

Foundation for Human Rights Initiative



Annual Report 2005

Together We Can Make A Difference

THE FOUNDATION FOR HUMAN RIGHTS INITIATIVE (FHRI) is an independent, non-governmental and non-profit making organization established in December 1991 to enhance the knowledge, respect and observance of human rights, encourage exchange of information and experiences through training, education, research, legislative advocacy and networking in Uganda.

Since its inception in December 1991, FHRI has developed and successfully implemented innovative human rights advocacy strategies and programmes; whereas the first FHRI strategic plan (1992 – 1994) marked the pioneer phase, the second (1995 – 1997) underscored consolidation of FHRI activities while the third phase (1998 – 2000) emphasised innovation, advancement and sustainability. 2005 marks the end of the fourth plan (2001 – 2005) which focused on strengthening human rights activism for genuine democracy and sustainable development in Uganda.

Over the years therefore, FHRI has been instrumental in initiating and implementing human rights centred activities that include human rights education, rights monitoring and policy advocacy, legal research and strategic litigation, a legal advice bureau, a police and penal reform project, published periodic human rights literature and reports, sponsored weekly radio talk shows and centred drama and established an ever expanding Democracy Resource Centre.

FHRI's network involves a vast array of interventions in close partnership with other actors such as related human rights Non Governmental Organisations, governmental and intergovernmental agencies, research institutions and religious establishments at the national, regional and international level. FHRI has observer status with the African Commission on Human and Peoples' Rights, is an affiliate of FIDH and member of the Global Coalition Against the Death Penalty.

In 2005, active collaboration and exchange of information was maintained with its implementing partners including; the Uganda Prisons Service, Uganda Police Force, the Uganda Human Rights Commission, Katende Sempebwa & Co. Advocates, the Parliament of Uganda, National Community Service Committee, Uganda Law Reform Commission, the Judicial Training Committee, the Directorate of Public Prosecutions, Jinja, Mbale and Mubende District Local Governments, Uganda Dutch Monitoring project, the Coalition Against Torture, the Coalition Against the Death penalty, District and community based paralegal associations, Image Africa and St. Balikudembe Senior Secondary School.

The print and electronic media were also key partners during the year including; CBS FM, Radio One, Capital FM, Sanyu FM, WBS TV, The New Vision, Monitor Publications and the Weekly Observer.

Other groups that FHRI collaborated with during the year include among others; the Uganda Journalists Association, the National Institute of Journalism in Uganda, the Human Rights Network, Uganda Law Society, DENIVA, NURRU, Uganda Women's Network, FIDA- Uganda, Legal Aid Project, UN-OCHA, the UN Office of the High Commissioner for Human Rights (Uganda), Uganda Debt Network, Anti Corruption Coalition Uganda and the British Council.

At the international level, active participation and support was maintained with the International Federation for Human Rights Defenders, Amnesty International, Human Rights Watch, Penal Reform International, the African Commission on Human and Peoples' Rights, the UN Committee Against Torture, INTERIGHTS, Kenya Human Rights Commission, International Service for Human Rights, ALLAVIDA, Office of the UN Special Rapportuer on Human Rights Defenders, the Association for the Prevention of Torture and the Coalition for the African Court of Human Rights.

FHRI is registered as a non- governmental human rights organization under the Non- Governmental Organizations Registration Statute, 1989 and is duly incorporated under the Companies Act (Cap 110) as a company limited by guarantee and body corporate.

FHRI receives financial support for its programs from Foundations, individuals and donor agencies that have interest in the promotion and protection of human rights and democratic governance worldwide.

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THE ENORMOUS WORK UNDERTAKEN by the Foundation for Human Rights Initiative (FHRI) in the field of human rights and democratic development in 2005 would not have been possible without the assistance, advice and support of countless individuals and organizations around the world. FHRI wishes to acknowledge the invaluable support and contribution to the following foundations/agencies/institutions for their moral, material and financial support that made the implementation of this year's programme possible:

HIVOS (Netherlands)

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The Ford Foundation (Nairobi, Kenya)

The National Endowment for Democracy (NED)

Westminster Foundation for Democracy (WFD)

The British Foreign and Commonwealth office/Human Rights Project Fund

The Finnish NGO Foundation for Human Rights (KIOS)

DANIDA – HUGGO

DANIDA – Legal Aid Basket Fund

Canada High Commission/ Canadian International Development Agency (CIDA)

Institute of International Education, IIE, (USA)

Konrad Adenauer Stiftung (KAF)

The Donor Technical Group on Democracy and Governance (DDGG)

In the same spirit, the Foundation for Human Rights Initiative (FHRI), owes special thanks to the International Federation of Human Rights Defenders (FIDH), ALLAVIDA and Housing Finance Company (Uganda) Ltd for their tremendous support and contribution to FHRI during the year.



Mr Livingstone Sewanyana
Executive Director

INTRODUCTION

IT IS WITH GREAT PLEASURE THAT the Foundation for Human Rights Initiative (FHRI) presents this Annual Report for the period 1st January – 31st December 2005 within a context of significant change at the national and organisational level.

On 31st December 2005, FHRI marked 14 years in its quest for justice and respect for human dignity in Uganda and successfully concluded implementation of its 4th five year strategic plan.

This five year strategy titled, 'Human Rights Advocacy for a Democratic Uganda in the 21st Century, 2001- 2005', focused on strengthening human rights activism for genuine democracy and sustainable development in Uganda. During the year therefore at a practical level, FHRI undertook human rights education, research and training, legislative and policy advocacy and fostered networking among human rights activists, locally, regionally and internationally.

The political environment in 2005 was one largely shaped by transition politics. The Constitutional Amendment process which started in 2003 reached a climax during the year with the presentation, discussion and enactment of among others the Constitutional Amendment Bill, 2005 that effectively amended the 1995 Constitution, exactly ten year since its promulgation on October 8th 1995.

Ugandans debated key constitutional issues during the year including the transition to multiparty democracy, and the 2006 February 23rd general elections, the lifting of Presidential term limits, the army's involvement in politics and the proposed amendment of Article One of the Constitution through referenda that would make people supreme over the courts. The debate was reflected in the UK Parliament as well when Members of the Ugandan Opposition called upon Members of the House of Commons in the UK to sign a motion against the proposal to lift the Presidential term limits. A number of Civil Society Organisations including FHRI, the Uganda Law Society, Human Rights and Peace Centre, DENIVA, among others, submitted proposals before the Legal and Parliamentary Affairs Committee which stated positions on the Constitutional Amendment Bill, 2005. Several sections of the public expressed dissatisfaction with the Constitutional Amendment exercise calling it inappropriate and a waste of tax payers' money.

