GUIDE BOOKLET

BASIC GUIDE TO APPLYING HUMAN RIGHTS STANDARDS AND PRINCIPLES WHEN ENFORCING THE PUBLIC ORDER MANAGEMENT ACT; THE PREVENTION AND PROHIBITION OF TORTURE ACT; AND THE ANTI-PORNOGRAPHY ACT.

Ensuring law and order must be through acts, methods and conduct permitted by the law. When the law enforcer becomes the lawbreaker, the result is an attack on the law itself, on human dignity, and on all institutions of public authority.
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<td>African Charter on Human and Peoples’ Rights</td>
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<td>ACTV</td>
<td>African Centre for Treatment and Rehabilitation of Torture Victims</td>
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<td>APA</td>
<td>Anti-Pornography Act, 2014</td>
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<td>EOC</td>
<td>Equal Opportunities Commission</td>
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DEDICATION

This guide is dedicated to all persons committed to protecting and promoting human rights in Uganda.
The Human Rights Centre Uganda (HRCU) is a nonprofit organization established in November 2008 with the sole aim of contributing to the protection and promotion of rights of human rights defenders in Uganda. The Vision of HRCU is to have a society which enjoys and upholds universally recognized rights and fundamental freedoms and the mission is to promote and protect rights for all, particularly those of human rights defenders.

This guide booklet has been produced under the project of Promote Awareness and Understanding of human rights focusing on the Eastern Region of Uganda in the four districts of Jinja, Mbale, Soroti and Tororo. The project purpose is to promote awareness, establish coordination and cooperation among human rights defenders, general public, law enforcement and implementation agencies in understanding and applying human rights standards in implementation of laws. The laws focused on are the Public Order Management Act 2013 (POMA), Anti-Pornography Act 2014 (APA) and Prevention and Prohibition of Torture Act 2012 (PPTA).

I hope that this Guide Booklet will equip the security agencies and the public with information and the skills that will enable them apply human rights standards and the Human Rights Based Approach when implementing these laws. It is expected that this will in turn contribute to access to justice in Uganda and that HRDs and the members of the public will adhere to the implementation of the laws.

Special appreciation goes to the Austrian Development Agency who funded this project, Chairperson and the Directors of HRCU for their guidance, the Advisory Committee consisting of representatives from the Uganda Police Force, Directorate of Public Prosecutions, Uganda Human Rights Commission, Uganda Prison Service, Uganda Law Reform Commission, the JLOS Secretariat, Judicial Service Commission, Judicial Studies Institute, Uganda NGO Forum, Uganda Law Society who have played an advisory role to this project. Our implementing partners the Uganda Human Rights Commission and African Centre for Treatment and Rehabilitation of Torture Victims (ACTV) who have contributed greatly to the implementing of this project, Ms. Barbara Bunya Nambi and the assistant Marita Mugasha coordinated this project with excellence, Ms. Jacque Kasoma for her role as the supervisor.

HRCU strives to contribute to promotion and protection of fundamental human rights and pledges to contribute to advance this cause at all times.

Margaret Sekaggya
Executive Director
Human Rights Centre Uganda
The Constitution confers judicial powers upon the Courts of Judicature to be exercised in the name of the people and in conformity with the law and the values, norms and aspiration of the people.

In adjudicating matters of human rights violations and abuse, judicial officers are, subject to the law, to ensure that justice is done to all irrespective of their social or economic status; Justice is not delayed; adequate compensation is awarded to victims of wrongs; reconciliation between parties is promoted; and that justice is administered without due regard to technicalities. These principles resonate well in line with the Human Rights Based Approach principles of accountability, non-discrimination and equality, participation and empowerment, legality and rule of law.

The development of this Guide booklet by the Human Rights Centre Uganda, Uganda Human Rights Commission, and the African Centre for Treatment and Rehabilitation of Torture Victims with the funding support from the Austrian Development Cooperation, is a very welcome development in the administration of justice in Uganda. This guide booklet is a tool that will guide the judicial officers to continuously promote human rights observance while they administer justice in accordance with the Constitution and human rights standards embedded there in. I therefore encourage every judicial officer to use this Guide booklet as a reference in their day to day operations.

For God and My Country

Justice Bart Katureebe
Chief Justice of Uganda
It is with particular honor for me to present to you this booklet “A basic Guide to applying human rights standards and principles when enforcing the Public Order Management Act, 2013, the Anti-Pornography Act, 2014 and the Prevention and Prohibition of Torture Act, 2012”.

The booklet gives basic information about human rights, human rights principles, standards and application of the Human Rights Based Approach in implementation of the laws.

The Office of the Director of Public Prosecutions is committed towards working with all stakeholders to enhance justice and transform Uganda into a country that continues to promote and protect human rights in the implementation of laws.

The office of Director of Public Prosecutions is certain that the information provided in this guide will prove extremely relevant to all law enforcement officers, paralegals, human rights defenders, civil society organizations, state attorneys and students of human rights law, as the government strives to redress reported human rights violations and abuses.

I appreciate and acknowledge Human Rights Centre Uganda for developing this basic guide and I call upon the concerned state institutions and all its officers to implement the guidelines herein to enhance and uphold human rights principles.

Mike Chibita
Director of Public Prosecutions.
The Uganda Human Rights Commission was established in 1996 with the general mandate of protecting and promoting human rights in Uganda. The Commission over the past years has continued to receive complaints of human rights violations against security agencies committed during enforcement of the law. This booklet offers useful guidance to law enforcement officers on their role in observance of human rights during law enforcement.

The booklet is also a useful tool for all JLOS institutions and human rights activists whose work involves protecting and promoting human rights and monitoring government compliance with human rights standards.

I would like to appreciate and acknowledge Human Rights Centre Uganda for developing this booklet and I call upon the concerned state institutions to implement the guidelines herein to enhance observance of Human Rights in Uganda.

Med S.K Kaggwa
Chairperson, Uganda Human Rights Commission
FOREWORD

I am thrilled to present to you this guide booklet that spells out the centrality of Human rights in all activities of law enforcement organizations, and more specifically in respect to the POMA, the APA and the PPTA.

This booklet is enriched with local examples of illustrations to enable the users across the country; paralegals, law and human rights students, Judicial officers, prosecutors, attorneys, security agencies of all ranks in UPS, UPDF and intelligence agencies to benefit from it.

Considering that the vision of UPS is “A centre of excellence in providing human rights based correctional services in Africa,” this booklet will guide our officers on how best to perform their mandate of custody and rehabilitation of offenders, yet ensuring observance of human rights standards and principles. All Prison officers are directed to master the booklet and use it as a reference in all our activities.

Can. Dr. J.O.R Byabashaija.
COMMISIIONER GENERAL OF PRISONS
The Uganda Police Force sends its compliments to Human Rights Centre- Uganda, Australian Development Cooperation an all the stakeholders involved in the production of this document.

Respect for Human Rights law enforcement is cornerstone of Police work in any democratic society. Law enforcement by its nature is very challenging, and unless there are clear and elaborate parameters put in place to guide and sensitize officers, operational mistakes may be made.

This tool has come into place at a time when the human rights movement in our country is very vibrant. The Police management has over time pursued a number of initiatives aimed at ensuring police compliance with human rights standards. This guide is complimentary to those initiatives and is indeed appreciated.

As an institution, we wish to implore our officers to embrace this important guide document, so that it may enable them to fulfill their mandate in a more professional manner and acceptable international democratic principles.

To protect and serve

AIGP Twaruhukwa Erasmus
Director of Human Rights and Legal Services
FOREWORD

The African Centre for Treatment and Rehabilitation of Torture Victims (ACTV) is the only torture treatment centre in Uganda that provides holistic care to survivors of torture which includes treatment and rehabilitation of survivors of torture and advocacy against torture. ACTV is one of the three organisations that have participated in creating awareness in the Eastern region of Uganda of three laws in general and the Prevention and Prohibition of Torture Act, 2012 (PPTA) in particular. In that regard, we have contributed in developing this Guide Booklet which with its dissemination will go a long way in effectively implementing the PPTA and hence preventing torture in our country.

ACTV is extremely grateful to the Austrian Development Co-operation (ADC) for the support, and also with its partners in this project, Human Rights Centre-Uganda (HRCU) and the Uganda Human Rights Commission (UHRC), of being part of our Vision of a “World free from Torture.”

Samuel Herbert Nsubuga
Chief Executive Officer
African Centre for Treatment and Rehabilitation of Torture Victims (ACTV)
ACKNOWLEDGEMENT

The Human Rights Centre Uganda (HRCU) conveys its special thanks to all the stakeholders from the Justice Law and Order Sector, and in particular the Uganda Prisons Service, the Uganda Police Force, the Uganda Law Reform Commission, the Judiciary, the Uganda Law Society, the Directorate of Public Prosecutions, and the Uganda Human Rights Commission for their valuable and active participation in the development of this Guide. We equally appreciate the contribution made by the African Centre for Treatment and Rehabilitation of Torture Victims to the content of the Guide.

We convey special recognition to the HRCU staff and the Chairperson of the Board Mr. J.M. Aliro Omara & Ms. Roselyn Karugonjo for compiling the information in this guide in a format that is simple and easy to understand.

The HRCU in a special way appreciates the support of the Austrian Development Cooperation for funding the production of the booklet under a project titled “Promote Awareness and Understanding of Human Rights Project” implemented by the HRCU in partnership with the Uganda Human Rights Commission (UHRC) and the African Centre for Treatment and Rehabilitation of Torture Victims (ACTV).
This guide provides an overview of human rights standards and principles that should be respected during law enforcement. It guides law enforcement officials to avoid human rights violations when enforcing the law. The guide, which addresses the reader directly, explains in simple language how law enforcement officials can enforce the Public Order Management Act, 2013 (POMA), the Prohibition and Prevention of Torture Act, 2012 (PPTA), and the Anti-Pornography Act, 2014 (APA), without violating the state’s duty to respect, protect and fulfil human rights.

Illustrations and local examples are used to demonstrate practical ways in which law enforcers can respect, protect and fulfil human rights and desist from violating them when applying the law.

The Guide can be utilised by: All security officers right from senior law enforcement officers to the lowest ranking in the police, prisons, security agencies and the Uganda Peoples Defence Forces (UPDF); judicial officers, state attorneys or prosecutors; paralegals, human rights defenders in the civil society sector, students of law or human rights.

Disclaimer

This guide is mainly for information purposes and does not answer all questions or provide any specific advice for a particular issue or problem. It is not a legal authority that can be cited in support of a case in a legal dispute. Where necessary consult legal institutions and professionals to obtain advice with respect to a particular issue or problem that this Guide discusses.

The Austrian Development Cooperation is not responsible for the content of this text and cannot be held liable for it. Any inconsistencies or factual errors it may contain are the responsibility of Human Rights Centre Uganda as the owner of this document.
PART 1: BACKGROUND AND INTRODUCTION

1.1 Background

Law enforcement and/or security officers in Uganda have always found a challenge in respecting and protecting human rights in the course of enforcing law and order. The police and sometimes other security organs are, for example, frequently accused of human rights violations in the course of implementing the Anti-Pornography Act (APA) and the Public Order Management Act (POMA).

In March 2015 the Human Rights Centre Uganda (HRCU), African Centre for Treatment and Rehabilitation of Torture Victims (ACTV) and the Uganda Human Rights Commission (UHRC), conducted a baseline survey to find out if the Justice Law and Order Sector (JLOS) institutions and other law enforcement agencies knew about and understood the content of the APA, POMA and PPTA. The Survey found that the JLOS institutions and other law enforcement agencies generally lacked awareness of the content of these laws. While they had known about these laws from various media sources, they did not know enough details to apply the laws correctly.

The survey also found that the majority of law enforcement agencies, many human rights defenders, and the general public, did not know that law enforcement must comply with human rights standards, as enshrined in the Constitution of Uganda, when enforcing the APA, POMA and PPTA. As a result, there have been situations where law enforcement agencies have violated human rights when enforcing these laws.

1.2. Introduction

Uganda is governed by the rule of law principles which require that all activities by everybody including law enforcement agencies must be in accordance with the law. The 1995 Constitution of Uganda is the supreme law that applies to all authorities and persons in Uganda. All laws, customs, and activities in Uganda must comply with the Constitution. Any law, custom or act that is contrary to what the Constitution states is illegal.

The Constitution, in addition to outlining and describing the rights of citizens and all those resident within the country, provides for the legal protection of human rights. It also recognises regional and international laws that protect human rights. These are laws agreed upon by members of the United Nations or those of the African Union or the East African Community that have been accepted by Uganda to be applied in the country.

Article 17 of the Constitution requires all citizens (including law enforcement officials) to respect the rights and freedoms of others. This includes respecting the rights of persons suspected of breaking the law as well as the rights of persons who have broken the law.

