sex sexualities—lingers in suspended animation between its first and second readings. The failure to definitively dismiss the bill once and for all, is further proof of the lack of depth to Uganda's human rights culture. A year ago today, the Civil Society Coalition noted that Uganda was standing at a cross-roads over this issue. 365 days later we remain at that very same cross-roads.

The lack of rights-oriented leadership was brought home again just a matter of weeks ago, when a newly established tabloid, the Rolling Stone, not only named 100 alleged homosexuals, but in some cases also published their pictures, addresses, and preferred social hang-outs. It went still further when it incited its readership to 'Hang them!' It is a matter of grave concern that, notwithstanding

the existence of a national media council, and notwithstanding the temporary injunction against further such publication by the Rolling Stone, this attack on the basic constitutional rights to dignity, life, privacy and freedom of movement, triggered little response from the Government of Uganda, despite its obligations to protect those rights, whatever the perceived identity of the citizens concerned. Still more recently there was a disturbing lack of visible governmental response to the genital mutilation of over 100 young Sabiny women and girls, despite such mutilations being contrary to the sexual and reproductive rights of the persons concerned', as already recognised in Uganda's Anti Female Genital Mutilation Act 2010

As a Coalition concerned with human rights and constitutional law, we need to point out that these are all constitutional matters, and it disturbs us, that such matters are not being given due weight. In addition to the matters above, we deplore the fact that the court case concerning the Equal Opportunities Commission (Jjuuko Adrian v. Attorney General, Constitutional Petition No. 1 of 2009) has been repeatedly postponed because of the lack of quorum in the Constitutional Court. We note similar delays in hearing the constitutional case against the NGO Act 2006, a piece of legislation which severely limits civil society freedoms. Why, when the Constitution states that such cases should be disposed of expeditiously, are heels being dragged? With elections coming up it is highly likely that these two cases will be further displaced and delayed.

In looking to the future, we should ask ourselves whether, a year from now, it will even be possible to publish a statement such as this. The Interception of Communications Act (2010) will certainly result in still further self-censorship by civil society actors who were already biting their tongues for fear of the more draconian elements of the NGO Act. The proposed Public Order Management Bill, if passed, will further violate the already highly-circumscribed freedom of assembly.

In conclusion, as a Civil Society Coalition, we call upon all concerned citizens to be on the alert, and to demand the full respect of the Constitution of Uganda and of international human rights documents which promote the spirit of tolerance and social justice. We further urge you to join us today in celebrating Human Rights Defenders who act to end discrimination, and who are at the forefront of ensuring that Uganda's human rights record be seen to rise rather than fall.

Kampala, 10 December 2010

For further information on the work of the Coalition, please go to www.ugandans4rights.org or write to us on info@ugandans4rights.org