The integrity of Parliament was adversely affected with reports of a 'third term' cash scandal when a legislator attempted to return money he had received on the day members of the Legal and Parliamentary Affairs Committee were reportedly drafting the

report on the Constitutional Amendment Bill to be presented to Parliament. Amidst protests from sections of the public and lone opposition voices in Parliament, Movement supporters who are the majority in Parliament endorsed open term limits citing a decision of the National Executive Committee that had earlier sat during the year and had recommended the opening of presidential term limits. The movement sympathisers argued that they were bound by this decision.

2005 remains a very important year in the history of Uganda given that the decision to return to multiparty democracy was made in a July 2005 referendum that set the stage for the first multiparty elections in 25 years. Although a majority of Ugandans voted for a change to a multi-party political dispensation, not much preparation or understanding was displayed by the wider public during the process. By the close of 2005, thirty (30) political parties had been legally registered by the Registrar General to compete.

There were unprecedented debates on the application of the Death Penalty in Uganda that were sparked off by the Constitutional Court petition challenging the death sentence by Foundation for Human Rights Initiative (FHRI) at the beginning of the year. Reports of torture by state agents were also common during the first part of the year and these were augmented by a report of the US based Human Rights Watch (2005) on Northern Uganda and the Alternative Report entitled; 'Concerns regarding torture and Cruel inhuman or degrading treatment or punishment in Uganda' to the UN Committee Against Torture by FHRI and Human Rights Watch on the 10th May 2005 in Geneva, Switzerland. The FHRI coordinated civil society campaign against the use of torture by security and military agents and the application of the death penalty in Uganda were key features of FHRI human rights campaign.

During the year efforts to end the 20-year conflict in Northern Uganda were further amplified when the International Criminal Court issued the first arrest warrants against top leaders of the Kony Lords Resistance Army (LRA).

The Courts of Judicature continued to dispense justice during the year. Constitutional Petitions lodged by political party activists, civil society groups and individuals challenging the death penalty, the Omni –bus Constitutional Amendment Bill, equality among others, preoccupied the courts. Threats to Judicial Independence were more pronounced and worrying during 2005. A case in point was the invasion of the High Court in Kampala on the 14th November 2005 when about 30 military personnel 'black mambas' invaded the High Court during the bail hearing of the 14 PRA suspects.

The Media was under threat too in 2005 with shrinking space since 2003. Journalists were summoned by the Criminal Investigations Department for publishing 'seditious' stories about the person of the President and charged with sedition. Kampala FM Radio station (KFM) was temporarily shut down on the 12th August 2005 while a government ban on talk shows and media debates on opposition leader Kiiza Besigye's treason case was still in place by the end of 2005.

The fight against poverty witnessed a policy shift with the Finance Ministry calling for the adoption of a cooperative model in order to reach out to the majority of poor households in the rural and urban areas of Uganda.

Given these human rights challenges, FHRI made several practical interventions to promote human rights respect during the year. FHRI's human rights advocacy programme therefore premised on legislative reform and policy advocacy, judicial independence, democratic reform in a bid to foster a human rights culture rooted in the rule of law, sound democratic governance and sustainable development in Uganda.

Overall, FHRI is proud to have achieved at least 99% on its set targets. Key achievements recorded during the year include; release of two bi-annual periodic Human Rights reports; July – December 2004 and January – June 2005, an Alternative report on Uganda's compliance to the UN Convention Against Torture, 1984, human rights assessment missions in the districts of Lira, Gulu, Rakai, Arua, Koboko, Yumbe, Kasese, Masindi, Mubende and Hoima, the first ever National Seminar on Human Rights Defenders in Uganda, a workshop on Measuring Human Rights, two district council lectures in Jinja and Mbale districts, a local drama, 'Tomutulugunya- Do not Torture' and a campaign against the use of Torture and the abolition of the death penalty in Uganda. FHRI also spearheaded public education on the Community Service Scheme, organised a paralegal training workshop in Mubende district and a sensitisation workshop for Uganda Muslim Supreme Council just to mention but a few and run the weekly human rights talk show, 'Know your Rights' through out the year.

After more than 10 years of penal reform work in Uganda, FHRI, organised the Agenda + 5 Penal Reform Seminar during the year to adopt a new prison reform agenda, provided legal assistance to one hundred sixty (160) cases, published one edition of the 'Defender' and continued to exchange information through the Resource Centre. A major milestone in the year was the joint FHRI /Human Rights Watch submission of an alternative report to the Government of Uganda's initial report on the implementation

of the UN Convention Against Torture in Geneva on the 10th May 2005. Further, FHRI legislative/policy advocacy function was prominent with the submission of memoranda to the Legal and Parliamentary Affairs Committee on the Constitutional Amendment Bill, 2005 and the Presidential and Parliamentary Elections Bills, 2005.

This unprecedented performance record for the year is testimony to the tremendous resolve, contribution and support of all our members, Board of Directors, donor partners, staff, volunteers, interns and well wishers.

We are very grateful to you all for this invaluable contribution.

‘Together we can make a difference.’

A handwritten signature in blue ink, enclosed within a hand-drawn oval. The signature is stylized and appears to be 'L. Sewanyana'.

LIVINGSTONE SEWANYANA
EXECUTIVE DIRECTOR

SOCIAL, ECONOMIC AND POLITICAL BACKGROUND

SOCIAL, ECONOMIC AND POLITICAL BACKGROUND

2005 WAS INDEED AN EVENTFUL YEAR! The decision to amend Article 105 (2) of the 1995 Uganda Constitution which provided Presidential term limits was the most contentious and mostly debated constitutional issue. The decision to return to multi-party democracy after two decades of Movement politics was finally made in the July 2005 referendum, effectively setting the stage for the first multi-party elections in 25 years since the abortive elections of 1980.

That aside, the President's New Year address that intimated that government would limit funds received by NGOs to control inflation had a chilling effect on NGOs. This statement read together with the Act to amend the NGO Registration Statute, 1989 were widely seen as a move to stifle the work of NGOs especially those highly critical of Government policy and practice. By the end of the year however, 5,077 NGOs had been registered by the NGO Board in the Ministry of Internal Affairs. The proposed NGO Registration Amendment Bill 2001, was a subject of CSO intervention as different NGOs made attempts to influence government to make it more human rights friendly. The NGO Bill had not been enacted into law by the end of the year.

Cabinet was again reshuffled and 'third term' loyalists rewarded while those opposed to the third term project dropped. Among those dropped were former ministers Eria Kategaya, Bidandi Ssali and women's rights activist, Miria Matembe.

The Constitutional Amendment process which started in 2003 reached the peak in 2005 with the presentation, discussion and enactment of the 88 page omnibus constitutional amendment Bill, originally scheduled for presentation in September 2004 according to the Government's roadmap for the transition to 2006 elections, sought among other issues; to repeal Article 105 (2) of the Constitution to lift the two- five year presidential term limits thereby opening up for indefinite eligibility of the President, to amend the 7th Parliament's term of office and provide for compensation for lost earnings, to amend article 1 of the Constitution thereby imposing referendum decisions as final over courts, to provide for regional governments through a tier system, to determine boundaries of Kampala city and to limit the powers of the IGG, among others.