Article 21 (2) of the Constitution spells out the duty not to violate human rights. All agencies of Government and all persons must uphold and promote the rights and freedoms of each person and groups of persons such as political parties, associations and unions.
Article 221 of the Constitution puts a specific duty on security organs not to violate human rights when performing their functions. When they are investigating a crime or arresting a suspect, for example, they must not violate the human rights of the suspect. They must therefore follow procedures established by the law if they are to avoid violating human rights while performing all their functions.

All law enforcement agencies should understand that when doing their work, they must comply with human rights standards stipulated in Chapter 4 of the Constitution and in particular Articles 22, 23, 24, 26, 27 and 28. In addition, the methods they apply to enforce the law should also comply with standards set by regional and international human rights instruments that Uganda has ratified.

This guide provides guidelines on how law enforcement agencies can enforce the APA, POMA, PPTA without violating human rights in line with the Constitution. The Guide briefly explains the responsibilities of duty bearers and rights holders under each law, as well as the underlying human rights and freedoms that must be safeguarded when implementing the three specific laws and others.
2.1 What are Human Rights?

Human rights are basic rights and freedoms that belong to every individual - man or woman, girl or boy, infant or elder - simply because he or she is a human being. People are born with the rights and they are not given by the State or government. Human rights are basic standards without which people cannot live in dignity.

We are all entitled to human rights because we are human beings. Everyone - men, women, children, persons with disabilities, the rich, the poor, members of all races, tribes, religions, living anywhere are entitled to human rights. Human rights belong to all persons equally, universally and forever.

2.2 What are the most important characteristics of human rights?

2.2.1 Human rights are inalienable

This means that you are born with them and so you cannot lose them, because they are part and parcel of your being human. In some circumstances, however, the enjoyment of some human rights – though not all – may be suspended or restricted. If for example one was found guilty of a crime, his/her right to liberty (right to be left free to go about one’s business) can be taken away; or in times of national emergency, the government may declare a public emergency and then restrict the enjoyment of some rights, for example by imposing a curfew restricting freedom of movement at certain hours of the day.

2.2.2 Human rights are indivisible, interdependent and interrelated

This means that all human rights are connected and all must be respected, protected and promoted because they all support each other. The enjoyment of one right depends on the enjoyment of many other rights. No one right is more important than the rest. A violation of one right can badly affect the enjoyment of other rights.

Illustration: If you are subjected to torture, the results of the torture may be much more than the immediate pain and suffering that you feel. The torture can lead to psychological (mental and emotional) and physical consequences for you as well as your family and friends in your community.
Victims of torture can suffer the after effects of torture such as stress (post-traumatic stress disorder), which can include the painful memory of the torture (recollections of the torture or disturbing thoughts), severe worries, lack of sleep, bad dreams, sadness or misery and loss of memory.

As a result, a victim of torture in that situation cannot work to earn a living for himself or herself and family. Consequently, his or her children may drop out of school for lack of school fees. The victim may also be unable to meet the costs of treatment and could die. In this example, the violation of the right to freedom from torture would have affected the victim's right to life, health, and work or employment, the right to food and right to education for the children.

2.2.3 Human rights are universal

This means that human rights apply equally to all people everywhere in the world, at all times. You as an individual, are entitled to enjoy your human rights without discrimination on grounds of “race” or ethnic background, colour, sex, disability, language, religion, political or other opinion, national or social origin, birth or other status.

2.2.4 Equality and non-discrimination

As human beings we are all equal because each of us is born with self-worth and should be treated with dignity. We are entitled to our human rights without discrimination of any kind, such as race, colour, sex, ethnicity, age, language, religion, political or other opinion, national or social origin, disability, property, birth or other status. The Universal Declaration of Human Rights (UDHR) declares: “All human beings are born free and equal in dignity and rights.”

“Just as pain is not agreeable to you, it is so with others. Knowing this principle of equality treat others with respect and compassion.” Suman Suttam- Verse 150 of Jainism Religious

An old Acholi song perfectly illustrates the human rights principle of equality and non-discrimination. It goes: Lacan bene dano, lalonyo bene dano, dano aryo ducu dano pa Lubanga, gwok inyero lacan!-literally translated as:“A poor person is a human being, a rich person is also a human being, the two belong to God, so never ever despise a poor man”.

The African concept of ‘ubuntu’ tells us what it means to be a human being. Ubuntu emphasises respect for all members of the community and requires people to be hospitable and generous. People are expected therefore to be kind and good to each other. The Ubuntu belief is summed up in the idea that “a person is a person through other people”.

This idea has important implications and effects for human rights. If one is human through others, then if one mistreats another person it is like they are mistreating themselves.
This thinking and way of life (philosophy) tells us the importance of promoting the rights of others— to give and receive forgiveness and to respect the human rights of others.

2.3 What types of human rights do we have?

Human Rights are in three groups. The groupings however, are not based on their importance, because as earlier pointed out all human rights have the same importance and each right supports others. The groupings just help in clarifying the nature and purpose of each group of rights. The groupings are as follows:

a) Civil and political rights.

Civil and political rights protect people from arbitrary actions or conduct by the government, its agencies or non-state actors. They are also rights that give people the opportunity to participate in the civil and political activities of the State without discrimination.

The following are examples of such civil and political rights:

- Right to life
- Right to recognition as a person before the law
- Right to equality and non-discrimination
- Right to an effective legal remedy
- Right to public hearings
- Right to a fair trial
- Right to the presumption of innocence
- Right to liberty and the ban on arbitrary detention
- Prohibition of slavery and servitude
- Prohibition of torture, cruel, inhuman and degrading treatment or punishment.

ii. Civil and political rights that govern our position or status in society:

These rights enable us to meaningfully belong, have status, live, and play roles in our society. Examples include:

- Right to freedom of movement
- Right to asylum
- Right to marriage and family
- Right to privacy
- Right to own property
- Right to a nationality
- Right to take part in government and cultural life of your society
iii. Civil and political rights that are described by human rights law as fundamental freedoms:

- Right to freedom of conscience, thought and religion
- Freedom of movement and residence
- Right to freedom of opinion, speech and expression including media freedom
- Right to freedom of assembly
- Right to freedom of association

b) Economic, social and cultural rights.

These are rights that are essential for our dignity as persons. These rights require government to take measures so that we are able to enjoy them. They include:

- The right to health
- The right to education
- The right to an adequate standard of living
- The right to a clean and healthy environment
- The right to housing
- The right to food and water
- The right to clothing
- The right to social security

2.4 What is the purpose of human rights law?

- Human rights law sets out what States **must do** in order to ensure that we enjoy our rights and freedoms and our human rights are not interfered with, abused or violated.
- Human rights law sets out what States **must not do** in order to ensure that our rights are not interfered with, abused or violated.
- Human rights law does not “give” human rights because as human beings we are born with them. Human rights law legally ensures the protection and enjoyment of our human rights.

2.5 Who makes international or regional human rights law?

Human rights law is made by States of the United Nations represented by their governments. Binding treaties are negotiated, agreed to and signed by governments that are members of the United Nations. Member States of regional organisations such as the African Union, can also negotiate and agree to regional human rights law. For example Africa has the African Charter on Human and Peoples’ Rights. Regional human rights law however must not violate international human rights law.
If the States want, they can to improve on international human rights law or provide better protection than is in the international law.

It is important to note therefore that international or regional human rights laws are not imposed on countries as is sometimes argued. International and regional treaties cannot be forced upon a State. The act of agreeing to a treaty is always voluntary (although there are cases where defeated or weakened States are occasionally forced to sign treaties). In other words, a State must willingly consent and accept the duties and responsibilities imposed by a treaty. Once a State agrees, it is called a “State Party” to the treaty and is bound to respect and fulfill the obligations of the human rights treaty.

2.6 Are there any limitations on the enjoyment of human rights?

International, regional and national laws recognise that the enjoyment of some rights has to be limited i.e. restricted in order to protect public interest, public order, public morality, public health and to protect the rights and freedoms of others. The laws, however, provide that the methods and the extent of such limitations should be those that are acceptable and justifiable in a democratic (free) society. They further require that any limitation to the enjoyment of a right must be specifically and clearly defined by law.

This means that limitation of the enjoyment of rights cannot be achieved by arbitrary action or order of any authority not based in law. An action is arbitrary if it is unlawful, reckless, hasty, erratic, and illogical or is based on the whims (biased personal feelings) of the person taking the action. An authority that takes actions that restrict the enjoyment of any right must act within the law.

In Uganda, Article 43 of the Constitution outlines the general rules for the limitation of human rights. The article authorises the limitation of human rights if the action to be taken is to protect the rights of others and public interest. However, the authorities are not permitted by human rights law to engage in political persecution or detention without trial and claim that they are doing so in the public interest.

2.6.1 Are there human rights that cannot be restricted?

Certain rights cannot be restricted or limited. In human rights law, these are called absolute or non-derogable rights. No excuse or reason whatsoever can justify the violation or abuse of these rights. In other words, it can never be lawful to restrict or limit the enjoyment of these absolute rights. Article 44 of the Constitution of Uganda provides for a set of non-derogable rights. It states:

“Notwithstanding anything in this Constitution, there shall be no derogation from the enjoyment of the following rights and freedoms:

a) The freedom from torture and cruel, inhuman or degrading treatment or punishment;
b) The freedom from slavery or servitude;
c) The right to a fair hearing;
d) The right to an order of habeas corpus. (This is a right to seek a court order directing that an illegally detained person is produced before the court).
These rights cannot be interfered with for any reason whatsoever. The government or its agents cannot interfere with these rights and argue that they did it to protect public interest, public order, public morality, public health or the rights and freedoms of others.

2.6.2 Illustration of rights that cannot be limited

2.6.2.1 Freedom from torture and other ill-treatment

Some people often cite what is called “the ticking bomb situation” as the reason for torturing a person suspected of hiding a bomb that could explode and kill many people. The question is: Should the authorities torture a person who is suspected to know that a terrorist attack is about to take place in order to obtain information that could prevent the attack? The answer is: NO. Human rights law forbids or prohibits torture or ill-treatment even in such situations. If you are a suspect you remain so until convicted by a court of law and even after conviction you cannot be subjected to torture or ill-treatment because freedom from torture, cruel, inhuman or degrading treatment or punishment is an absolute right.

The PPTA criminalises acts of torture, underlining the total prohibition of torture and ill-treatment under the Constitution and international and regional human rights law. If you perform any act which amounts to torture as defined in Section 3 of the PPTA you commit an offence and if convicted you can be imprisoned for 15 (fifteen) years or fined Uganda Shillings 7,200,000/= (Seven million and two hundred) or can even be imprisoned and also ordered to pay the fine. You shall not be punished if you disobey an order directing you to carry out acts of torture, cruel, inhuman or degrading treatment or punishment.

2.6.2.2. Freedom from slavery or servitude.

Slavery refers to owning and using another human being like a piece of property. Servitude is similar to slavery – a person might live on another person’s premises, work for them and be unable to leave, even though he or she is not owned. Servitude includes forced labour - when you are forced to do work that you have not agreed to, just because you are under the threat of punishment.
Freedom from slavery or forced labour is an absolute right.

The right to be protected against slavery and servitude is absolute; which means no excuse can be allowed by law for you to hold somebody as a slave or in servitude. The right relating to freedom from forced labour is also absolute although it does not apply to work that:

- You have to do as part of a prison or community sentence;
- The government requires you to do in a state of emergency, such as after a natural or man-made disaster; and
- is part of your normal civic obligations, like serving as a court assessor.

The following hypothetical example can illustrate what is slavery and servitude: A girl is brought to Kampala from the village by 'Ms. Porcupine' on the promise that she would work for her and Ms. Porcupine would pay her a monthly salary. Ms Porcupine confiscates the girl's identity card and she cannot leave Ms. Porcupine's compound. She is confined within the compound and forced to work 15 hours a day, seven days a week, with no pay and no holidays. In such a situation the girl would have been kept in servitude and forced labour.

2.6.3 What are the conditions for limiting human rights?

2.6.3.1 Limitations must be by law

The enjoyment of human rights cannot be limited or restricted as and when government or a government official wishes. A government agency like the police or the judiciary or a ministry seeking to restrict the enjoyment of a right must apply the law. Such a law that limits the enjoyment of human rights must be made by or authorised by Parliament. Any rule, order, directive made by officials without Parliamentary authority is undemocratic and legally unenforceable to restrict the enjoyment of human rights.

