

Reflections on Uganda's Human Rights: The Work of the Uganda Coalition for Human Rights Education

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Abstract

This article is a revised version of a paper submitted to the Fourth International Conference on Human Rights Education held at Soochow University, Taipei, November 2013. It notes factors that impede the implementation of human rights in Uganda, in particular abuses attributable to the government and those that appeal to traditional cultural values in opposition to values of human rights. The paper shows how an NGO such as UCOHRE can make a difference by implanting human rights education at a grassroots level in villages.

Keywords

Domestic Relations, LGBTI, Public Order Management, Uganda Coalition for Human Rights Education, Universal Declaration of Human Rights

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1. Introduction

In a society where human rights abuse is a daily occurrence, human rights education is bound to create a situation of sanity and improve life for the most marginalised and most vulnerable. Knowledge is everything and I confidently believe that a society which is learned and well-informed is far better in implementing processes of good livelihood than an ignorant and rigid society.

There is a definite gap between the poor and the rich, with a clear indication

of exploitation of the poor by the rich where the poor keep getting poorer and fail to find a meaningful existence. Despite the government provision of free education, most communities still remain abandoned. These communities only see their government representatives during elections held once every five years when a few gifts are given to woo them for votes. Hence, people's basic social, political and economic needs are ignored and communities are pushed into a situation of constant want. Thus the question of human rights is hampered by the incapacities of living in poverty, by culture and beliefs.

In reflecting on Uganda's human rights, I will use four scenarios to explain the situation. In the first instance, a child is abducted and probably killed or sacrificed. But for financial reasons, the child's family cannot afford to pay the police to make them follow up any clues. They sit and wait for the day their child might return to them. That is the plight of a poor parent. That is what happened to Mary Kitoro (not her real name) of Entebbe, when her six-week-old baby was snatched in broad daylight while she was having a shower behind her home. Her torment yielded nothing although there were circumstances that police could have followed to find the perpetrators, who are suspected to have connived with her own sister. Hence without money there are no serious investigations.

In the second case, a young boy developed a headache and needed emergency medical attention. The hospital was 15 miles away. The father provided a painkiller so that the boy could sleep on it till morning when they could try to ask for help to take the child to hospital. He managed to get a car and struggle along the long bumpy road to reach hospital. Emotionally, he was helpless as he heard the groans of his child dying in his hands. By the time he reached the hospital compound the boy was dead. He carried the body back to bury it. All the psychological, emotional torture was on his mind. He pulled himself together and life went on. This is what happens to most families. That is what happened to Moses, an 18-year-old boy who died of undiagnosed headaches. After his death family members attacked an uncle with whom they had had a feud over land claiming he had bewitched their son. Sometimes this ends in a death through mob justice.

Thirdly, there was a family feud where a man had abused his daughter from an early age. As the girl became of age, she confided in her biological mother. Disturbingly, the mother used the case to blackmail the offender (the girl's father) instead of reporting the matter to the authorities (police). It was only

when the man stopped paying for their silence that the girl and her mother reported the matter to family members. The whole situation became a drama as some family members openly accused the girl of having seduced her father whereas some said that the man was possessed by evil spirits and needed herbs for rituals to lift the curse. To make matters worse, none of the family members thought of helping the girl amidst the torment she went through. Even reporting the case to police was seen as wrong, thus further violating the poor girl's rights.

Fourthly, I encountered many people who had come to the roadside to see the former leader of the Forum for Democratic Change (FDC), the dominant political opposition group, passing. After a few minutes, I heard a bang. Thinking it was gunfire, I took cover. Unfortunately for me, I was in the wrong place at the wrong time, as I was disabled by tear gas and whipped as if on a battle field. The more I pleaded the more I was whipped till I ran off. I had done absolutely nothing wrong and no one took responsibility. This happens to many people. Not just rioters but also those who are in the wrong place at the wrong time. Women, children, the disabled and the sick who get caught up in such commotion are always victims. Police have been blamed by many human rights bodies and activists as perpetrators of abuse and rights violations.

2. Human Rights Laws and State Power in Uganda

In contrast with the four cases outlined above, we should not ignore the fact that Uganda has some of the most explicit human rights laws in the region. These are stipulated in the 1995 Constitution. This is backed up by the fact that Uganda has ratified most international covenants on human rights (ICCPR, ICESCR, CEDAW, CAT, CRC, CRPD) and passed laws dealing with women, children and child labour, the disabled, culture, land and property, education and many other issues. However, in reality people in Uganda experience human rights violations every day. From the days of instability in the 70s to date, the majority of Ugandans suffer human rights abuse and struggle to fulfil their basic human necessities.