Ugandans extensively debated and keenly followed the Constitutional Amendment process and were overwhelmingly vocal on issues such as the transition to multiparty democracy and the 2006 general elections, the army's involvement in politics, freedom of expression and association, the objective of Referenda among others. A number of Civil Society Organisations

including FHRI, the Uganda Law Society and Human Rights and Peace Centre, DENIVA, among others, made proposals to the Legal and Parliamentary Affairs Committee on these proposed amendments.

The integrity of Parliament was threatened with reports of corruption when a legislator attempted to return money he had received to vote for the third term. Amidst protests from sections of the public and lone opposition voices in Parliament, Movement supporters who are the majority in Parliament endorsed term limits citing a decision of the National Executive Committee that sat during the year and had recommended the opening of term limits. The movement sympathisers argued that they were collectively bound by this decision. The August House came under further scrutiny when a task force of civil society organisations including FHRI, Anti Corruption Coalition, Tororo Civil Society Network among others campaigned against attempts by Members of Parliament to pay themselves pension and gratuity and increase their subsistence allowances.

The July 2005 referendum effectively set the stage for the first multiparty elections in 25 years. Although a majority of Ugandans voted for a change to multi-party political dispensation, not much preparation or civic education had been conducted for a better understanding of the process. By the close of year however, thirty (30) political parties had been legally registered by the Registrar General. Late Amendments to the Political Parties and Organisations Act 2005 were effected as well as tough guidelines issued for Political parties by the Uganda Electoral Commission. The old and traditional political parties like the Democratic Party and the Uganda Peoples Congress, were rocked with divisions and disagreements culminating into court action against some party members.

Political parties such as the Forum for Democratic Change (FDC), the National Resistance Movement Organisation (NRM-O), Uganda Peoples Congress (UPC) had held their national delegates conferences by the end of the year. However political space remained restricted with the environment for the growth of multi-party politics in Uganda free from coercion, intimidation, threats and political persecution of opponents still lacking. Opposition rallies and peaceful demonstrations were violently disrupted and some opposition Members of Parliament arrested.

The Election exercise begun with the nomination of six (6) Presidential Candidates and took place on the 14th and 15th December 2005 at Nambole Stadium. The process was uneventful with the exception of the Forum for Democratic Change (FDC)

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Party President, Dr. Kizza Besigye being nominated in absentia for at the time, he faced charges of rape and treason before the High Court and terrorism before the General Court Martial. The arrest of the FDC president who was seen as the main challenger to the incumbent National Resistance Movement Organisation (NRM/O) and incumbent, Yoweri Kaguta Museveni, raised numerous protests from sections of the public including human rights organisations, academia, donors/development partners who accused government of disregard for the rule of law and harassment of the opposition. None the less, on 14th December 2005 in the exercise of its powers, the Electoral Commission accepted Besigye's nomination in absentia despite a contrary opinion by the Attorney General. The Electoral Commission was highly commended for this rare show of independence.

After the nominations, candidates hit the campaign trail that lasted until the 21st February 2006. However, because of the late enactment of the Political Parties and Other Organisations Act, 2005, the incumbent had an unfair advantage in terms of campaign time and financing. The opposition had very little time within which to carry out their campaigns and cover the whole country. The FDC president was even more disadvantaged given that he had to balance between Court appearance to answer charges against him and to campaign. His plea to the Courts to conduct his trial after campaigns was rejected. That notwithstanding, Presidential and Parliamentary candidates continued to traverse the country with the two most prominent candidates, President Yoweri Museveni and his main challenger Dr. Besigye each pledging to end the Northern Conflict, reduce taxes, alleviate poverty, improve education and health systems among others.

Besides transition politics, Ugandans were equally keen on issues of the Death Penalty in Uganda that were sparked off by the Constitutional Court petition challenging the sentence filed by the Foundation for Human Rights Initiative (FHRI) in 2003. And although the Constitutional Court upheld the death penalty as Constitutional, the recognition that mandatory death sentences was a violation of the right to a fair trial and the death row syndrome a form of torture, cruel and degrading treatment were a major victory for justice. Public opinion gravitated sharply between retention of the penalty to selected application.

Reports of torture by state agents were also common during the first part of year augmented by a report of the US based Human Rights Watch (2005) on Northern Uganda and the Alternative Report entitled; 'Concerns regarding torture and Cruel inhuman or degrading treatment or punishment in Uganda' submitted to the UN Committee Against Torture by FHRI and Human Rights Watch

on the 10th May 2005 in Geneva, Switzerland. The Government vehemently denied the use of torture and existence of safe houses arguing that their application had ceased in 2000.

Prison conditions remained harsh and life threatening with delayed trials, overcrowding, abuse of prisoner labour, lack of segregation of remands and convicts as well as juveniles and adults in some prisons, mistreatment being the dominant feature of this institution. Whereas the Prisons Standing Rules had been reviewed during the year, this administrative framework remained redundant, pending the enactment of the Prisons Bill, 2003. Nevertheless, the Uganda Prisons Service in a rare display of activism, urged the President to exercise his prerogative of mercy to pardon the sick and old inmates in order to decongest prisons which as at January 2005, held approximately 9,737 inmates in excess of its intended capacity and a growing inmate population of 10% per year.

Although the Uganda Police was still notorious for holding suspects beyond the constitutional 48 hour period in police cells country wide and especially those charged with capital offences, the Uganda Police undertook a number of measures to improve its image and to execute its public mission of securing life and property in partnership with the public in a committed and professional manner. One such measure is the community policing programme and effective highway patrol.

The Courts of Judicature continued to dispense justice during the year. 2005 was rife with Constitutional Petitions lodged by political party activists and civil society groups challenging the death penalty, the Omni –bus Constitutional Amendment Bill, equality between men and women at divorce among others. Threats to Judicial Independence were however more pronounced and worrying during 2005. One such case was the blatant attack on the judiciary when about 30 paramilitary Squad, a new unit of the Chieftaincy of Military Intelligence took siege of the High Court a few hours before the presiding judge, Justice Edmund Ssempe in a bail application declared that Dr. Besigye of the Forum for Democratic Change and 14 co accused person on treason charges had a constitutional right to be released on bail. This attack has since had a chilling effect on the judiciary. Human rights organisations including FHRI, Amnesty International, Human Rights Watch and the Uganda Law Society decried this state of affairs and called upon the Government to respect and uphold judicial independence. The Uganda Law Society in a show of solidarity with members of the judiciary held a sit down strike on 28th November 2005.

In a show of its independence, the Chief Justice of Uganda,

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His Lordship, Hon. Justice Benjamin Odoki called upon the Government of Uganda to desist from interfering in the work of the Judiciary and to assure the country that it respects the independence of the judiciary and will uphold the rule of law.