A law or regulation that limits rights must be defined very clearly so that people know what they cannot do when enjoying the right that is limited by the law. Equally the law should be clear so that a government agency can understand what they can do and what they cannot do when enforcing a restriction allowed by law. A law, for example, limiting freedom of speech is difficult to understand if it prohibits the exercise of freedom of speech on grounds that speeches should not “sow discord in society or paint a false image of the state”.

sow discord in society or paint a false image of the state
That prohibition would be vague and difficult for one to know what kind of statements qualify as sowing discord in society. Vague and/or unclear laws leave officials with wide discretionary (open) powers of interpretation that they could abuse.

2.6.3.2 Measures limiting a right must be proportional to the harm

The action taken to limit a right must not only be within the law but those carrying out the action must ensure that not only is it lawful but it is also absolutely necessary and proportionate to deal with the harm intended to be prevented or solved. The action must be seen to be balanced and fair considering the kind of problem being dealt with. The key messages for law enforcement officials are therefore as follows:

- When enforcing a law that restricts the enjoyment of human rights, you should first ensure that you understand what kind of restrictions that law allows on the right.
- Secondly, it is important to understand what you can or cannot do.
- You should then not act outside what is allowed by the law.
- A right can only be restricted for a genuine purpose – (allowed by law and not out of convenience).
- An action limiting a right is necessary if it is essential or vital or required by the law.
- The action or measure you apply to restrict the enjoyment of a right should be that which interferes less with the enjoyment of the right.

It is important to note that as a public official you are not permitted by law to do things that can deny people their political rights or to arrest and detain people without trial or under any circumstances to torture or illtreat them. You cannot do any of these things and argue that you were acting in public interest.

2.6.4 Examples of limitations of rights and freedoms

The POMA is the principal law that regulates the conduct of public meetings and provides for duties of the police as well as responsibilities of organisers and participants in relation to public meetings. The POMA therefore defines the limits within which the freedom to assemble and to demonstrate peacefully can be enjoyed.

If an organiser of a public rally is prosecuted and found guilty of organising a public meeting contrary to the provisions of POMA, he or she is liable, under section 10 of POMA, to pay a fine not exceeding 24 currency points (Uganda Shillings 480,000/=) or imprisonment not exceeding 12 months or both. If sentenced to imprisonment, the organiser’s liberty, will have been limited. Being confined in prison, he or she will not be able to move freely. He or she cannot in that case claim that his or her right to liberty has been violated.

The APA limits the enjoyment of freedom of expression, speech and information. The freedoms of expression, speech and information allows us to receive information, or distribute it and tell other people about it. In other words the right allows us to receive and send out information, speak out about our ideas, create artistic drawings, publish or display materials.
The APA defines and creates the offence of pornography and prohibits pornography.

According to section 13 of the APA, you commit an offence if you produce, participate in the production of, or traffic in, publish, broadcast, procure, import, export or in any way abet (support, encourage, help, assist) pornography. If convicted, you can be fined up to five hundred currency points (one currency point equals 20,000 shillings) amounting to 10 million Uganda Shillings or be imprisoned up to ten years or both. You cannot claim that the APA violates your freedom of expression because the law forbids you to receive, distribute, display, draw, publish and tell other people about pornographic material.

It is important to note that in these examples, all the limitations to the rights concerned are through laws enacted by Parliament. We should always remember that restrictions on the enjoyment of human rights and fundamental freedoms can only be imposed by law.
3.1. What are human rights obligations?

Human rights law expects the State or an individual to do or fulfill certain requirements and commitments in order for the human rights to be realised. Under international human rights law, States accept responsibilities and duties (obligations) to respect, to protect and to fulfill human rights. Human rights give you rights and obligations.

- Human rights obligations are duties and responsibilities that must be carried out by a State or its agents.
- Through ratification of International and Regional human rights treaties, governments agree to take domestic measures (introduce and implement policies, legislations) to discharge obligations imposed by the treaties.
- They assume the duties to respect, to protect and to fulfill the human rights obligations.

The obligation to respect means that the State itself must not unlawfully interfere with or restrict or prevent the enjoyment of human rights. The State should not do anything that can interfere with the enjoyment of human rights, including when it enforces laws.

The obligation to protect means that the State should take steps to protect individuals and groups of individuals from human rights abuses. This means that the State should protect people from the actions of government officials, private individuals and companies that can interfere with the enjoyment of human rights.

The obligation to fulfil means that States must introduce and implement programmes and create conditions that make it possible for people to enjoy their basic human rights.
On top of these direct obligations, States are also obliged to report to international and regional treaty bodies on how they are fulfilling their human rights obligations. In Uganda, the UHRC, an independent state institution, has the responsibility of monitoring and reporting to Parliament on the situation of human rights in the country. This includes reporting on the way law enforcement agencies are carrying out their duties and whether they respect laws while doing so.

3.2. Examples of human rights obligations

3.2.1. Obligation to respect under the POMA

The right to peaceful assembly should be enjoyed by organisers and participants of a lawful assembly. The State should allow people freedom to enjoy the right without unlawful interference e.g. it should not deny people the right to organise and take part in a peaceful assembly. If a public meeting is called in accordance with the procedures required under the POMA, then the police should not interfere with it, unless there is a breakdown of law and order during the assembly. It is an offence to organise and take part in a public meeting without following the provisions of the POMA.

The State should not disrupt or unlawfully refuse to allow the holding of peaceful assemblies and protests.

3.2.2. Obligation to protect under the POMA

Police should arrange to be present to assist and protect the right to peaceful assembly from interference by third parties.
The enjoyment of freedom of assembly is subject to reasonable regulations designed to protect the rights of others. For example, to protect and help or make smooth the holding of public meetings, the POMA gives police the power to organise and enforce a traffic plan during a public assembly.

3.2.3. Obligation to protect under the APA.

Under the APA, no person is allowed to produce, import, display, sell and distribute pornography because it is harmful to our children. The law was passed by the State in fulfillment of the obligation to protect us and enforce public morality.

The obligation requires the State to take steps that allow us to enjoy our human rights. By passing the law, the State created offences and punishments to stop any person from engaging in acts that would abuse the rights of children not to be exposed to pornography.

The APA creates an offence of pornography and prohibits anyone from selling, producing, publishing, broadcasting, and buying, importing, exporting pornographic materials.

Anyone caught engaging in conduct related to child pornography and is convicted can be fined up to 15 million Uganda Shillings or imprisoned for a maximum period of 15 years or both.

3.2.4. Obligation to protect under the PPTA

Under international human rights law the State has a duty to take steps to protect persons within its territory from acts of torture, cruel, inhuman and degrading treatment or punishment. Under the Constitution, the State has prohibited these acts and created offences under PPTA to protect us from them.
Anyone, including law enforcement officers, convicted of the crime of committing torture or ill-treatment, can be imprisoned for 15 years or ordered to pay a fine of 7,200,000 Uganda Shillings or both.

3.2.5. Obligation to promote and fulfill: Establishing institutions to protect and promote human rights.

Under Human Rights law, the state must take steps and measures to establish and support institutions to promote and protect human rights. The State should also allow NGOs which protect and promote human rights to operate freely within the law. The following are examples of institutions that function in Uganda to protect and promote human rights:

3.2.5.1. The Uganda Human Rights Commission

The Uganda Human Rights Commission (UHRC) was established under the 1995 Constitution to promote and protect human rights and freedoms in the country.

The UHRC vision is: A society that respects human rights and fulfils civic obligations, while its mission is to protect and promote fundamental human rights and freedoms in Uganda for sustainable development.

The UHRC receives and investigates complaints about the violations of human rights and has powers to give remedies to victims of human rights violations. It also educates and sensitises the public and government agencies in order to enhance their awareness about human rights; in addition to visiting places of detention such as police cells and prisons to inspect whether the human rights of inmates are respected.
3.2.5.2. The Equal Opportunities Commission

The Equal Opportunities Commission is a constitutional body established by Article 32 (3) of the Constitution. The Commission came into operation following the enactment of the Equal Opportunities Commission Act, 2007.

The Commission whose many functions are provided under Section 14 of the Act may, among others investigate or inquire into any act, circumstance, conduct, omission, programme, activity or practice which seems to amount to or cause discrimination, marginalisation or otherwise undermine equal opportunities.

It can undertake investigations on its own initiative or when a complaint is made by any person or group of persons. The Commission could intervene and conduct appropriate investigations on behalf of a victim in circumstances where he or she is unable to complain to the Commission or it can initiate an inquiry into violations of a systemic nature.

The Commission may provide remedies to complainants in the form of enforceable awards to “rectify, settle, or remedy any act, omission, circumstance, practice, tradition, culture or custom which it finds constitute discrimination, marginalisation or otherwise undermines equal opportunities”.

3.2.5.3. The Uganda Prisons Service

The mandate of Uganda Prisons Service (UPS) is to provide safe, secure, and humane custody of offenders while placing human rights at the centre of their correctional programmes.

The UPS keeps in custody people who have been convicted of breaking the law. These include private individuals as well as law enforcement officers who have abused human rights.

3.2.5.4. The Uganda Police Force

The Uganda Police Force (UPF) has a vision of: An enlightened, motivated, community oriented, accountable and modern police force geared towards a crime-free society. Its mission is to secure life and property in partnership with the public in a committed and professional manner in order to promote development.

The mandate of Uganda Police Force prescribed under Article 212 of the Constitution is: To protect the life and property; to preserve law and order; to prevent and detect crime; and to cooperate with the civilian authority and other security organs established under the Constitution and with the population generally.

The UPF is the agency that the State uses to protect individuals and groups in fulfilment of its obligations to take steps to protect individuals from human rights abuse.

3.2.5.5. The Directorate of Public Prosecution

The Directorate of Public Prosecutions (DPP) has a vision of: A crime-free society. Its mission is to handle and prosecute criminal cases in a just, effective and efficient manner.
The functions of the DPP are to: Direct police to investigate information of a criminal nature; institute criminal proceedings against any person or authority; take over and continue a private prosecution; and discontinue criminal proceedings at any stage before judgment.

3.2.5.6. The Judiciary

The Judiciary’s mandate is provided in Article 126 (1) of the Constitution: “Judicial Power is derived from the people and shall be exercised by the Courts established under this Constitution in the name of the people and in conformity with the law and with the values, norms and aspirations of the people.”

The core functions of the Judiciary are to administer justice through resolving disputes between individuals, and between the State and individuals; interpret the Constitution and the laws of Uganda; promote the rule of law and contribute to the maintenance of order in society; safeguard the Constitution and uphold democratic principles; and protect human rights of individuals.

When adjudicating cases, the Judiciary must apply specific principles outlined in Article 126 (2) of the Constitution. These are:

- Justice shall be done to all irrespective of their social or economic status;
- Justice shall not be delayed;
- Adequate compensation shall be awarded to victims of wrongs;
- Reconciliation between parties shall be promoted; and Substantive justice shall be administered without undue regard to technicalities.
- The courts shall furthermore be independent and shall not be subject to the control or direction of any person or authority.

3.2.5.7. Government Ministries, Departments and Agencies

Government Ministries Departments and Agencies (MDAs) are charged with the responsibility to oversee the implementation of enacted laws. The Ministry of Gender, Labour and Social Development under the Directorate for Ethics and Integrity is responsible for implementing the APA, the Ministry of Internal Affairs is responsible for the enforcement of POMA. While the Ministry of Justice and Constitutional Affairs is responsible for the enforcement of the PPTA. The Government Ministries for example carry out their responsibilities under these laws by building the capacity of duty bearers to implement the laws; empowering the rights holders with relevant information to enable them to claim their Rights; and by introducing regulations for better implementation of the provisions of these Acts.
3.2.5.8. Non-Governmental Organisations

Non-governmental organisations (NGOs) complement government’s efforts to promote and protect human rights. Different NGOs may each have a specific area of focus. Broadly however, NGOs complement government through:

- Training programmes that provide knowledge and skills to strengthen the capacity of duty bearers to implement their human rights obligations;
- Producing and distributing information, education and communication materials on human rights that enhance the awareness of rights holders of their rights and how to claim them;
- Carrying out awareness campaigns for rights holders to know about their rights;
- Providing legal advice and services to victims of human rights violations or abuse; and
- Providing shelter and rehabilitation services to victims of human rights violations and abuses.
4.1. What are human rights standards?

- They are ways of doing things, established by human rights law, which must be respected, protected and promoted for people to enjoy their human rights.
- They are the minimum required level of conduct or behavior, which a State and its agents, should observe in running the affairs of a country.
- They are defined by human rights laws to regulate the conduct of States (and non-State actors) in order to protect individuals and groups of individuals from human rights violations or abuse.
- They are human rights ideals on which all conduct of individuals and government officials is expected to be based and complied with.

When a country becomes a member of the United Nations, it generally accepts to follow the principles of the UDHR. When a country accepts a human rights law (covenant, convention, treaty, statute or protocol) it agrees, like in a contract, to perform certain compulsory duties and responsibilities agreed to under those laws. All its actions must therefore respect those responsibilities. In Uganda, human rights standards are included in Chapter 4 of the Constitution.