Uganda, as most other African countries, is in a process of transitional governance. With the reintroduction of regular electoral politics and multiparty democracy in 2006, Uganda has not been taking a holistic approach in terms of implementing good governance principles that can

envisage human rights achievement and protection. Increased human rights violations have been witnessed and reported against the claim of the regime that it has come to liberate Ugandans from oppression.¹ Abuse is carried out by government authorities, the community down to the common man.²

Furthermore, the corruption of high-ranking politicians and technocrats has hampered the granting of benefits to citizens as can be seen by the recent decision of donor countries, notably the United Kingdom, Germany, Denmark, Sweden and the United States, to cut aid in the face of inadequate prosecution for corruption—a few individuals were prosecuted simply for the purpose of establishing good public relations whilst many were let off the hook.³ This inefficiency in the state and government has created a rift in the population where some people in public service have not been paid. This has led to industrial action by teachers, police wives, university lecturers and others.

The rule of law in Uganda has been replaced by the rule of the rulers. This can be seen in the recent happenings around Kampala where law enforcement authorities have used force with no regard for the victims, for example, demolishing constructions that are allegedly illegal, police whipping demonstrators, street children being grabbed by force from their homeless mothers, manhandled and thrown into waiting vans like pieces of wood with no regard for their rights.⁴

The most disturbing thing about the so-called illegal constructions is that they were actually authorised and permitted by the former City Council, which is now presented as having had a divergent political ideology. The authorities had actually been collecting taxes from these properties. Adding salt to the wound, the owners of the demolished constructions are not compensated.

In summary, researchers on human rights in the east and horn of Africa have concluded that the state was the biggest perpetrator of abuses in Uganda. The right to life is the most violated human right, followed by the right to

1 Human Rights Network-Uganda. <http://www.hurinet.or.ug>. Accessed September 14, 2013.

2 Uganda Human Rights Commission. <http://www.uhrc.ug>. Accessed August 10, 2013.

3 Daily Monitor. <http://www.monitor.co.ug>. Accessed December 15, 2012.

4 Moses Walubiri. 2012. "Two Dead, One Injured in KCCA Demolition Exercise." *New Vision*, January 22, 2012. <http://www.newvision.co.ug/mobile/Detail.aspx?NewsID=628526&CatID=1>. Accessed October 27, 2013.

freedom of assembly and association, rights of children, women and the right to property.⁵

There are social norms and conventions which are not compatible with human rights in most African societies, including Uganda. There is a tendency to try and justify what happens on the grounds of belief or culture. The case of an unknown sickness may be interpreted as the result of witchcraft. Excessive poverty is normally linked to curses and ancestral spirits hence making people vulnerable to lies and the deceit of witch doctors. This, consequently, has led to child sacrifice for purposes of getting rich, trafficking in children, the break-up of families, domestic violence and family feuds leading to calamities like the burning of homes owned by suspected witches and sometimes murder.

Furthermore, in a Ugandan community setting, step-children become victims of child labour, harassment and envy imposed by their step-parents. Such children may run away and end up on the streets or in the wilderness where they are mostly abused as well. Child abuse is rampant since no one cares. Lacking state support, most of these children and orphans end up miserable and alone.⁶

3. Human Rights and Controversies in Uganda

Three topics deserve special mention in this section: the rights of the LGBTI, rights in the family and the right to freedom of assembly. In all three cases the parliament has either passed laws that are at variance with human rights or neglected to take a stance in defence of rights.

The Anti-Homosexuality Bill

The LGBTI community has experienced, and continues to experience, human rights violations. The Bill, which is still in the parliament of Uganda, seems to be supported by the majority and the powerful speaker of parliament.⁷ After tabling this infamous Bill, the police, some ministers,

5 Institute of Diplomacy and International Studies. "An Analysis of Human Rights Issues in Uganda: A Case Study of East and Horn of Africa Human Rights Defenders Project (EHAHRDP) Uganda. <http://idis.uonbi.ac.ke/node/370>. Accessed October 13, 2013.

6 Jeff Lule. 2012. "Street Kids Is There Hope?" *New Vision*, December 7, 2012. <http://www.newvision.co.ug/mobile/Detail.aspx?NewsID=637924&CatID=442>. Accessed July 10, 2013.