Efforts to end the 20-year conflict in Northern Uganda were further amplified when the International Criminal Court, (ICC) issued the first arrest warrants against top leaders of the Lords Resistance Army (LRA). The move was opposed by some sections of the local civil society including the Catholic Church and traditional leaders in the Northern Region citing prejudice of an already shaky peace process. In a report released by Human Rights Watch, *'Up rooted and forgotten'*, Human Rights Watch accused the UPDF and the rebel LRA of rape and torture of civilians in Northern Uganda. The HRW called upon the American Government and other international donors to review military aid to Uganda on account of Uganda's Human Rights record.

The conflict in Northern and North Eastern Uganda posed a significant threat to the enjoyment of human rights in Uganda. Poverty was highly concentrated in the Northern region with poverty levels rated above 65%. The conflict estimated to be among the world's longest running conflict with children and women as the most affected. UNICEF in its report, August 2004, reported that 1.6 million people have been internally displaced of which 80% are women and children. The LRA has reportedly abducted an estimated 12,000 children with at least 3000 forcibly taken from their homes since October 2003.

The Media was equally under threat in 2005. Journalists were summoned by the Criminal Investigations Department for publishing seditious stories about the person of the President and charged with sedition. KFM Radio station was temporarily shut down on the 12th August 2005. A government ban of talk shows and media debates on opposition leader Kiiza Besigye's treason case was effectively in place by year's end. In response to this ban, the scribes presented a petition to the Speaker of Parliament on 11th December 2005 condemning an infringement of media freedom by the State Minister for Information. The Foundation for Human Rights Initiative supported the petition citing the guidelines as illegal and urging the journalists to unite with a common voice against any trasgressions of their freedom.

On a positive front, the Access to Information bill (2005) was enacted into law by Parliament. The challenge that remains however is its implementation. No implementation plan was in place by the year's end.

Women's rights activists were pre-occupied much of the year

with advocacy for the enactment of the Domestic Relations Bill. In a letter to President Museveni, forty women and human rights organisations constituting the DRB Coalition, criticized the Government for delaying to pass the 41 year old Bill, citing lack of political will.

The 'rights' of gays and lesbians were effectively restricted when the Parliament of Uganda outlawed same sex marriages by a constitutional provision that makes it illegal in Uganda,

The Rights of vulnerable children especially those living with HIV/AIDS were under threat given that access to essential medical and educational services for orphans and vulnerable children was grossly limited. Defilement topped the crime list and accounts for the highest percentage of remand prisoners, 47.3% of inmates face the charge. Calls to amend the Magistrates Court Act to increase jurisdiction of magistrates to handle defilement cases and ensure quick disposal of defilement cases did not yield results. No such amendment had taken place at the end of 2005.

According to the annual survey by the Berlin-based organization Transparency International in 2005, Uganda was perceived the 41st most corrupt country in the world with a Corruption Perception Index (CPI) of 2.5 in comparison to Iceland which was perceived to be the world's least corrupt country with a CPI of 9.7 while Bangladesh and Chad were perceived to be the most corrupt with a CPI of 1.7.

Thus in one of its attempts to deal with the problem of corruption, the Government instituted the Judicial Commission of Inquiry into the mismanagement of Global Fund meant for the fight against HIV/AIDS, Tuberculosis and Malaria by Government officials. This inquiry went on with shocking revelations of corruption and embezzlement of the fund money. Ugandans remained pessimistic on the outcome of the Inquiry in 2005.

Poverty in Uganda continues to be highly concentrated with the North and North East having the largest proportion of the poor. About 37 percent of the poor live in the northern region and despite government efforts to eradicate poverty through the Poverty Eradication Action Plan (PEAP), the number of Ugandans living below poverty line- increased from 34 percent in 2001 to about 39% in 2005. It is estimated that about 7.1 million Ugandans live in chronic poverty and one third of chronically poor households are in northern Uganda. It is not surprising therefore that in 2005, Uganda was still ranked under the countries with a medium UN Human Development Index of 0.5 in comparison to a country like Niger with the world's lowest HD index of 0.28. By mid 2005, the Growth Domestic Product of Uganda was estimated at \$46.06

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billion, per capita income at \$ 1,700 while inflation was up at 9.7% up from 7.9% in 2004. The fight against poverty included a policy shift with the Finance ministry calling for the adoption of a cooperative model in order to reach the majority poor households in the rural and urban areas of Uganda.

Frequent power shortages were experienced during the year allegedly due to the drastic fall of Lake Victoria water levels thus reducing the hydropower output along the Victoria Nile River at Kiira and Nalubaale power stations. This electricity crisis has had a negative effect on the economy, production costs have sky rocketted as well as the cost of living for the urban and middle class becoming disproportionate to their income.

Encouragingly, the Uganda Human Development Report; 2005 reported an increase in literacy rates that had gone up from 65% in 1997 to 70% in 2003, with more than 68% of the population aged 10 years and above literate in 2005. This increase has been attributed to the Universal Primary Education (UPE) and Functional Adult Literacy (FAL) programmes.

In the same breath, the quality of public debate on human rights and governance issues in Uganda, the level of knowledge of human rights within the Ugandan public had significantly improved, with more Ugandans eager to access information on human rights and governance in order to engage Government. However, the relatively weak civil society that is able to provide a moderating influence on both the government in power and the opposition on both policy and practice has had limited effect.

At the regional level, Uganda was accused of supporting DRC rebel factions, arms sale to the Eastern Democratic Republic of Congo and for violations of human rights of Congolese in Eastern Congo. The case for a National Peace policy that takes into account principles of good neighborliness was therefore an absolute necessity. However on issues of regional integration, Uganda was a key advocate of the East African Political Federation. Uganda as well sought to become a full member of the larger free trading bloc, COMESA. Uganda was also chosen by the Commonwealth Heads of State and Governments to host the 2007 Commonwealth summit, a decision viewed by many as a opportunity for Uganda to boost its ailing economy.

Given the above challenges, the Foundation for Human Rights Initiative intensified its human rights advocacy campaign in order to effectively address them in 2005.

PROGRAMME ACTIVITIES

PROGRAMME ACTIVITIES

THE POLITICAL environment in 2005 was largely shaped by transition politics. Therefore FHRI had to position itself appropriately in order to hold the government accountable for its policies and practices and thus uphold the rule of law. This engagement was reflected in the continuous implementation of the three year Strategic Plan of Action; (2003 – 2005). 2005 however marked the final year of this strategic plan.

FHRI's three -year Human Rights Advocacy agenda has five objectives;

- Promotion of human rights standards, norms and principles through human rights education;
- Promotion of best practices in the administration of justice in Uganda;
- Improving criminal justice policy and enforcement of the rule of law in Uganda;
- Campaign for freedom of expression, association and assembly including the media and;
- Strengthening grassroots groups to enhance political and public accountability.