4.2. What are the key laws that set up human rights standards?

Human rights standards are stipulated in the provisions on specific rights and freedoms in the various instruments. The key international laws that set human rights standards and have been agreed to and accepted by Uganda include the:

- International Covenant on Civil and Political Rights (ICCPR),
- International Covenant on Economic Social and Cultural Rights (ICESCR),
- International Convention on the Elimination of All Forms of Racial Discrimination (ICERD);
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT);
- Convention on the Rights of the Child (CRC),
- International Convention for the Protection of All Persons from Enforced Disappearance (CPED) and
- Convention on the Rights of Persons with Disabilities (CRPD), among others.
4.3. What are the human rights standards related to the APA?

The human rights standards related to the implementation of APA are in the provisions of the following rights:

- The Right to Privacy
- Freedom of Speech and Expression
- The Right to Property
- The Right to Liberty

<table>
<thead>
<tr>
<th>International Human Rights Law</th>
<th>Universal Declaration of Human Rights</th>
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<tbody>
<tr>
<td>Article 19</td>
<td>Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers</td>
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</table>

| International Covenant on Civil and Political |
| Article 17                          |
| 1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation. |
| 2. Everyone has the right to the protection of the law against such interference or attacks. |

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<tr>
<th>Regional Human Rights(Africa) Law</th>
<th>African Charter on Human and Peoples Rights (ACHPR)</th>
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<tr>
<td>Article 9</td>
<td></td>
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<tr>
<td>1. Every individual shall have the right to receive information.</td>
<td></td>
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<tr>
<td>2. Every individual shall have the right to express and disseminate his opinions within the law.</td>
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<th>UGANDA LAW</th>
<th>Constitution of the Republic of Uganda, 1995</th>
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<tr>
<td>Article 27.</td>
<td>Right to privacy of person, home and other property.</td>
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<td>(1) No person shall be subjected to—</td>
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<td>(a) unlawful search of the person, home or other property of that person; or</td>
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<tr>
<td>(2) No person shall be subjected to interference with the privacy of that person's home, correspondence, communication or other property.</td>
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<th>Article 43.</th>
<th>General limitation on fundamental and other human rights and freedoms.</th>
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<tr>
<td>(1) In the enjoyment of the rights and freedoms prescribed in this Chapter, no person shall prejudice the fundamental or other human rights and freedoms of others or the public interest.</td>
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</table>
**4.4. What are the human rights standards related to the POMA?**

Freedom to assemble and demonstrate together with others peacefully and unarmed and to petition is a human rights standard set by the following human rights instruments:

| International Human Rights Law | Universal Declaration of Human Rights, 1948 | Article 20  
1. Everyone has the right to freedom of peaceful assembly and association.  
2. No one may be compelled to belong to an association. |
|--------------------------------|---------------------------------------------|--------------------------------------------------|
| International Covenant on Civil and Political Rights, 1996 | Article 21  
The right of peaceful assembly shall be recognized.  
No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others. |
| Regional Human Rights (Africa) Law | African Charter on Human and Peoples Rights | Article 11  
Every individual shall have the right to assemble freely with others.  
The exercise of this right shall be subject only to necessary restrictions provided for by law, in particular those enacted in the interest of |
| UGANDA LAW | Constitution of the Republic of Uganda: | Article 29 (d)  
Every person shall have the right to freedom to assemble and to demonstrate together with others peacefully and unarmed and to petition;  
Article 43. General limitations on fundamental and other human rights and freedoms.  
(1) In the enjoyment of the rights and freedoms prescribed in this Chapter, no person shall prejudice the fundamental or other human rights and freedoms of others or the public Interest. |
### 4.5. What are the human rights standards related to the PPTA?

| International Human Rights Law | Convention Against Torture (CAT) | Article 5  
No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment |
|--------------------------------|---------------------------------|---------------------------------------------------|
|                                 | International Covenant on Civil and Political Rights, 1996 | Article 7  
No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.  
In particular, no one shall be subjected without his free consent to medical or scientific experimentation. |
Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status.  
All forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited. |
| UGANDA LAW | Constitution of the Republic of Uganda, 1995 | Article 24  
No person shall be subjected to any form of torture or cruel, inhuman or degrading treatment or punishment |
4.6. Why are human rights standards important?

Human rights standards are important because they are minimum standards that are universally accepted and which States that agree to them must apply. States must govern in accordance with the standards. It is therefore unlawful for the State to treat its citizens or residents in ways that violate the minimum standards of human rights.

Some people have questioned the importance of human rights, especially when they are violated in the process of enforcing law and order. However, it is important to note that law and order does not have to be enforced at all costs; even at the expense of human rights. Law and order is enforced to protect human rights and so it would be self-defeating to violate some human rights in the process of protecting others. All countries agree that all human beings are entitled to human rights and fundamental freedoms. These rights, as we have seen, are meant to ensure we get justice, tolerance, mutual respect and uphold human dignity in all activities done by the State and non-state actors.

4.7. What duties are imposed by human rights standards?

Human rights standards impose responsibilities on Governments and private individuals.

- **Government responsibility**: Human rights are not gifts given by governments. Governments have the responsibility of respecting, protecting and promoting human rights. They should not deny people human rights or choose to give them to some people but not to others and if they do so they should be held accountable as this violates human rights.

- **Individual responsibility**: Every individual has the duty to know and teach human rights and must respect human rights. Every individual has a duty to challenge institutions and individuals that violate or abuse human rights.

- **Responsibilities of other organs of society**: Every organ of society including corporations, NGOs, educational institutions share the duty to observe, promote and protect human rights.
PART 5. VIOLATIONS AND ABUSE OF HUMAN RIGHTS

5.1. What is a human rights violation?

Human rights violations occur when a government official or government agent acts outside the law while exercising his/her power or authority or carrying out official duty. Acts of violations are often committed by government through its officials, such as the police, prisons, other security forces as well as public officials. That is why it is important that human rights law regulates the powers of government so that its powerful institution do not mistreat people and violate their rights.

How human rights are violated:

- By the direct action of government;
- By the direct action on behalf of government;
- By an action or omission done with the agreement, consent, approval of the State;
- If the government or its agent fails to do what it should do to stop or prevent a violation of human rights (this is called violation by omission); and
- If the government refuses or fails to take steps to hold abusers or violators of human rights accountable.

Human rights violations can be on a single individual right or on large scale involving one or more rights or the rights of many people.

5.2. Examples of violations of human rights.

(i) Where the authorities e.g. the police fail to protect a rights holder from human rights abuse or violations

A thief for instance may be beaten up by a mob, in the presence of the police who look on and do nothing to intervene, because the person is a thief. The police will be held responsible for failing to protect the thief from torture, or cruel, inhuman and degrading treatment or punishment. The government, and in this case the police as a duty bearer, has a legal duty to take steps to prevent a mob from abusing the rights and freedoms of the thief.
(ii) If a crime is committed and the police refuses to investigate or prosecute the offender.

In such a case the police would have violated the rights of the victim of the crime that was committed. It would also be a violation if the police carry out the investigations negligently leading to the offender not being arrested and prosecuted. This is because the victim is entitled to protection of his rights and the right to effective remedy when his rights are abused. It is the duty of the state to put in place effective systems that can hold abusers of human rights, such as criminals, accountable. *Human rights standards should therefore be respected, protected and promoted when implementing the APA, POMA and PPTA.*

5.2. Examples of violations of human rights standards related to PPTA

5.2.1. Violation of the right to freedom from torture

Torture occurs when a government official or agent or a private individual physically assaults or physically or mentally mistreats a person for the purpose of obtaining information, or punishing or intimidating or for reasons based on discrimination against that person. Such acts are normally committed during an arrest or questioning of a suspected criminal or to punish inmates under detention or simply to show the torturer’s authority.
5.2.2. Violation of the freedom of assembly by dispersing peaceful assembly

If police officers or security agents disperse a peaceful assembly or demonstration, they violate the right to assemble and demonstrate peacefully which is guaranteed by the Constitution of Uganda. A peaceful assembly must be protected and not interrupted by the police.

5.2.3. Violation of freedom assembly by unlawful denial of right to demonstrate

If the authorities, basing on reasons not backed by the law, deny groups of persons the right to organise a demonstration or an assembly to protest and express their views then they will have violated the rights of the organisers. The right to freedom of assembly can only be denied on grounds established by the law and not for any other reasons in the law.

5.3. What is abuse of human rights?

5.3.1. Definition

Human rights abuse is an act or omission of a private individual or individuals that contravenes or disobeys fundamental rights and freedoms.

Human rights abuse is different from human rights violation. As indicated in the examples above, human rights violations are committed by the State through the acts or omissions (failures) of its officials or agents. Violations are failures by the State to fulfill its obligations under human rights law. Human rights abuse on the other hand is committed by individuals acting in their personal capacities.

When a person commits a crime for example, such an act usually interferes with the rights of another. A good example is domestic violence, where a man beats his wife, either to punish her or to exercise his authority over her. Such conduct is a human rights abuse, that affects the wife’s right to physical integrity and dignity and could lead to loss of life. The act is a crime and a human rights abuse not a violation of human rights.
5.3.2. Examples of human rights abuse

5.3.2.1. Domestic violence

If a husband beats up a wife for any other reason, he would have abused his wife’s right to physical integrity and freedom from torture or cruel inhuman treatment or punishment. Since the husband, when beating his wife, did not do so as a public official or agent, the beating is described as a human rights abuse. However, due to the definition of torture under the PPTA, the act can also amount to a violation of human rights.

5.3.2.2. Mob action

Mob action against suspected criminals is usually improperly referred to as “mob justice” because it is not justice as it is called. It is an abuse of the right to freedom from torture, cruel, inhuman and degrading treatment or punishment. It is also an abuse of the right to a fair trial because all criminal suspects must be taken to court, tried and punished if convicted. When people in a mob take the law into their hands they violate the important human rights principle of the rule of law. Since members of the mob are not public officials or agents of the State, their action is described as a human rights abuse.
5.3.2.3. Child beating

Child beating is prohibited by human rights law. No excuse whatsoever can be accepted for beating a child whether it is done by a parent or school teacher. It is an abuse of the child's right to physical integrity and to freedom from torture, cruel, inhuman and degrading treatment or punishment. It violates the child's right as protected under the Convention of the Rights of the Child and Uganda's Children's Act. It is not in the interest of the child. A parent who beats up a child commits a human rights abuse since he or she does it in his or her capacity as a parent and not a public official.

5.3.2.4. Abuse of girls and women because of their dress style

Harassing, assaultsing, feeling, fondling, touching or undressing a girl or woman because of her dress style by a mob is an abuse of her right to privacy and freedom of expression. Even where indecent dressing is outlawed, people have no right to humiliate her because of her dress style. The APA does not outlaw the wearing of miniskirts. If members of the public, acting in their private capacities, undress a girl or woman in a miniskirt, believing they are enforcing the APA, they are accountable for abusing her right to privacy and physical integrity because they did not act on behalf of government.
6.1. What is the human rights-based approach (HRBA)?

- HRBA is a method of doing things; or conduct and behavior that avoid violating or abusing human rights standards;
- In other words, it is doing things using methods that respect, protect, fulfil and promote human rights standards.
- HRBA is based on the principle that:
  - The State has the primary duty to respect, protect and fulfill the rights of those within its territory. The state accepts to ensure that its Constitution, laws, policies, budgets and practices comply with these legal requirements.
  - The State also agrees to regulate behaviour of third parties – companies, associations, international organisations, and private individuals etc. To ensure that their actions or activities do not weaken the enjoyment of human rights; but ensures that human rights are effectively enjoyed.

- **HRBA is about adopting methods that turn human rights standards into effective policies, practices and therefore into practical realities.**
- **HRBA emphasises how we should carry out our responsibilities/duties/activities in a way that respects, protects, and promotes human rights.**
- **HRBA requires that government, through its ministries/departments and agencies (government officials and agents) carries out its responsibilities in ways that respect, protect and promote human rights.**

6.2. What are the key principles of HRBA?

6.2.1. Applying the principles of HRBA to law enforcement.

6.2.1.1. Treating everyone with equality and without discrimination:

The law treats everyone equally and without discrimination. When applying the law do not treat people differently because of their race colour, gender, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability. Human rights apply to every human being including suspected criminals or convicts. When enforcing the law do not violate human rights because of any of these reasons.

**For example,** when a group of people are holding a lawful, peaceful rally, the police should not disrupt the meeting simply because they are opposition politicians or because they are discussing matters critical of the government.
6.2.1.2. Participation and inclusion:

Law enforcement requires full participation of stakeholders including duty-bearers and rights holders. In the implementation of POMA, PPTA, and APA, for example, the duty bearers (including the police officers of all ranks, state attorneys, magistrates, prisons officers) must be equipped with adequate information about their duties under these laws. On the other hand, the rights holders must be aware of both their right and responsibilities under the different laws, so that they themselves can enjoy their rights in line with the law.