7 The Bill was passed by the parliament on 20 December 2013 and signed into law on 24 February 2014.

and some outspoken religious leaders publically supported and financed it by denouncing homosexuality as a platform for evil and satanic people who deserve no place in Uganda, forgetting that these people have a right to exist and live at liberty since Uganda is a signatory to the UDHR (1948), article 1 of which states that all human beings are born free and equal in dignity and rights.

Furthermore, most LGBTI activist groups and workshops have been forced to close, and homosexuality has been branded a foreign custom. Mobs have attacked the LGBTI and beaten some up. This kind of rhetoric by people in authority is an indication of how our beliefs control reason. If the Bill is passed, it will be a great violation of people's human rights.

The Domestic Relations Bill

Culturally, most people in Uganda hold that men are superior to women, and there is a belief that women should be submissive, which has led to gender-based violence and abuse. A woman who makes choices opposed by her husband may receive a beating or even be murdered. A husband can deny his wife the choice to work, progress and develop, based on mere jealousy or the fear that the woman may meet other men. This has seen women live a life of torture, psychological want and failure, a life that is full of anger and frustration. Once a marriage fails, women remain helpless and vulnerable with no place in society. In the worst situations they are abandoned with their children, with no property and no share of the marital belongings.

A Bill to deal with this problem that has been shelved for decades has been revitalised by women activists and defenders. This has been in order to protect women and children against social injustices and stereotyping. However, the same concern for human rights, that would boost women's expectations and loosen their economic restraints, has been contested by religious leaders and most male-dominated communities, despite the struggle and determination of women's rights advocates. The Domestic Relations and Property Bill has not been passed into law even though human rights watchers believe that it could save lives and even limit sexually-transmitted diseases, such as HIV, and improve the human rights of woman. It would stop marital rape, abandonment of wives and protect children.⁸

8 Hilary Heuler. 2013. "Ugandan Marriage Bill Pits Women's Rights against Tradition." Last modified

The pertinent human rights question here is *why would the Ugandan Parliament rush to pass a Bill against a minority (the LGBTI) and reject a Bill seeking to protect another vulnerable sector of society.*

As if the above was not enough, a few weeks after parliament rejected the Domestic Relations Bill, the minister for youth declared war on women for what he termed “indecent dressing” he was quoted to have said,

I have talked to the Inspector General of Police and the police in Kampala to see that if a woman is raped, they should look at how she was dressed at the time of the rape. Most women currently dress poorly especially the youth. If she is dressed poorly and is raped, no one should be arrested.⁹

The Public Order Management Bill (POMB)

Despite article 29 (C-1) of the Ugandan constitution stipulating the right of citizens to free assembly and demonstration, parliament recently passed a Public Order Management Bill amidst opposition from civil society organisations, human rights advocates, lawyers, activists and opposition party members on the grounds that it infringes on people's rights to free movement and assembly. At the same time, parliament gave the police more powers to stop an assembly of more than two persons if they deem it to be political.¹⁰

This led to a major outcry from human rights bodies. Amnesty International said that the Public Order Management Bill was “a serious blow to open political debate.” Thus, “prohibitions on open political discussion

March 15, 2013. *Voice of America*. <http://www.voanews.com/content/ugandan-marriage-bill-pits-women-rights-against-tradition/1622252.html>; Human Rights Watch. 2005. “Uganda: Domestic Relations Bill Would Save Lives.” Last modified June 1, 2005. <http://www.hrw.org/news/2005/05/30/uganda-domestic-relations-bill-would-save-lives>; Aparna Polavarapu. 2013. “Uganda's Marriage and Divorce Bill on the Table, Again.” Last modified March 10, 2013. *Int Law Grrls*. <http://ilg2.org/2013/03/10/ugandas-marriage-and-divorce-bill-on-the-table-again/>; Antoine Bernard. 2012. “Women's Rights in Uganda: Gaps between Policy And Practices.” Last modified March 6, 2012. *International Federation for Human Rights (FIDH)*. <http://www.fidh.org/IMG/pdf/uganda582afinal.pdf>.

9 Ronald Kibuule. 2013. “Indecent Rape Victims to Blame, Says Youth Minister.” *Daily Monitor*. <http://www.monitor.co.ug/News/National/Indecent-rape-victims-to--blame--says-Youth-minister/-/688334/2004514/-/view/printVersion/-/133p2p6z/-/index.html>. Latest update September 24, 2013.