The programme focuses on four areas namely:

1. Advocacy
2. Human Rights Education
3. Networking and collaboration
4. Institutional Strengthening and Development.

1. ADVOCACY

The FHRI Advocacy Programme seeks to create a policy framework for better respect for human rights, the rule of law and promotion of good governance by focusing on the nation's prisons and practices of torture, monitoring the human rights situation in the country, campaigning for greater respect for freedom of association, assembly and expression including the media, campaigning for the strengthening of the independence and integrity of the Judiciary, peace building and promoting respect for rights of the internally displaced people in Uganda as well as empowering communities to demand for political and public accountability.

The three-year project activities that are implemented under this advocacy programme area are:

- i. Research, Monitoring and Documentation

- ii. Access to Justice
- iii. Technical and Advisory services
- iv. Police and Prison Reform.

I. The Research, Monitoring and Documentation Project.

Goal

The Research, Monitoring and Documentation project aims at monitoring the human rights situation, enhancing free flow of information about current human rights issues and promoting discussion of strategies to enhance respect for human rights in Uganda.

Implementation

The areas of focus include; freedom of expression, association and assembly, including the media; the right to life and security of person; application of the death penalty, administration of justice; police and prison conditions including the use of torture, conditions in internally displaced persons camps, the democratic reform /electoral process, rights of women, children and the conflict in Northern Uganda.

Planned Activities.

Five major activities were planned for 2005. These were; the release of the Bi –Annual periodic Human Rights Reports; July – December 2004 and Jan. – June 2005, the release of the Country Human Rights Status report 2003/4, a workshop on measuring Human Rights and the National Human Rights Defenders' Seminar.

Output

During the year, FHRI released the 4th periodic report for July – December 2004. The report was compiled and released on 3rd March 2005. The report focused on the right to life, liberty and security of person with particular emphasis on the use of the death penalty, extra- judicial killings and use of torture; Administration of Justice in relation to access to courts, and prison conditions; Freedom of Association and Assembly with reference to political party activities; Freedom of Expression including the Media; Conditions in internally displaced persons camps with due regard to security of person and economic well being; Children's rights particularly on child abuse and defilement and Women's Rights especially access to justice for women with disability.

The districts covered include; Kampala, Mukono, Wakiso, Soroti,

PROGRAMME ACTIVITIES

Katakwi, Kaberamaido, Moroto, Kisoro, Kasese, Mbarara and Bushenyi. Research was conducted through field missions, on-site investigations, review of newspaper reports and interviews with victims, public officials, civil society organizations and subject matter experts.

The report was disseminated to key stake holders including the Donor Technical Group on Democracy and Governance, Parliament, law enforcement agencies, academia, judiciary, the Uganda Human Rights Commission, international and national human rights groups and partners, government institutions and interested members of the public. The 5th periodic report, January – June 2005 was integrated into the annual human rights report, 2005.

The project compiled the Human Rights Status Report; Uganda 2005. which focused on the following thematic areas including; opening political space and media freedoms in Uganda, Prohibition of Torture, Administration of Justice, the right to life, liberty and security of person, HIV/AIDS and Human Rights (specifically children and women), Labour rights in Uganda and human rights in Northern Uganda. For this purpose, the project undertook human rights fact-finding missions in the districts of Lira, Gulu, Rakai, Arua, Koboko, Yumbe, Kasese, Masindi, Mubende and Hoima



Participants of the Training on Human Rights Monitoring, Seeta.

during the year. The human rights report 2005 was released in March 2006.

Under the project, FHRI monitored the 2005 Referendum in the districts of Mpigi, Wakiso, Kampala, Luwero and Mukono noting a low turn out of voters and the absence of civic education. None the less, the outcome of the July 2005 referendum laid the foundation for multi-party democracy after two decades of Movement Politics.

During the year, FHRI periodically released press releases in which it denounced various human rights abuses including violation of the right to life and security of person in Northern and Eastern Uganda, extra judicial killings, freedom of association and threats to the independence of the judiciary.

FHRI under the auspices of the Research Monitoring and Documentation project convened the 1st ever Human Rights Defenders Seminar in Uganda from the 3rd – 4th July 2005 at the Lake Victoria Windsor Hotel, Entebbe. The seminar whose objective was to identify strategic and practical actions at the national, regional and international level for the protection of human rights defenders in Uganda was graced with the presence of the Rgt. Hon. Deputy Speaker of the Parliament of Uganda, Hon Rebecca Kadaga who was the Chief Guest at the opening while H.E Sigurd ILLING, Head of Delegation, European Commission to Uganda delivered the key note address. H.E Chantal Bez, Deputy Head of Mission, French Embassy in Uganda also attended the meeting.

Seventy nine (79) participants including thirty six (36) men and forty- three (43) women comprising of Members of Parliament, Government Ministries and Directorates including Ministry of Justice and Constitutional Affairs, Ministry of Gender, Labour and Social Development, the Uganda Human Rights Commission, the Uganda Electoral Commission, the Uganda Prisons Service, the Uganda Police Force, the Uganda Peoples' Defence Forces, the Directorate of Public Prosecution and the secretariat of the Justice Law and Order Sector attended the seminar. Political party activists and media organizations also actively participated in the seminar. International Agencies operating in Uganda were also represented at the seminar. In attendance were representatives of the French Embassy, the American Embassy, the Human Rights and Good Governance Programme of DANIDA, United Nations Development Programme, OXFAM, Save the Children Fund, International Committee of Red Cross and Amnesty International.

The seminar also attracted participants from the Great lakes Region including the Great Lakes League for Human Rights in Rwanda

and Action by Christians for the Abolition of Torture, ACAT in Burundi.

A total of six presentations were delivered and discussed at the Seminar by Mr. Musa Gassama, Manager, HRD programme, International Service for Human Rights on *the UN Declaration on Human Rights Defenders (1999) and The African System and HRDs*, Mr. Haruna Kanaabi from the Eastern Africa Media Institute- Uganda Chapter , Ms. Chantal Mutamuriza from ACAT, Burundi and Mr. John Mudakikwa from the Great lakes League for Human Rights in Rwanda on *their experiences as human rights defenders*, Mr. Hassan Shire Sheikh, York University, Centre for Refugee Studies in Canada, on *Monitoring, Investigating and Reporting Human Rights Violations and the need for a focal point in Eastern Africa on Human Rights Defenders* and Mr. Chris Collier, Consultant, Netherlands on *the European Approach and the EU Guidelines for the protection of Human Rights Defenders*.

At the end of the Seminar, *'The Entebbe Declaration on Human Rights Defenders 2005 and the Entebbe Plan of Action on Human Rights Defenders 2005* were adopted.

The strength of the Research, Monitoring and Documentation project depends on how well it undertakes its human rights monitoring and documentation function. In order to strengthen this function, FHRI together with DANIDA and Benetech, an American based capacity building group, organised a one week long training on the introduction to methodologies for human rights monitoring in Uganda. The training which was attended by fifty three (53) participants including thirty (30) men and twenty three (23) women and comprising human rights practitioners engaged in human rights monitoring and reporting, was held from the 11th -22nd July 2005 at Ridah Hotel, Seeta. Useful recommendations to strengthen human rights monitoring and reporting were adopted and a report produced, published and distributed to relevant stakeholders.