Basic question to ask related to participation and inclusion include:

- Have I informed or consulted everyone likely to be affected by my action?
- Have I given the rights holders under POMA, APA and PPTA adequate information?
- Is this information in a language or a form that the rights holders can understand?
- Are the duty bearers trained or aware of their responsibilities? Do they know what they are supposed to do or what is expected of them?
- Are guidelines or regulations in place to support the implementation of these laws?

**Example 1: POMA**

- Are organisers of public meetings, participants in a public meeting and those likely to be affected by a public assembly or public demonstrations sensitised about their rights, responsibilities and duties of the duty bearers?
- Are sources of information accessible? Is the information on the process of organising public meeting simplified and in a language that everyone can easily understand?
- Are duty bearers including: the District Police Commanders, Regional Police Commanders, Police officers in the Field Force Unit, Magistrates, the Minister of Internal Affairs aware of their duties in implementing this law? Have they been trained on this Act? Are the regulations in place to support the implementation?
- Have these duty bearers been trained and equipped with resources including the laws, technology, regulations to effectively enforce the POMA?

**Example 3: PPTA**

- Do the duty bearers know and appreciate the fact that torture is a criminal offence under the PPTA and that it carries a heavy penalty?
- Are duty bearers informed that any person who engages in an act of torture will be prosecuted as an individual?
- Are duty bearers aware that PPTA prohibits the transfer of any person to a place where there is a likelihood of torture?
- Are they aware that one cannot be punished for disobeying an order to torture?
• Do supervisors or institutional leaders know that they can be held responsible for actions of a subordinate?
• Do police officers know that information, confessions, and admissions obtained by torture is inadmissible against the suspect?
• Do judicial officers and prosecutors know that it is illegal to admit and use information obtained as a result of torture to convict a tortured suspect?
• Are judicial officers aware that in addition to the criminal penalty they can also give orders for compensation, rehabilitation and restitution?
• Are rights holders including survivors of torture, witnesses, civil society organisations aware that they can lodge complaints with Uganda Human Rights Commission? Are they aware of that disciplinary action can be taken against public officials?
• Does the public know that they have a duty to report on reasonable ground that torture is being committed?

6.2.1.3. Accountability.

States and other duty bearers are answerable if they fail to observe human rights. Where they fail to do so, rights holders affected by the state’s failure are entitled to sue government and seek for appropriate reparation or remedy. They can seek any remedy from court or a tribunal with authority in accordance with procedures provided by law.

Accountability covers:

• Criminal liability - the state must take steps to prosecute and punish a violator of human rights if a crime is committed.
• Civil liability - the State can be held liable to pay damages in form of remedies such as compensation, if it violates human rights.
• Government liability if it fails to put in place appropriate laws, policies, mechanisms, and institutions to protect and promote human rights and to ensure violators and abusers of human rights are held accountable.
• Government liability if it fails to put in place mechanisms that enable victims to get remedies for violations.

6.2.1.4. Transparency

• Government officials and agencies should apply the law and perform their duties in a transparent (open) manner. Therefore, as a government official, or institution, you should apply or enforce the law in good faith and in a transparent manner.
• The public is entitled to adequate information about the functions/duties and methods of work of every government department or institution involved in law enforcement.
• **As an example**, when the police, using the provisions of the POMA, refuses a group of people the right to assemble, they should give detailed information justifying the stopping of the assembly. The police should not merely give general statements e.g. that the assembly cannot be allowed “for security reasons” or because of “orders from above”.

• The police must act transparently when effecting arrests and detentions by giving prompt and valid reasons but not arresting and investigating later in all cases.

6.2.1.5. **Rule of law /legality**

- Every act of a government official or agent must be within the law.
- In particular, the actions of a government official or agent should be in accordance with human rights standards i.e. the actions should respect and protect or fulfill human rights standards.
- More importantly, no act, omission or conduct of a government official or agent should violate human rights. An act can only lawfully limit human rights if there is a law that allows it; and even then the law must be applied strictly.
- As a government official you should know the law under which you are acting and strictly apply the powers that support your intended action.
- It is important to fully understand and follow what the law allows you to do and what the law forbids you from doing.
- Ignorance of the law is no defence and will not protect you or the government from being accountable if you act outside the law.

6.3. **Rights holders and duty bearers**

6.3.1. **Rights holders**

- A rights holder is someone or a group of persons entitled to claim and enjoy human rights and fundamental freedoms protected by law and can sue to hold a duty bearer accountable (answerable, liable) for failing to respect or protect or fulfil a right or freedom.
- Every human being is a rights holder. For every human right and fundamental freedom there are rights holders who are entitled to enjoy that right or fundamental freedom. Under Article 24 of the Constitution, for example, everyone has the right to freedom from torture, cruel, inhuman and degrading treatment or punishment. This right can be claimed from the government by anyone at risk of torture or ill-treatment because it has the duty to ensure that no one in Uganda is subjected to torture, cruel inhuman, degrading treatment or punishment.
• Rights-holders can be certain groups of human beings such as children, women, workers, patients whose rights are specifically defined by a human rights law that relates to that particular group. Under the UN Convention on the Rights of the Child and the Children’s Act, for example, children have certain rights for which they are rights holders.

6.3.2. Dutybearers

• Duty-bearers are government officials, agents, institutions or persons with the duty to respect, protect and promote human rights. For every right and freedom there is a duty bearer. The primary duty bearer for implementing human rights standards is the State, which acts through its officials and agencies.

• The term duty bearer is used to refer to State ministries, departments and other agencies of government such as the Judiciary, the Executive, Parliament, local governments, the Uganda Police Force, Uganda Prisons Service and the Directorate of Public Prosecutions.

• In certain circumstances, a duty bearer is not the State or its agents (a non-state actor). An example is when the government builds schools to promote the right to education, the duty shifts to parents to send their children to school. If an officer is charged under the PPTA with the torture of an inmate, the victim of the torture bears the duty to appear in court to give evidence against the torturer.

• The examples show that in many circumstances, after the Government fulfills its human rights duties, some responsibilities can shift to the holders.

6.4. Applying human rights principles and standards in law enforcement

6.4.1. Human rights principles for law enforcement

Applicable Standards

1. International human rights law is binding on all States and their agents, including law enforcement officials. It should be obeyed.

2. Human rights laws are binding and States can be held responsible (accountable) if they do not comply with them.

3. Law enforcement officials must know, respect and apply international, regional and national laws which define standards and protect human rights.

Practice1: Have institutional human rights policy

Every law enforcement organisation should:

1. Have a broad human rights policy.

2. Integrate human rights standards in their standing orders.

3. Provide human rights training to all of its staff on recruitment and from time to time.

4. Work in cooperation with national, regional and international human rights organisations that can help it to respect, protect and fulfill human rights in the course of its duties.
Practice 2: Do not act arbitrarily

As a law enforcer, your actions must:

1. Be based on the law (i.e. supported and allowed by law) and follow legal procedures.
2. Be reasonable and appropriate according to the situation you are dealing with.
3. Be proportional to the legal objectives you want to achieve.
4. Not discriminate. Ensure that there is always a fair, solid and important reason to justify the measures or the approach that you take to handle every situation.
5. Not unnecessarily or without good cause interfere with the enjoyment of other rights.

6.4.2. Ethical and legal conduct for law enforcement officials

Applicable Standards

1. Human rights come from the natural dignity of the human person. As a law enforcement official, you shall at all times:
2. Respect and obey the law.
3. Fulfill the duty imposed on you by law, by serving the community and protecting all persons against illegal acts, as demanded by the high degree of responsibility required by your profession.
4. Not commit any act of corruption. You shall by all means oppose and fight all such acts.
5. Respect and protect human dignity and maintain and uphold the human rights of all persons.
6. Report violations of laws, codes and sets of principles which protect and promote human rights.

7. Ensure that all your actions respect the principles of legality, necessity, non-discrimination, proportionality and humanity.

Practice

Practice 1: As a law enforcement official you should:

1. Fully understand your legal powers and limitations to those powers.
2. Remember that “obedience to superior orders” may not be an excuse to justify serious human rights violations such as unlawful killings and torture.
3. Know both internal and external complaints and reporting procedures.
5. Maintain political independence and impartiality (be neutral) at all times.
6. Carry out all duties impartially and without discrimination on such grounds as race, colour, sex, language, religion or politics.
7. Protect and respect the human rights of all persons, including rights essential to participating in political activities e.g. the rights to assembly, freedom of speech.
8. Maintain and preserve social order so that democratic political activities can be conducted constitutionally and legally.
Practice 2: As a command and supervisory official you should:

1. Provide training to ensure that all officials fully understand their legal powers and the legal rights of citizens especially those likely to be affected by their law enforcement duties.
2. Ensure by example and good command and management practice, that all officials in their organisation maintain respect for the dignity of all persons.
3. Ensure that all your organisational policies methods of work, and orders to subordinates, take into account the requirement to protect and promote human rights.
4. Should ensure that all reports and complaints of human rights violations are fully and properly investigated.
5. Should develop and enforce standing orders that comply with international human rights standards for law enforcement relevant to your organisation.
6. Should develop an ethical code of conduct for your organisation, incorporating international standards.

6.4.3 Useful questions to guide law enforcement officials in enforcing the law

A magistrate, police officer, resident state attorney or government minister should always ask the following questions before adopting and implementing (applying) a law, policy, programme, activity or practice:

1. Will the measure I plan to use for implementing this law, policy, or programme respect (not violate) human rights and their underlying principles?
2. Will the plan, policy, programme, activity or practice that I have adopted respect relevant human rights standards?
3. Will the plan, policy, programme, activity or practice, respect the human rights principle of equality and non-discrimination (i.e. does it not discriminate?)
4. Have I consulted and considered the views of the people who will be affected by the law, policy, programme or activity?
5. Does the particular law, policy, programme or activity respect the rule of law?

This means

- That whatever you plan to do or are doing must be done according to existing law and legal principles. When as a government official you act within the clear provision of a written law, you act within the rule of law; but when you act outside the law your actions are illegal.
- No written law may be enforced by the government unless it conforms to certain universal principles that all legal systems (all laws and methods of their implementation) must be. These are the principles of fairness, morality and justice (e.g. a law must not be vague or discriminate). These universal principles are captured in our Constitution. No law, policy, programme, or activity should be contrary to our Constitution.

6. Have I included in the law, policy, programme, activity or practice, measures to hold implementers accountable for violations or abuse of human rights during their implementation?
6.4.4. Impact of human rights on law enforcement

6.4.4.1. Do human rights undermine/weaken law and order?

No. Respect and protection of human rights is important and very essential for ensuring real and durable law and order. The UDHR recognises that “it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law”. That message is as true today as it was in 1948 when the UDHR was adopted. When the rule of law is not maintained, violations of human rights occur. When serious and regular or organised human rights violations occur, it is likely that disrespect for the law and public authorities will grow with the likely result of open conflict between the authorities and the people. It is certainly not true that in certain situations violating human rights can contribute to the maintenance of public order and security. It can on the other hand undermine and destroy public order.

It is important to stress that there are internationally accepted limitations or restrictions on the enjoyment of many human rights. The limitations are allowed for the purpose of maintaining public order in a free society. These lawful limitations can be enforced by those entrusted with the duty of ensuring that they are obeyed. In general, such limitations and restrictions are those which are allowed by law and are necessary to:

- Ensure that the enjoyment of human rights respects the rights and freedoms of others; and
- Meet the fair, impartial and true requirements of morality, public order and general welfare in a democratic society.

It is therefore the duty of everyone to respect the rights of others and to observe the lawful and necessary requirements of maintaining public order in a democratic society.

6.4.4.2. Do human rights obstruct the work of law enforcement agencies?

You have heard the argument that observing human rights can sometimes hinder effective law enforcement; that in order to enforce the law or to capture the criminal and to secure his or her conviction, it is necessary to “bend the rules” a little if not ignore them in some cases. You may have seen the tendency to use overwhelming force to control demonstrations; torture to extract information from detainees or use of excessive force during arrest.

Those who hold this view argue that law enforcement is a war against crime and human rights are obstacles to that war.

Ensuring law and order must be through acts, methods and conduct permitted by the law. When the law enforcer becomes the lawbreaker, the result is an attack on: the law itself, human dignity and all institutions of public authority. In fact, violations of human rights by law enforcement agencies only make the already challenging task of law enforcement more difficult.