10 Isaac Imaka, Mercy Nalugo & Agencies. 2013. “Parliament Passes Public Order Management Bill.” *Daily Monitor*. <http://www.monitor.co.ug/News/National/Parliament-approves-Public-Order-Management-Bill/-/688334/1939084/-/15rlkky/-/index.html>. Latest update August 6, 2013.

and peaceful demonstration are alarming and utterly impermissible under international law.”¹¹ According to reliable sources in the media and civil society organisations, this Bill was intended to silence vocal political opponents and in so doing offer overbroad powers to the police.¹²

According to Meddy Kagwa, Chairman of the Ugandan Human Rights Commission (UHRC):

The right to peaceful assembly is constitutional and is also recognised by regional and international treaties Uganda is signatory to. The police have a role to respect, facilitate and protect without discrimination, the enjoyment of people’s rights and freedoms.

He added that the law and the police should find a correct balance between public order and the exercise of rights and freedoms of individuals and groups.¹³

In a nutshell, all these issues depict human rights violations in Uganda. In a survey conducted by the Uganda Coalition for Human Rights Education (UCOHRE), a local NGO, a number of cases were found to have happened due to ignorance of human rights and of the law, reluctance to follow, and failure to implement, the rule of law, controls determined by traditional beliefs, failed responsibilities, power, and illiteracy that plagues the minds of most people who live amidst extreme poverty. “Those who know don’t want to know and those that don’t know don’t bother to know and those who care mostly lack the power to do anything.” These are some of the challenges for most human rights defenders in Uganda.

Therefore, life goes on full of anger, depression and frustration. In villages a family man wakes up goes to the bar to get drunk because he has nothing else to do. A woman wakes up in the morning goes to the gardens. The man returns homedrunken while the woman returns home tired. There is resentment. A quarrel erupts; the man punches the woman. In the worst cases the man

11 Amnesty International. 2013. “Uganda: Public Management Order Bill is A Serious Blow to Open Political Debate.” Last modified August 5, 2013. <http://www.amnesty.org/en/for-media/press-releases/uganda-public-management-order-bill-serious-blow-open-political-debate-2013>.

12 Article 19. 2013. “Uganda: Public Order Management Bill.” Last modified August 13, 2013. <http://www.article19.org/resources.php/resource/37201/en/uganda:-public-order-management-bill>

13 Anne Mugisa. 2013. “UHRC Speaks out on Public Order Management Bill. *New Vision*.<http://www.newvision.co.ug/news/646063-uhrc-speaks-out-on-public-order-management-bill.html>. Latest update August 14, 2013.

picks up a heavy object and hits the woman as children scream. The man is arrested the woman follows him and pleads to the authorities on his behalf. He is released and the life of misery continues. Instead of love, compassion and understanding, families find violence, victimisation and cruelty.

4. UCOHRE and Human Rights Education in Uganda

The Uganda Coalition for Human Rights Education and many other human rights organisations work hard to make a difference.¹⁴ Their main objective is to interact and spread knowledge about human rights issues at the grassroots so as to change attitudes and make society safe. By educating the grassroots, we can boost self-esteem. By identifying these and similar cases and bringing them to workshops, UCOHRE is encouraging people to know themselves and to know their basic human rights and use these human rights to protect one another.

It has been observed that most people lose hope and develop a culture of giving up. In doing so, they lose the will to do anything because nothing matters. Throughout the villages there is a need to involve and engage these groups of people and to make them realise that they have a life to protect and to enjoy. This is where activity groups are formed to engage in one-on-one talk through role play. An individual is given the task of finding out what in their life makes them angry or happy. In this way, we try to make people see and know that their actions can contribute to the happiness or sadness of other people. When information is received, it is analysed and used in groups to identify what an individual feels sad about. The results most often include such things as constant poverty, or a neighbour harassed by another due to a minor grudge that then develops into something more serious, or a husband not being around. In groups, solutions are sought teaching people how to say simple words like sorry. From a distance it seems to be not much but it builds mutual respect in the community and brings people to work together instead of building walls against each another.