Impact

The Foundation for Human Rights Initiative's Research Monitoring and Documentation project has been rated one of the most developed and solid programme of FHRI. It has been hailed for its clear cut issue focus thematic approach and logical sequencing in terms of information collection, documentation and analysis.

During the year, two hundred copies of the 4th bi-annual report were produced which were widely disseminated to over fifty (50) institutions in Uganda including the international and local Media, development partners and the Donor Group in Uganda,

government departments and Ministries, local governments, Civil Society Organizations, security agencies, the church, international human rights organizations, academic institutions, paralegals, political parties and the general public.

The reports which are a result of eight research missions conducted in eight districts of Uganda including Gulu, Lira, Arua, Koboko, Yumbe, Rakai, Masindi, Hoima, Kampala, Mukono, Wakiso, Soroti, Katakwi, Kaberamaido, Moroto, Kisoro, Kasese, Mbarara and Bushenyi during the later part of 2004 and 2005, provided a record and subsequent exposure of human rights violations especially during the transition period in the areas of press freedom, of expression, association and assembly, judicial independence, children and women's rights, conditions of Internally Displaced Persons (IDPs), practices of torture, excessive use of force, extra judicial executions and the use of the death penalty.

Following this exposure of human rights abuse, a substantial number of complaints continued to be registered. In 2005, FHRI received a total of sixty (68) torture related complaints including 58 men and 10 women up from 48 in 2004. On the other hand, the Uganda Human Rights Commission also received and adjudicated cases of torture before the UHRC Tribunal during the year.

In 2005, approximately eighteen (18) victims of torture were compensated through the Uganda Human Rights Commission. Relatedly, during the same period, FHRI also recorded cases of human rights violations in Gulu and Lira districts who had applied to court seeking redress for violations committed against them by security agencies. Some of these cases included unlawful arrest and detention, personal injury and loss of property. Hearing of these cases had not been completed by the end of year.

FHRI's campaign against torture also bore fruits during the year when, in one of the cases exposed by the FHRI reports in 2002 of a suspected rebel collaborator who was allegedly tortured and eventually killed by security operatives, Government accepted responsibility of the murder of one Owomugisha Mamenero by one of their security operatives. The case was heard during a tribunal hearing conducted at the Uganda Human Rights Commission during the year.

Though still very fragile, government bowed down to international and local pressure to democratize Uganda by accepting a return to a multiparty system of government, presumably widening the political space. Consequently, there was an increase in the number of parties registered from fourteen (14) at the end of 2004 to thirty (30) by the end of 2005.

The campaign for media freedom and access to information was stepped up with the documentation and exposure of incidences of media threats and closure of media houses such as Kampala FM. The enactment of the Access to information Act, 2005 on the 13th April 2005 opens a new window of hope towards respect of the right to information held by state organs.

The human rights reports published by FHRI provide an effective working tool for dialogue between the Donor Group and the Government of Uganda. The regular interaction between FHRI and the Donor Group provided an opportunity to FHRI to share information and best practices in the field of human rights and democratic development.

The Uganda Governance Monitoring Project, a joint initiative between Dutch donor partners and their Ugandan counterparts has benefited FHRI reports and in an indirect way supported its advocacy agenda both in Uganda and the Netherlands.

Like in the previous year, the FHRI reports were a useful source of information in the dialogue between the UN Committee Against Torture and the Uganda Government during the periodic examination of Uganda's compliance with the UN Convention Against Torture. During the period under review, FHRI together with Human Rights Watch presented a 14 page Alternative report entitled; *'Concerns regarding torture and cruel, inhuman or degrading treatment or punishment in Uganda'*, to the UN Committee Against Torture (CAT) on 10th May 2005 in Geneva, Switzerland. The concluding observations and recommendations of the Committee as well the local and international media coverage and debates on the reports clearly reflect the impact of the joint report and the concerns expressed about Uganda's human rights record.

The media, both local and international media publicized findings of the FHRI reports considerably. Throughout the year, FHRI reports attracted considerable debate in both local and international media and drew the attention of government to the areas that require urgent reform especially torture and the poor conditions of prisons. Sections of the public called upon the Government of Uganda to promote the rule of law and reverse the culture of impunity. Debates on the political transition, the road map to the 2006 general elections, the conflict in Northern Uganda, the Government White Paper, and prison conditions were inspired by these reports.

The International Media also utilized the FHRI reports to inform their interaction and dialogue with the Government of Uganda on its human rights record. In 2005, Defence Minister, Hon Amama

Mbabazi appeared on the televised BBC programme *'Hard talk'* on June 9th in an interview on the G 8 finance minister's meet to find ways of increasing aid to Africa. The Defence Minister was put to task to explain the accusations by the Foundation for Human Rights Initiative, the Human Rights Watch and the UN on the Uganda Government use of torture against its political opponents. The Minister denied these allegations stating that the Government did not condone the use of torture.

The FHRI human rights reports informed FHRI's Legislative advocacy programme as well. During the period under review, FHRI presented a position paper on the Constitutional Amendment Bill 2005 and the Presidential and Parliamentary Elections Bill 2005 to the Legal and Parliamentary Affairs Committee of Parliament. The reports shaped FHRI position on the Constitutional review exercise.

FHRI highlighted the dire conditions obtaining in the Internally Displaced Persons' camps and the violation of the right to life and security of person of the IDPs both by the Lords Resistance Army Rebel Group, (LRA) and the Uganda Peoples Defence Forces, UPDF. The reports called for the speedy implementation of the National IDP policy to guarantee the rights of IDPs and more especially women and children. The National IDP Policy was launched on 24th February 2005.

For the very first time, the rights and protection of Human Rights Defenders in Uganda were discussed amongst civil society, development partners, the media and sections of the public. Apart from adopting a National strategy for the protection of human rights defenders in Uganda, the East and Horn of Africa Human Rights Defenders project has been set up at FHRI to provide an alert system for human rights defenders in the region as well as to implement the Action Plan adopted during the seminar.

Challenges

Even with the 'opening of political space' serious threats to freedom of association, speech and assembly remain.

Peaceful demonstrations, assemblies, public rallies and radio talk shows are still subject to censorship. Incidents of peaceful demonstrations for example by Makerere University students demonstrating against the University Senate's decision to hike fees for re-sitting courses by over 80% and Buganda Kingdom loyalists opposed to the decision of having an elected Katikiro (Buganda Prime Minister), were violently dispersed by the Anti Riot police. The challenge for FHRI therefore is to maintain the pressure on Government to create a conducive environment for the growth

of multiparty politics in Uganda, free from coercion, intimidation, threats and political persecution of opponents.

FHRI will have to monitor the current human rights practices of Government institutions like the Judiciary, Parliament and the Executive to assess their independence and functioning in a multi party political dispensation. Of equal concern is the functioning of the media, political parties and civil society in this new political environment.