The effects of human rights violations by enforcers of the law are many as indicated below:

- They destroy public confidence in law enforcement officials;
- They obstruct effective prosecutions in court;
- They isolate the law enforcement agencies from the community;
• They result in the guilty going scot-free and the innocent being punished;
• They leave the victim of crime without justice for his or her suffering;
• They force police agencies to be reactive rather than preventive in their approach to crime;
• They make agents and institutions of public authority lose respect and instead be hated or despised;
• They can make worse the possibility of civil unrest.

6.4.4.3. Can respecting human rights help law enforcement agencies?

Yes. Respect for human rights by law enforcement agencies actually enhances their effectiveness. Human rights are systematically respected during law enforcement where agencies such as the police have developed professional methods for solving and preventing crime and maintaining public order.

When law enforcement agencies are seen to respect, uphold and defend human rights:

• The public will respect and trust those enforcing the law and therefore the community will cooperate more with them;
• They are seen as part of the community, performing a valuable legal and social function;
• Police for example will be able to be closer to the community and therefore in a position to prevent and solve crimes through community policing;
• Prosecutions of crimes are more successful because the evidence put before the court would have been collected legally and therefore accepted by the court. Further cooperation with the community increases the willingness of people to provide information and to come forward as witnesses.
• There will be fair administration of justice resulting into confidence in the system;
• They set an example for others in society to respect the rule of law;
• They will be supported by the media, the international community and the authorities; and contribution is made to peaceful resolution of conflicts and complaints. An effective law enforcement system is one that serves as the first line of defence in the protection of human rights. Its members, e.g. the police, carry out their work in a way that does not rely on the use of crude power and causing fear, but instead on regard for the law, decency and professionalism (skill, expertise, experience).
PART 7: Conclusion

This guide has provided an overview of human rights standards and principles that law enforcement officials should respect in enforcing the law in order to avoid human rights violations. In particular the guide has explained, in simple language, how law enforcement officials can enforce the Public Order Management Act, 2013 (POMA), the Prohibition and Prevention of Torture Act, 2012 (PPTA), and Anti-Pornography Act, 2014 (APA), without violating the state’s duty to respect, protect and fulfil human rights.

While the guidelines are not binding, they are useful in helping law enforcement agencies do their work without breaking the law themselves. It is important for them to remember that law enforcement must be in accordance with the law and that they face the risk of being held accountable either criminally or civilly or both. Indeed as explained in the guidelines, officials enforcing the POMA, PPTA and the APA must know the provisions of those laws and more importantly understand what they can or cannot do under those laws.

Finally, it is important to remember that respect for human rights is not an option to be exercised by government officials. It is a duty that must be performed. Where a law enforcement official has to restrict the enjoyment of a human rights, it must be in accordance with the law. It is the law that can restrict the exercise of human rights and not the whims of a law enforcement official.
Annex 1: The Uganda Bill of Rights

Chapter Four of the Uganda Constitution, 1995 Protection and promotion of fundamental and other human rights and freedoms.

General.

(1) Fundamental rights and freedoms of the individual are inherent and not granted by the State.

(2) The rights and freedoms of the individual and groups enshrined in this Chapter shall be respected, upheld and promoted by all organs and agencies of Government and by all persons.


(1) All persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law.

(2) Without prejudice to clause (1) of this article, a person shall not be discriminated against on the ground of sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability.

(3) For the purposes of this article, “discriminate” means to give different treatment to different persons attributable only or mainly to their respective descriptions by sex, race, colour, ethnic origin, tribe, birth, creed or religion, social or economic standing, political opinion or disability.

(4) Nothing in this article shall prevent Parliament from enacting laws that are necessary for—

(a) implementing policies and programmes aimed at redressing social, economic, educational or other imbalance in society; or

(b) making such provision as is required or authorized to be made under this Constitution; or

(c) providing for any matter acceptable and demonstrably justified in a free and democratic society.

(5) Nothing shall be taken to be inconsistent with this article which is allowed to be done under any provision of this Constitution.

22. Protection of right to life.

(1) No person shall be deprived of life intentionally except in execution of a sentence passed in a fair trial by a court of competent jurisdiction in respect of a criminal offence under the laws of Uganda and the conviction and sentence have been confirmed by the highest appellate court.

(2) No person has the right to terminate the life of an unborn child except as may be authorized by law.
23. **Protection of personal liberty.**

(1) No person shall be deprived of personal liberty except in any of the following cases—

(a) in execution of the sentence or order of a court, whether established for Uganda or another country or of an international court or tribunal in respect of a criminal offence of which that person has been convicted, or of an order of a court punishing the person for contempt of court;

(b) in execution of the order of a court made to secure the fulfillment of any obligation imposed on that person by law;

(c) for the purpose of bringing that person before a court in execution of the order of a court or upon reasonable suspicion that that person has committed or is about to commit a criminal offence under the laws of Uganda;

(d) for the purpose of preventing the spread of an infectious or contagious disease;

(e) in the case of a person who has not attained the age of eighteen years, for the purpose of the education or welfare of that person;

(f) in the case of a person who is, or is reasonably suspected to be, of unsound mind or addicted to drugs or alcohol, for the purpose of the care or treatment of that person or the protection of the community;

(g) for the purpose of preventing the unlawful entry of that person into Uganda, or for the purpose of effecting the expulsion, extradition or other lawful removal of that person from Uganda or for the purpose of restricting that person while being conveyed through Uganda in the course of the extradition or removal of that person as a convicted prisoner from one country to another; or

(h) as may be authorized by law, in any other circumstances similar to any of the cases specified in paragraphs (a) to (g) of this clause.

(2) A person arrested, restricted or detained shall be kept in a place authorized by law.

(3) A person arrested, restricted or detained shall be informed immediately, in a language that the person understands, of the reasons for the arrest, restriction or detention and of his or her right to a lawyer of his or her choice.

(4) A person arrested or detained—

(a) for the purpose of bringing him or her before a court in execution of an order of a court; or

(b) upon reasonable suspicion of his or her having committed or being about to commit a criminal offence under the laws of Uganda, shall, if not earlier released, be brought to court as soon as possible but in any case not later than forty-eight hours from the time of his or her arrest.

(5) Where a person is restricted or detained—
(a) the next-of-kin of that person shall, at the request of that person, be informed as soon as practicable of the restriction or detention;

(b) the next-ofkin, lawyer and personal doctor of that person shall be allowed reasonable access to that person; and

(c) that person shall be allowed access to medical treatment including, at the request and at the cost of that person, access to private medical treatment.

(6) Where a person is arrested in respect of a criminal offence—

(a) the person is entitled to apply to the court to be released on bail, and the court may grant that person bail on such conditions as the court considers reasonable;

(b) in the case of an offence which is triable by the High Court as well as by a subordinate court, the person shall be released on bail on such conditions as the court considers reasonable, if that person has been remanded in custody in respect of the offence before trial for one hundred and twenty days;

(c) in the case of an offence triable only by the High Court, the person shall be released on bail on such conditions as the court considers reasonable, if the person has been remanded in custody for three hundred and sixty days before the case is committed to the High Court.

(7) A person unlawfully arrested, restricted or detained by any other person or authority shall be entitled to compensation from that other person or authority whether it is the State or an agency of the State or other person or authority.

(8) Where a person is convicted and sentenced to a term of imprisonment for an offence, any period he or she spends in lawful custody in respect of the offence before the completion of his or her trial shall be taken into account in imposing the term of imprisonment.

(9) The right to an order of habeas corpus shall be inviolable and shall not be suspended.


No person shall be subjected to any form of torture or cruel, inhuman or degrading treatment or punishment.

25. Protection from slavery, servitude and forced labour.

(1) No person shall be held in slavery or servitude.

(2) No person shall be required to perform forced labour.

(3) For the purposes of this article, “forced labour” does not include—

(a) any labour required in consequence of the sentence or order of a court;
24. **Respect for human dignity and protection from inhuman treatment.**

No person shall be subjected to any form of torture or cruel, inhuman or degrading treatment or punishment.

25. **Protection from slavery, servitude and forced labour.**

(1) No person shall be held in slavery or servitude.

(2) No person shall be required to perform forced labour.

(3) For the purposes of this article, “forced labour” does not include—

   (a) any labour required in consequence of the sentence or order of a court;
   
   (b) any labour required of any person while that person is lawfully detained which, though not required in consequence of the sentence or order of a court, is reasonably necessary in the interests of hygiene or for the maintenance of the place at which the person is detained;
   
   (c) any labour required of a member of a disciplined force as part of that member’s duties as such or, in the case of a person who has conscientious objections to service as a member of a naval, military or air force, any labour which that person is required by law to perform in place of that service;
   
   (d) any labour required during any period when Uganda is at war or in case of any emergency or calamity which threatens the life and well-being of the community, to the extent that the requiring of the labour is reasonably justifiable in the circumstances of any situation arising or existing during the period or as a result of the emergency or calamity, for the purpose of dealing with that situation; or
   
   (e) any labour reasonably required as part of reasonable and normal communal or other civic obligations.

26. **Protection from deprivation of property.**

(1) Every person has a right to own property either individually or in association with others.

(2) No person shall be compulsorily deprived of property or any interest in or right over property of any description except where the following conditions are satisfied—

   (a) the taking of possession or acquisition is necessary for public use or in the interest of defence, public safety, public order, public morality or public health; and
   
   (b) the compulsory taking of possession or acquisition of property is made under a law which makes provision for—

   (i) prompt payment of fair and adequate compensation, prior to the taking of possession or acquisition of the property; and
   
   (ii) a right of access to a court of law by any person who has an interest or right over the property.
27. **Right to privacy of person, home and other property.**

(1) No person shall be subjected to—

(a) unlawful search of the person, home or other property of that person; or

(b) unlawful entry by others of the premises of that person.

(2) No person shall be subjected to interference with the privacy of that person’s home, correspondence, communication or other property.

28. **Right to a fair hearing.**

(1) In the determination of civil rights and obligations or any criminal charge, a person shall be entitled to a fair, speedy and public hearing before an independent and impartial court or tribunal established by law.

(2) Nothing in clause (1) of this article shall prevent the court or tribunal from excluding the press or the public from all or any proceedings before it for reasons of morality, public order or national security, as may be necessary in a free and democratic society.

(3) Every person who is charged with a criminal offence shall—

(a) be presumed to be innocent until proved guilty or until that person has pleaded guilty;

(b) be informed immediately, in a language that the person understands, of the nature of the offence;

(c) be given adequate time and facilities for the preparation of his or her defence;

(d) be permitted to appear before the court in person or, at that person’s own expense, by a lawyer of his or her choice;

(e) in the case of any offence which carries a sentence of death or imprisonment for life, be entitled to legal representation at the expense of the State;

(f) be afforded, without payment by that person, the assistance of an interpreter if that person cannot understand the language used at the trial;

(g) be afforded facilities to examine witnesses and to obtain the attendance of other witnesses before the court.

(4) Nothing done under the authority of any law shall be held to be inconsistent with—

(a) clause (3)(a) of this article, to the extent that the law in question imposes upon any person charged with a criminal offence, the burden of proving particular facts;

(b) clause (3)(g) of this article, to the extent that the law imposes conditions that must be satisfied if witnesses called to testify on behalf of an accused are to be paid their expenses out of public funds.
(5) Except with his or her consent, the trial of any person shall not take place in the absence of that person unless the person so conducts himself or herself as to render the continuance of the proceedings in the presence of that person impracticable and the court makes an order for the person to be removed and the trial to proceed in the absence of that person.

(6) A person tried for any criminal offence, or any person authorised by him or her, shall, after the judgment in respect of that offence, be entitled to a copy of the proceedings upon payment of a fee prescribed by law.

(7) No person shall be charged with or convicted of a criminal offence which is founded on an act or omission that did not at the time it took place constitute a criminal offence.

(8) No penalty shall be imposed for a criminal offence that is severer in degree or description than the maximum penalty that could have been imposed for that offence at the time when it was committed.

(9) A person who shows that he or she has been tried by a competent court for a criminal offence and convicted or acquitted of that offence shall not again be tried for the offence or for any other criminal offence of which he or she could have been convicted at the trial for that offence, except upon the order of a superior court in the course of appeal or review proceedings relating to the conviction or acquittal.

(10) No person shall be tried for a criminal offence if the person shows that he or she has been pardoned in respect of that offence.

(11) Where a person is being tried for a criminal offence, neither that person nor the spouse of that person shall be compelled to give evidence against that person.

(12) Except for contempt of court, no person shall be convicted of a criminal offence unless the offence is defined and the penalty for it prescribed by law.