Furthermore, most people, educated or uneducated, urban or rural, believe that a new way of life or a change in attitude towards a custom or belief is a foreign notion and not African. And this kind of belief affects human rights and controls minds that would rather progress. For instance, a child who

14 See our website at <http://www.humanrightseducationuganda.com/> (consulted 2013)

defines her skills and demands to exercise those skills that may appear new to the parent or society will be seen as a spoilt child. He or she is a child that has gone astray. And when this child is a girl the parent may wish someone to rescue her and marry her quickly to prevent her being spoilt. In schools this kind of child may be expelled. There is no room for understanding new ways or different beliefs. In villages, UCOHRE has held open talks and encouraged children to talk about their views. In fostering reconciliation of children and parents in the community, we attach value to the children's views and allow a platform where parents and the community can be proud of the skills their children possess. During workshops, children present these skills and instead of terming them strange the parents applaud. UCOHRE believes that building this knowledge about children's progress encourages tolerance and allows children to develop.

UCOHRE is helping to create a feeling of security and hope, to let people know that, out there, someone cares. This has been done through home visits, phone contacts and reaching out. Through this interaction we have established cases of young pregnancies usually through defilement, cases of sex orientation and the stigma of feeling alone and suicidal, cases of neglect and fear to go for HIV tests and even to accept the fact of being HIV positive. These kinds of findings and the extent of these violations have encouraged UCOHRE to open centres for vulnerable children. Land has already been obtained and plans are under way to build the first centre where children can go to get help. Once built the centre will help children who are vulnerable to interact with others, grow up as children, and learn skills that will help them in the future.

Despite free education, Ugandan communities are mostly illiterate. People still shy away from hospitals or from discussing their illnesses. Given the long distances, and lack of resources to travel to hospitals, most communities resort to herbs and traditional healers as a way to curing most diseases. People have herbs for all kinds of diseases. Often these herbs simply keep the diseases dormant until they reappear fatally. UCOHRE has formed groups of women, especially those who are HIV positive, to encourage them to seek help. Through counselling and talks, these women's will to live positively has been boosted. In Nakaseke and Luweero Districts, where this project began, these women are reestablishing themselves and those who were earlier abandoned, reuniting them with their families and helping to place children in

schools that can take them.

The introduction of human rights debates in schools has seen many students campaigning for human rights values. The students in secondary schools are given topics that bring out human rights issues and freely asked to debate them. This has helped in fact-finding and knowing the minds of teenagers. After debates a review or commentary is carried out and documentation sent back to schools. This is still done at a low scale and only a few schools have accommodated this campaign. Hopefully more positive steps will be taken by the government to adopt human rights education in schools nationally.

UCOHRE is trying to integrate good cultural values with human rights values through training and learning. This has not been easy because it is known that most cultural beliefs deprive people of peace and happiness and a life of coexistence. When people look at human rights as a way to change what has been their norm, when political leaders, religious leaders and cultural chiefs and the majority of a community view human rights as a foreign tradition, knowledge building becomes the only way forward. Promoting the idea that all human beings are born equal in dignity and rights and the principles of the Universal Declaration of Human Rights will help protect communities.

Therefore, the main objective is to train communities to accept the rule of law and inculcate faith in the mind of people that justice can be done following the right channels whether people are rich or poor. By using individual cases of abuse and supporting victims to report injustice and by involving stakeholders like the police, local authority councils, Resident District Commissioners and the media in workshops we can help change attitudes and integrate the culture of human rights into our everyday life. The UCOHRE campaign will go on to change attitudes and lead people to respect and understand human rights through human rights education.

5. Conclusion

There are many challenges in Uganda which pose a serious obstacle to creating a human rights culture for all. There is the need for a continuous and systematic approach to rights based on different communities, groups and cultural backgrounds. Human rights education offers great hope for changing lives by allowing interaction at all levels in order to understand and link experiences with human rights principles. To implement these human rights

efforts, government involvement is paramount, as it can allow processes and approaches to take place at all levels. Schools, communities, police, the army, social and cultural groups all need to be involved.

There is a need for resources and support. UCOHRE should collaborate with all human rights bodies to create a bigger framework to advance human rights through human rights education. This is where I personally appeal for everyone's cooperation, collaboration and support in making lives better. We seek a life of respect, hope and empowerment, a life that respects the Universal Declaration of Human Rights.

反思烏干達的人權狀況並介紹烏干達人權教育聯盟

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摘要

本文根據遞交給第四屆人權教育國際研討會的文章修改而成，說明阻礙烏干達落實人權的重要因素，包括政府施加的人權侵害以及與人權觀念相衝突的傳統價值。文中也指出非政府組織（如烏干達人權教育聯盟）在鄉村地區紮根的人權教育所帶動的影響。

關鍵字

家庭關係、多元性別、公共秩序管理條例、烏干達人權教育聯盟、世界人權宣言