The NGO Act (2006) poses a threat to the work of CSOs as it may restrict the space for independent action.

Given that the Access to Information Act, 2006 has been enacted into law, FHRI has the daunting challenge of creating awareness of this legislation as well as promote its implementation.

II. ACCESS TO JUSTICE PROJECT

Goal

The Access to Justice project aims at making effective use of the law to promote and protect human rights in Uganda. It seeks to promote awareness of state obligations, rights and duties of citizens in the enjoyment of these rights and in so doing, promote best practices in the administration of justice in Uganda.

The project had three key elements in 2005 namely;

- i. Campaign Against the Death Penalty.
- ii. District Council Lectures on Political and Public Accountability.
- iii. Music Festival.

Implementation

The campaign to improve the administration of justice in Uganda involves research, Strategic litigation and creating fora to review developments in the delivery of justice.

Planned Activities.

Three activities were planned for 2005. These included; spearhead the coalition against the death penalty/death penalty campaign, conduct two district council lectures on political and public accountability and stage a Music festival on freedom from Torture, cruel and inhumane treatment. Monitoring Judicial practices was also an integral aspect of the project.

Output

In 2003, FHRI commissioned a leading firm, Messrs Katende, Sempebwa & Co. advocates to file a Constitutional Petition challenging the death penalty and its application in Uganda. Subsequently a Constitutional Petition cited as; *Suzan Kigula, Fred Tindiwihura, Ben Ogwang and 414 others Vs. Attorney General* was filed on the 4th September 2003.

In 2005, the Death Penalty petition was heard from the 19th to the 31st January 2005 in the Constitutional Court of Uganda before Hon Justices; G.M Okello, A.E Bahigeine, A. Twinomujuni, Constance Kategeya Byamugisha and Stephen Kavuma.

Members of the Civil Society Coalition on the abolition of the death penalty spearheaded by FHRI including; the Public Defenders Association of Uganda, FIDA-Uganda, Uganda Joint Christian Council, Human Rights Network, Amnesty International, Comboni Missionaries and the Friends of Hope for Condemned Prisoners, monitored the proceedings of the petition during the Court hearing.

In the ruling delivered on 10th June 2005, the Court held that the death penalty was Constitutional while mandatory death sentences were declared unconstitutional. A death sentence, the court ruled irrespective of whether it was a result of a mandatory death penalty provision or not, becomes unconstitutional if it is not carried out three years after confirmation of the sentence by the Supreme Court. Both parties cross appealed sections of the judgment to the Supreme Court and the appeal had not been heard by year's end.

As part of the campaign to abolish the Death Penalty, FHRI hosted an FIDH mission to Uganda from the 20th – 27th March 2005 whose mandate was to carry out research on the administration of Justice and the Death Penalty in Uganda. The report of the mission was jointly released on 10th October 2005, to commemorate the World Day Against the Death Penalty.

During the year, FHRI worked closely with district Local Governments in order to promote and create awareness of accountability, transparency and state responsibility among district leaders. The 5th and 6th district council lectures were therefore held for Jinja District Council on the 21st of April 2005 at the Jinja District Council Hall and for Mbale district council on the 23rd June 2005 at Lukhobho Hall, Mbale.

Preceding the two district Council lectures, FHRI conducted two community mobilization missions for Jinja and Mbale districts which were undertaken between the 29th March – 1st April 2005 and 7th – 9th June 2005 respectively. The objective of the

PROGRAMME ACTIVITIES

preparatory missions was to consult the district administration, key opinion leaders and leading civil society organizations on current issues that negate Political and Public Accountability in Jinja and Mbale districts.

The Jinja district council lecture held on the 21st April 2005 was attended by one hundred and one delegates (101) including seventy two (72) men and twenty nine (29) women among them; district leaders, district councillors, the police and prisons, judiciary, civil society organisations, the media and government representatives from Jinja district Land Board and Public Service Commission.

The Lecture was also graced with the presence of Mr. Guma Ngobi Fredrick the then Local Council V Chairperson of Jinja district, Mr. Gakwandi George, the Chief Administrative Officer, His Worship David Wakudumira, the then Mayor Jinja Municipal Council, the Deputy Mayor, Mr. Bagole Kirimutta and Mr. Wolfgang Hilberer , Resident Representative, Konrad Adeanuer Stiftung, Uganda.

Secondly, the Mbale District council lecture conducted on the 23rd June 2005 was attended by one hundred and forty (140) delegates among them, ninety nine (99) men and forty three (43) women who comprised of district leaders, district councillors, civil servants, political party representatives, members of the NGO Forum in Mbale, the Magistrate Grade One Mbale, the Officer in Charge of Mbale Prison and Mbale Central Police Station, paralegals in Mbale district and media representatives.

The Lecture enlisted the participation of Mr. Mujasi Bernard, the then LC V Chairperson of Mbale district, the then Deputy Mayor, Her Worship Hajati Jamila Naleba and the then Deputy Resident Commissioner, Mr. Cox Nyakairu.



Jinja District Council Lecture

At both the Mbale and Jinja district council lectures, delegates discussed a presentation by Mr. Livingstone Sewanyana, Executive Director, FHRI on political and public accountability and explored the role of district governments in promoting respect for human rights and effective social service delivery as well as organisations operating in the two districts. While the main concern in Jinja district was the high crime rate and access to justice, in Mbale district, the escalating levels of mob justice and lack of commitment of the political leaders to respect the rule of law were serious problems. Both districts still have the challenge of reducing corruption in their districts and to develop a more accountable and people centred district administration.

At the end of each lecture, district leaders underscored the importance of enhancing citizen engagement and involvement in the design and implementation of local government programmes.

More specifically, the Jinja district leaders vowed to work towards improving the functioning of an effective Justice, Law and Order Sector framework in order to improve access to justice, address appalling prison conditions and foster awareness of developments during the political transition process. On the other hand, the district leadership in Mbale encouraged civil society organisations to increase consciousness among leaders about their duties and obligations towards the electorate and resolved to condemn and act on practices that violated the rights of the people, especially mob justice. Both leaders in the two districts pledged to work with FHRI to advocate for better human rights respect and to improve on the Policy framework obtaining for the proper treatment of inmates.

For FHRI to promote the campaign against torture, FHRI contracted St. Balikudembe Secondary School, Kisoga and Image Africa, to write, rehearse and produce five songs and a theatrical play based on Article 1 of the UN Convention Against Torture and Article 24 of the Constitution of Uganda 1995, which prohibit torture and ill treatment in Uganda. The play, titled; *'Tomutulugunya-translated as Do not Torture'* was formally launched on the 17th December 2005 by Commissioner Asan Kasingye; Commissioner Community Policing in the Uganda Police at the Cooper Theatre in Kampala. In total, six shows were staged and were attended by over one thousand five hundred (1500) people from all walks of life; civil society representatives, political party activists, the media, army personnel, students and members of the general public. The drama has been recorded on tape and CD Rom for future use in the campaign.