29. Protection of freedom of conscience, expression, movement, religion, assembly and association.

(1) Every person shall have the right to—

(a) freedom of speech and expression which shall include freedom of the press and other media;

(b) freedom of thought, conscience and belief which shall include academic freedom in institutions of learning;

(c) freedom to practice any religion and manifest such practice which shall include the right to belong to and participate in the practices of any religious body or organisation in a manner consistent with this Constitution;

(d) freedom to assemble and to demonstrate together with others peacefully and unarmed and to petition; and

(e) freedom of association which shall include the freedom to form and join associations or unions, including trade unions and political and other civic organisations.

(2) Every Ugandan shall have the right—
(a) to move freely throughout Uganda and to reside and settle in any part of Uganda;

(b) to enter, leave and return to, Uganda; and

(c) to a passport or other travel document.

30. Right to education.

All persons have a right to education.

31. Rights of the family.

(1) Men and women of the age of eighteen years and above have the right to marry and to found a family and are entitled to equal rights in marriage, during marriage and at its dissolution.

(2) Parliament shall make appropriate laws for the protection of the rights of widows and widowers to inherit the property of their deceased spouses and to enjoy parental rights over their children.

(3) Marriage shall be entered into with the free consent of the man and woman intending to marry.

(4) It is the right and duty of parents to care for and bring up their children.

(5) Children may not be separated from their families or the persons entitled to bring them up against the will of their families or of those persons, except in accordance with the law.

32. Affirmative action in favour of marginalised groups.

(1) Notwithstanding anything in this Constitution, the State shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason created by history, tradition or custom, for the purpose of redressing imbalances which exist against them.

(2) Parliament shall make relevant laws, including laws for the establishment of an equal opportunities commission, for the purpose of giving full effect to clause (1) of this article.

33. Rights of women.

(1) Women shall be accorded full and equal dignity of the person with men.

(2) The State shall provide the facilities and opportunities necessary to enhance the welfare of women to enable them to realise their full potential and advancement.

(3) The State shall protect women and their rights, taking into account their unique status and natural maternal functions in society.

4) Women shall have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities.

(5) Without prejudice to article 32 of this Constitution, women shall have the right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom.
(6) Laws, cultures, customs or traditions which are against the dignity, welfare or interest of women or which undermine their status, are prohibited by this Constitution.

34. Rights of children.

(1) Subject to laws enacted in their best interests, children shall have the right to know and be cared for by their parents or those entitled by law to bring them up.

(2) A child is entitled to basic education which shall be the responsibility of the State and the parents of the child.

(3) No child shall be deprived by any person of medical treatment, education or any other social or economic benefit by reason of religious or other beliefs.

(4) Children are entitled to be protected from social or economic exploitation and shall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development.

(5) For the purposes of clause (4) of this article, children shall be persons under the age of sixteen years.

(6) A child offender who is kept in lawful custody or detention shall be kept separately from adult offenders.

(7) The law shall accord special protection to orphans and other vulnerable children.

35. Rights of persons with disabilities.

(1) Persons with disabilities have a right to respect and human dignity, and the State and society shall take appropriate measures to ensure that they realise their full mental and physical potential.

(2) Parliament shall enact laws appropriate for the protection of persons with disabilities.


Minorities have a right to participate in decision-making processes, and their views and interests shall be taken into account in the making of national plans and programmes.

37. Right to culture and similar rights.

Every person has a right as applicable to belong to, enjoy, practice, profess, maintain and promote any culture, cultural institution, language, tradition, creed or religion in community with others.

38. Civic rights and activities.

(1) Every Uganda citizen has the right to participate in the affairs of government, individually or through his or her representatives in accordance with law.

(2) Every Ugandan has a right to participate in peaceful activities to influence the policies of government through civic organisations.
39. **Right to a clean and healthy environment.**

Every Ugandan has a right to a clean and healthy environment.

40. **Economic rights.**

(1) Parliament shall enact laws—

(a) to provide for the right of persons to work under satisfactory, safe and healthy conditions;

(b) to ensure equal payment for equal work without discrimination; and

(c) to ensure that every worker is accorded rest and reasonable working hours and periods of holidays with pay, as well as remuneration for public holidays.

(2) Every person in Uganda has the right to practice his or her profession and to carry on any lawful occupation, trade or business.

(3) Every worker has a right—

(a) to form or join a trade union of his or her choice for the promotion and protection of his or her economic and social interests;

(b) to collective bargaining and representation; and

(c) to withdraw his or her labour according to law.

(4) The employer of every woman worker shall accord her protection during pregnancy and after birth, in accordance with the law.

41. **Right of access to information.**

(1) Every citizen has a right of access to information in the possession of the State or any other organ or agency of the State except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any other person.

(2) Parliament shall make laws prescribing the classes of information referred to in clause (1) of this article and the procedure for obtaining access to that information.

42. **Right to just and fair treatment in administrative decisions.**

Any person appearing before any administrative official or body has a right to be treated justly and fairly and shall have a right to apply to a court of law in respect of any administrative decision taken against him or her.

43. **General limitation on fundamental and other human rights and freedoms.**

(1) In the enjoyment of the rights and freedoms prescribed in this Chapter, no person shall prejudice the fundamental or other human rights and freedoms of others or the public interest.

(2) Public interest under this article shall not permit—
43. General limitation on fundamental and other human rights and freedoms.

(1) In the enjoyment of the rights and freedoms prescribed in this Chapter, no person shall prejudice the fundamental or other human rights and freedoms of others or the public interest.

(2) Public interest under this article shall not permit—

(a) political persecution;

(b) detention without trial;

(c) any limitation of the enjoyment of the rights and freedoms prescribed by this Chapter beyond what is acceptable and demonstrably justifiable in a free and democratic society, or what is provided in this Constitution.

44. Prohibition of derogation from particular human rights and freedoms.

Notwithstanding anything in this Constitution, there shall be no derogation from the enjoyment of the following rights and freedoms—

(a) freedom from torture and cruel, inhuman or degrading treatment or punishment;

(b) freedom from slavery or servitude;

(c) the right to fair hearing;

(d) the right to an order of habeas corpus.

45. Human rights and freedoms additional to other rights.

The rights, duties, declarations and guarantees relating to the fundamental and other human rights and freedoms specifically mentioned in this Chapter shall not be regarded as excluding others not specifically mentioned.

Human rights and freedoms during a state of emergency.

46. Effect of laws enacted for a state of emergency.

(1) An Act of Parliament shall not be taken to contravene the rights and freedoms guaranteed in this Chapter, if that Act authorises the taking of measures that are reasonably justifiable for dealing with a state of emergency.

(2) The provisions of any enactment other than an Act of Parliament dealing with a state of emergency declared under this Constitution shall apply only to that part of Uganda where the emergency exists.

(3) Without prejudice to clause (1) of this article, an Act enacted in accordance with that clause may make provision for the detention of persons where necessary for the purposes of dealing with the emergency.
47. Detention under emergency laws.

Where a person is restricted or detained under a law made for the purpose of a state of emergency, the following provisions shall apply—

(a) he or she shall, within twenty-four hours after the commencement of the restriction or detention, be furnished with a statement in writing specifying the grounds upon which he or she is restricted or detained;

(b) the spouse or next-of-kin or other person named by the person restricted or detained shall be informed of the restriction or detention and allowed access to the person within seventy-two hours after the commencement of the restriction or detention;

(c) not more than thirty days after the commencement of his or her restriction or detention, a notification shall be published in the Gazette and in the media stating that he or she has been restricted or detained and giving particulars of the provisions of the law under which his or her restriction or detention is authorised and the grounds of his or her restriction or detention.


(1) The Uganda Human Rights Commission shall review the case of a person who is restricted or detained and to whom article 47 of this Constitution applies, not later than twenty-one days after the commencement of the restriction or detention, and after that, at intervals of not more than thirty days.

(2) A person who is restricted or detained shall be permitted and afforded every possible facility—

(a) to consult a lawyer of his or her choice or any group of persons who shall be permitted to make representations to the Uganda Human Rights Commission for the review of his or her case;

(b) to appear in person or by a lawyer of his or her choice at the hearing or review of his or her case.

(3) On a review of the case, the Uganda Human Rights Commission may order the release of that person, or uphold the grounds of the restriction or detention.


(1) In every month in which there is a sitting of Parliament, the Minister responsible shall make a report to Parliament in respect of—

(a) the number of persons restricted or detained under the state of emergency; and

(b) the action taken in compliance with the findings of the Uganda Human Rights Commission.

(2) The Minister responsible shall publish every month in the Gazette and in the media—

(a) the number and names and addresses of the persons restricted or detained;

(b) the number of cases reviewed by the Uganda Human Rights Commission; and
(c) the action taken in compliance with the findings of the Uganda Human Rights Commission.

(3) For the avoidance of doubt, it is declared that at the end of the emergency declared under this Constitution, any person in or under restriction, detention or custody as a result of the declaration of emergency shall be released immediately, unless charged with a criminal offence in a court of law.

Enforcement of rights and freedoms by courts.

50. Enforcement of rights and freedoms by courts.

(1) Any person who claims that a fundamental or other right or freedom guaranteed under this Constitution has been infringed or threatened, is entitled to apply to a competent court for redress which may include compensation.
Annex 2: Offices of Uganda Human Rights Commission

Uganda Human Rights Commission

1. Head Office
Plot 22B Lumumba Avenue
P.O. Box 4929 Kampala
Tel: 0414-348007/8, 233757
Fax: 0414-255261
Email: uhrc@uhrc.ug
Website: www.uhrc.ug

2. Central Regional Office
Plot 55, Katalima Road,
Naguru,
Opposite Uganda Police Headquarters
P.O Box 4929, Kampala
Tel: 0414-232190/4271847
Toll free line: 0800122444
Email: uhrc Kampala@uhrc.ug

3. Gulu Regional Office
Plot 35 Aswa Road
P.O. Box 728, Gulu
Tel: 04714-32415
Fax: 04714-32458
E mail: uhrcgulu@uhrc.ug

4. Masaka Regional Office
Plot 14 Edward Avenue,
Opp. NSSF Office
P.O. Box 701, Masaka
Tel: 0318-514812
Toll free line: 0800144203

5. Hoima Regional Office
Plot 154 Off-Bunyoro Kitara Road
P.O Box 339 Hoima
Tel: 04540287
Toll free line: 080144204
E mail: uhrc hoima@uhrc.ug

6. Arua Regional Office
Plot 70A Weather Park Head
Lane Road
P.O. Box 406, Arua
Tel: 0476-420213
Toll free line: 0800144207
Fax: 0476-420214
Email: uhrc arua@uhrc.ug

7. Fort Portal Regional Office
Plot 3/5 Mugurusi Road
P.O. Box 960, Fort Portal
Tel: 04834-23171
Toll free line: 0800144200
Fax: 04832571
Email: uhrcfortportal@uhrc.ug

8. Jinja Regional Office
Plot 21 Bell Avenue
P.O. Box 66, Jinja
Tel: 0434-123760
Toll free line: 0800144201
Fax: 0434-123761
Email: uhrcjinja@uhrc.ug

9. Mbarara, Regional Office
Plot 6 McAllister Road,
P.O Box 105, Mbarara
Tel: 04854-21780/1
Toll free line: 0800144202
Fax: 04854-21782
Email: uhrc mbarara@uhrc.ug

10. Moroto Regional Office
Plot 2/12 Justice Law and Order Sector
(JLOS) House
Independence Avenue
P.O Box 105 Moroto
Tel: 0405447013
Toll free line: 0800144203
Email: uhrc moroto@uhrc.ug

11. Soroti Regional Office
Plot 70 Gweri Road
P.O Box 462 Soroti
Tel/Fax: 045461793
Toll free line: 0800144206
Email: uhrc soroti@uhrc.ug

Annex 3. List of Legal Aid Service Providers

1. The Human Rights Centre Uganda
Plot 83, Katalima Road
P.O Box 25638 Kampala, Uganda
Telephone: +256 414 266186 +256 704 424466
Toll free line: 0800333000
Email: info@hrucug.ug
Website: www.hrucug.org

2. Uganda Human Rights Commission - Regional Offices

3. Association of Human Rights Organizations (AHURIO)
Plot 33 Mugurusi Road, Fort Portal
P.O Box 514, Kasese, Fort Portal
Tel: 0414-348007/8, 233757
Email: ahuriorwenzori@gmail.com
Website: Ahuriohumanrights.blogspot.com
Coverage: Kabarole, Ntoroko, Bundibugyo, Kyenjojo, Kawenge, Kyegwga, Kasese Districts.

4. Defence for Children International (DCI)
Old Kira Road,
P.O.Box 12137, Kampala
Tel:0414-533811
Email: dcig@yahoo.com
Website: www.dci.or.ug
Coverage: Kampala, Wakiso, Mukono, Oyam, Nwoya and Amuru

5. Facilitation for Peace and Development (FAPAD)
Plot 2, Kyoga Road
Adjacent to the Post Office, Lira
P.O.Box 73, Lira
Tel:256-20-090-0940
Email: info@fapaduganda.org
Website: www.fapaduganda.org
Coverage: Lira, Apac, Oyam, Kole, Alebtong

6. Foundation for Human Rights Initiative (FHRI)
Plot 1853, Lulume Rd-Nsambya
P.O.Box 11027, Kampala,
Tel: +256-414-510263/ 510498
Email: fhri@gmail.com
Website: www.fhri.or.ug
Coverage: Nationwide
7. Human Rights Awareness and Promotion Forum (HRAPF)
Plot 390, Professor Apollo Nsibambi Road,
P.O Box 25603
Tel: +256-414-530-683
E-mail: info@hrapf.org
Website: www.hrapf.org
Coverage: Nationwide

8. Inter Religious Council of Uganda (IRCU)
Plot 884, Centenary Rd, Namirembe Hill
P.O.Box 7502, Kampala
Tel: +250-312-265670
Email: ircu@ircu.or.ug
Website: www.ircu.or.ug
Coverage: Nationwide

9. Law and Advocacy for Women in Uganda (LAWU)
P.O.Box 25324, Kampala, Uganda
Tel: +256-414-235445
Email: law.uganda@gmail.com
Coverage: Nationwide

10. Law and Governance Advocates Uganda (LGA-U)
Plot 2, Kati House, Kyaggwe Rd
P.O.Box 14173, Kampala
Tel: +256-414-252529
Email: governance.advocates@gmail.com
Coverage: Kalangala, Amuria, Pader, Napak, Kampala.

11. Legal Action for Persons with Disabilities (LAPD)
P.O.Box 14166, Kampala
Tel: +256-414-272712
Email: lapdug@yahoo.co.ug
Website: www.lapduganda.com
Coverage: Nationwide.

12. Legal Aid Clinic of the Law Development Centre (LAC/LDC)
Plot 339, Kagugube Road,
P.O Box 7177, Kampala
Tel: +256-414-530-235
E-mail: director@ldc.ac.ug
Website: www.ldc.ac.ug
Coverage: Nationwide.

13. Legal Aid Project of Uganda Law Society (LAP/ULS)
Plot 54, Acacia Avenue,
P.O Box 426, Kampala
E-mail: uls@uls.or.ug
Website: www.uls.or.ug
Coverage: Masaka, Kampala, Kabarole, Luzira, Jinja, Mbarara, Arua, Soroti, Gulu, Kabale, Masindi.

14. Refugee Law Project
Plot 5, 7 & 9 Perryman Gardens, Old Kampala (Opposite Old Kampala Primary School)
P.O. Box 33903 Kampala
Tel: +256-414-235330/343556
Email: info@refugeelawproject.org
Website: www.refugeelawproject.org
Coverage: Kampala, Gulu, Kitgum, Mbarara, Hoima.

15. Street Law
Plot 41, Line D, Nsambya Housing Estate Kampala,
P.O. Box 16692, Kampala
Tel: +256-414-347-550
Email: streetlaw@utlonline.co.ug
Coverage: Nationwide.

16. Uganda Association of Women Lawyers (FIDA UGANDA)
Plot 11, Kanjokya Street, Kamwokya
P.O. Box 2157, Kampala
Email: fida@fidauganda.org
Website: www.fidauganda.org
Coverage: Karamoja, Iganga, Gulu, Moroto, Pallisa, Bwaise, Kween, Mubende, Katakwi, Kumi, Nebbi, Amuru, Gulu, Lira

17. Uganda Land Alliance (ULA)
Plot 1521, Block 29, Mawanda Road
P.O. Box 26990 Kampala,
Tel: +256-414-540048/ 540038
Email: ula@ulaug.org
Website: www.ulaug.org
Coverage: Mbale, Kibaale, Apac, Luweero, Pader

18. Uganda Muslim Supreme Council (UMSC)
Plot 23-25 Old Kampala
Tel: +256-772-616-221
Email: umscpeace@yahoo.com
Website: www.umsc.or.ug
Coverage: Nationwide.
19. Acid Survivors Foundation Of Uganda (ASFU)
Plot 1 Hancock Road, Kampala-Uganda.
P.O. Box 2159
Kampala, Uganda
Tel: (256)414542037 Email: acidsurvivors_ug@yahoo.com
Website: www.acidsurvivorsug.org

20. Action Against Violence (AAV)
Plot 325 Kiwatule-Najjera Road
P.O. Box 20132
Nakawa, Kampala
Tel: (256)772823556 Email: mail@aavuganda.org
Website: www.aavuganda.org

21. Action For Poverty reduction And Livestock Modernization In Karamoja (ARELIMOK)
Moroto District Administration, Independent avenue,
Off Moroto Municipal Access Road,
P.O. Box 75, Moroto
Email: arelimokmoroto@gmail.com

22. African Centre For Treatment And Rehabilitation of Torture Victims (ACTV)
Block No.39, Plot No.113
Owen Road(Off Tufnell Drive)Kamwokya, Kampala, Uganda
P.O.Box 6108, Kampala, Uganda
Tel:256-263918/Fax:256-312-263919
Email: actv@actvuganda.org Website: www.actvuganda.org.

23. Uganda Association of Women Lawyers (FIDA UGANDA)
Plot 11, Kanjokya Street, Kamwokya
P.O. Box 2157, Kampala
Email: fida@fidauganda.org
Website: www.fidauganda.org
Coverage: Karamoja, Iganga, Gulu, Moroto, Pallisa, Bwaise, Kween, Mubende, Katakwi, Kumi, Nebbi, Amuru, Gulu, Lira

24. Uganda Land Alliance (ULA)
Plot 1521, Block 29, Mawanda Road
P.O. Box 26990 Kampala,
Tel: +256-414-540048/ 540038
Email: ula@ulaug.org
Website: www.ulaug.org
Coverage: Mbale, Kibale, Apac, Luweero, Pader

25. Uganda Muslim Supreme Council (UMSC)
Plot 23-25 Old Kampala
Tel: +256-772-616-221
Email: umscpeace@yahoo.com
Website: www.umsc.org.ug
Coverage: Nationwide.
26. Centre For Legal Aid (CLA)
Teacher’s House, 2nd floor, Plot 28/30 Bombo Road,
P.O.Box 29285, Kampala.
Tel: +256-414-200-203, +256-757-200-204.
Email: help@legalaid.ug/legalbraintrust@gmail.com
Website: www.legalaid.ug

27. Centre For Public Interest Law (CEPIL)
5th Floor Social Security House
Plot 4 Jinja Road
P.O.Box 28611
Kampala, Uganda
Tel: +256-312-106022 Email: info@cepiluganda.org
Website: www.cepiluganda.org

28. Community Justice And Anti-Corruption Forum (CJAF)
Kakungulu Rd, Kibuli
P.O.Box 374
Kampala, Uganda Tel: +(256)312109501
Email: info@cjaf.org.ug Website: www.cjaf.org.ug

29. Defence For Children International (DCI)
Bukoto, ACFODE House, Old Kiira Road
P.O.Box 12137
Kampala, Uganda
Tel: 256-414-533811 Fax: +256-41-289-083
Email: dciug@yahoo.com Website: www.dci.or.ug

30. Facilitation For Peace And Development (FAPAD)
Plot 2, Kyoga Rd
Adjacent to the post Office, Lira
P.O.Box 73, Lira, Uganda
Tel: 256-20-090-0940
Email: info@fapaduganda.org
Website: www.fapaduganda.org

31. Human Rights Focus (HURIFO)
Plot 5/7 Airfield Road, Gulu
P.O.Box 970, Gulu-Uganda
Tel: +256 47132259 Fax: +256 47132402
Email: hurifo@hurifo.org Website: www.hurifo.org

32. Arch-Diocese of Gulu - Justice and Peace Commission (JPC)
Bishop’s House 11
P.O.Box 1351, Gulu-Uganda
Email: www.agjpcgulu.org

33. Justice And Rights Associates (JURIA)
Plot 25 Ogwok Road,
Kitgum
P.O.Box 38
Kitgum, Uganda
Email: info@juria.org Website: www.juria.org

34. Kawempe Division Legal Rights Initiative (KDLRI)
Kawempe, Bombo Road
Off Roko UCTU, Near Kyadondo Medical Centre
P.O.Box 6
Kawempe, Uganda Tel: 256-312-265670
Email: Kawempedlri@gmail.com

35. Kamuli Community Based Paralegals Association (KCOBPA)
Template road, Plot 5,
Kamuli Town Council
Tel: 0775743751
Email: kcobpa@yahoo.co.uk

36. Land And Equity Movement in Uganda (LEMU)
Plot 6a, Sunderland Avenue-Mbuya, Kampala.
P.O.Box 25324, Kampala, Uganda
P.O.Box 25324 Kampala, Uganda
Tel: 256-414-235445 Email: law.uganda@gmail.com

37. Law And Advocacy For Women In Uganda (LAWU)
P.O.box 25324, Kampala, Uganda
Tel: 256-414-235445 Email: law.uganda@gmail.com

38. Micro Justice Uganda (MJU)
Lutwama Close, off Kisa-Kinja Road,
P.O.Box 34927 Kampala, Uganda
P.O.Box 34927 Kampala, Uganda
Tel: +256(0)414696224 Fax: 256-414-342431
Email: admin@microjusticeinuganda.org Website: www.microjusticeinuganda.org

39. MIFUMI
Plot 1/7 Masaba Road Tororo, Uganda
P.O.Box 6714 Kampala, Uganda
Tel: +256 392 966282
Email: admin@mifumi.org Website: www.mifumi.org

40. Muslim Centre For Justice And Law (MCJL)
Plot No.992, Zoeck House
Binaisa Rd, Gayaza Roundabout
P.O.Box 6929 Kampala, Uganda
Tel: +256 414531084 / + 256 701 282887
Email: muslimjustice@yahoo.com / info@mcjl.ug Website: www.mcjl.ug
41. National Union Of Disabled Persons of Uganda (NUDIPU)
Plot 530, Bukoto-Kisaasi Road
P.O.Box 8567
Kampala, Uganda Website: www.nudipu.org

42. Platform for Labour Action (PLA)
Plot 68 Kanjokya Street Kamwokya
P.O.Box 9714
Kampala, Uganda
Tel: +256-414-253383
Email: info@pla-uganda.org Website www.pla-uganda.org

43. Public Interest Law Clinic (PILAC)
School of Law, Makerere University
P.O.Box 6714 Kampala, Uganda
Tel: (+256) 414-532954 Fax: +256(414)-543110
Email: pilac@lists.mak.ac.ug
Website: www.pilac.mak.ac.ug

44. Public Defender Association of Uganda (PDAU)
C/O Rm 1/J, 4th Floor
City Complex
P.O.Box 27352, Kampala, Uganda
Tel: +256-414-540770
Email: pdefender@yahoo.com pdefender.org

45. Retrak International/ Tigers Club
Plot 245 Mengo Hill Road (Next to Gadhafi Mosque)
Near Nile Coach Garage
P.O.Box 7737 Kampala, Uganda
Tel: +256-312-275363
Email: mailbox@retrak.org Website: www.retrak.org

46. Soroti Development Association And NGO’s Network (SODANN)
Plot 23, Harridas Road, Northern Division,
Soroti Municipality,
P.O.Box 240, Soroti, Uganda
Tel: +2564461528/+25647132259 Fax: +25647132402
Email: sodann@gmail.com Website: www.sodann.org

47. Teso Legal Aid Project (TLAP)
Plot No.11 Ecowu off Mbale Road
P.O.Box 469
Soroti, Uganda
Email: tesolegalaidproject@yahoo.com

48. Uganda Christian Lawyers Fraternity (UCLF)
1st Floor Baptist House, Plot 42 Bombo Road Wandegeya
Kampala
P.O.Box 29375 Kampala Tel: +256-414-534031
Email: info@ugclf.org Website: www.ugclf.org

49. World Voices Uganda (WWU)
Kyakabugahya Rd. Adjacent to Palace Royale,
(Opposite KBS FM radio), Kagadi-Kibale district
P.O.Box 32, Kagadi, Kibale, Uganda
Tel: +256-0392961664 Website: worldvoicesuganda.org
Email: info@worldvoicesuganda.org

50. Justice Centres Uganda
National Coordination office.
Chambers F6 and F8, High Court Building, Kampala.
P.O. Box 26365 Kampala
Tel: Office +256 414 256626
The following publications were consulted when compiling this booklet.

1. International Human Rights Awards for Law Enforcement. It is a pocket book on Human Rights for the Police published in 1997 by OHCHR.
5. ICCPR General Comment No. 16; Article 17 (Right to Privacy)-UN Human Rights Committee (HRC), CCPR General Comment No. 16-April 8, 1988.