Judicial practices in Uganda were monitored during the year. FHRI findings point to a failure to respect fair trial guarantees in respect of suspects charged with political offences mainly by the Military Court Martial.

Impact

FHRI judiciary programme has been found to be one of the Flagship programmes of the FHRI by a recent evaluation. For the last eight (8) years, (FHRI) has enjoyed an enriched partnership with the Ugandan Judiciary. From 1998 to 2004, the Foundation for Human Rights Initiative together with the Judicial Training Committee convened six (6) Annual Judicial Officers Conferences that focussed on the application of human rights standards in the adjudication process. This proactive engagement of the judiciary has since contributed to the emergence of a human rights friendly, assertive and independent judiciary which is currently viewed as a key guardian of human rights in Uganda.

In 2005, the Ugandan judiciary was steadfast on human rights issues during the political transition. The Judiciary cautioned Government on using the Constitutional Amendment Bill (the Omnibus Bill), to amend Article 105 (2) (Presidential term limits), Article 1 of the Constitution and other contested clauses. This strategy earned the Judiciary the respect deserving of an assertive organ of government. In the same breath, Judicial officers decried threats from Government which they argued undermined the principle of judicial independence enshrined in the Constitution of Uganda.

The judiciary also renewed its commitment to the fight against corruption within its ranks and systems; viewed as one of the most important ways of ensuring effective, quality and substantive justice. The Code of Judicial Conduct was effectively put into use.

In an effort to further strengthen its performance standards the Judiciary publicized its new performance benchmarks introduced within the institution to promote efficiency and reduce court backlog within the system. These standards spell out; start time of court sessions, rate of attendance, adjournments and delivery of judgements. Other initiatives introduced to improve efficiency, effectiveness and specialisation in the administration of justice in Uganda include the formation of High Court Divisions (the Land division and the family division) and the increase in High Court circuits to twelve (12) from the previous seven (7) to ensure that judicial services are taken nearer to people to improve access to justice for the poor. During the year, the Judiciary set up the Judicial Studies Institute to take care of the professional training of judicial officers, piloted a Management Information System and court recording in at least ten (10) courts and opened additional courts in the districts of Luwero, Nakasongola, Hoima, Busia, Kumi, Katakwi, Nebbi and Arua to ensure efficiency and judicial independence. Some of the old courts have been rehabilitated and expanded in ten (10) districts of Uganda.

In 2005 the Courts of Judicature took active interest in strategic litigation in constitutional and other matters. Litigation on public interest issues such as the death penalty (*Susan Kigula and 416 others Vs. Attorney General*), legality of the Omnibus Constitutional Amendment Bill, delay of registration of the Democratic Party, were among the issues taken to court for determination by some sections of the public and human rights activists. The net effect has been the emerging jurisprudence that is human rights friendly.

The district Council lecture series have been rated highly and their relevance in addressing some of the governance concerns

in Uganda underscored. Not only have they provided a platform for civil society to engage with the district leadership on issues of National concern but they have also empowered local and women leaders to use the human rights framework in service delivery emphasising participation, entitlement and obligation. In so doing this project has contributed to a more sustainable and more accountable political environment – one in which the interest of more people will count on and one in which policies are more open to systematic public scrutiny. This interaction with the local leaders from the human rights perspective has provided the tools that the leaders and citizens can use to plan, implement and assess their programmes and hence check corrupt practices in local governance.

The death penalty judgment represents yet another major victory. The practical effect of the judgment were that over 70% of the petitioners are no longer liable to be executed considering that they have been on the death row for over three years and for the remaining 30%, they are still entitled to go back to court for mitigation of sentence if after two years the Government has not exercised its prerogative of mercy in their favour. Again, in outlawing Mandatory death sentences, the Judiciary has in effect called upon the Legislature to undertake reform of all laws providing for mandatory sentences given that they violate the right to a fair trial. Lastly, because of the pending appeal in the Supreme Court on the subject, there has been an indirect ban on executions until the case is disposed of by the Supreme Court.

The death penalty petition has shaped public opinion on capital punishment. Whereas before the petition the debate focused on the pros and cons of the death penalty, since the hearing, the debate has shifted to the method of execution, right to fair trial, right to life and freedom from torture issues.

The Play on Torture has been described as an effective and sensible educational tool on torture, state obligations and available remedies for victims. The musical piece which gives torture a comic touch without dismissing its brutality and role in sociopolitical instability, drills the message home; that state agents torture civilians, the rich oppress the poor, men batter women and parents harass their children thus stepping up FHRI's campaign against torture through art over pedagogy.

Challenges

Although the judiciary has doubled efforts in improving case management, the case disposal rate remains very low. By the end of 2005, of the 37,039 criminal cases being handled in Magistrates

Courts, 14,966 were disposed of and 22,073 were pending. Percentage backlog clearance rate of only 14%. The right to a fair, speedy and public trial therefore still remains compromised and the Judiciary will need enormous support both in technical and financial terms to improve expeditious disposal of cases.

Like in 2004, the Judiciary in Uganda faces threats from the executive that may erode its independence and thus the improvements registered in the judiciary may be short lived.

III. TECHNICAL AND ADVISORY SERVICES PROJECT.

Goal

The project aims at accessing effective justice to the poor; empowering people to demand their rights and ensuring that Uganda complies with its treaty reporting obligations and as much as possible all legislation enacted is in conformity with agreed human rights standards.

Implementation

Under this project, FHRI provides legal aid services, initiates strategic litigation, conducts paralegal training courses and legal rights training to community based groups in matters of human rights and submits parallel reports to treaty bodies to which Uganda is a state party.

Planned Activities

The following activities were planned under the Technical and Advisory Services Project; One (1) paralegal training workshop for Mubende district, two (2) needs assessment missions, a Constitutional petition on Pre-trial detention, pro bono legal assistance, four (4) human rights sensitisation workshops and submission of an alternative report to the UN Committee Against Torture.

Output

The ability of citizens to demand accountability from their political and public leaders is a key element of human rights and good governance.

In 2005, the legal rights empowerment programme was extended to the district of Mubende in the central region. Held at Enro Hotel in Mubende district, a training course was conducted for Buwekula and Busujju Counties from the 20th – 25th March 2005. A Needs Assessment survey preceded the training programme for Mubende district which was undertaken between the 30th January – 2nd February 2005.



A Cross-Section of Participants at the Mubende Paralegal Training pose for a photo with the Late Haji Abubaker Kakyama Mayanja (third from left) & Mr. Livingstone Sewanyana (third from right)

The five day paralegal training workshop attracted a total trainee population of forty four (44) participants including sixteen (16) men and twenty eight (28) women among them; district officials, local council officials, women leaders, religious leaders, law enforcement officials, teachers, social workers and representatives from community based organizations in Mubende district.

The Resident District Commissioner Mubende district, Mr. Kirabo Kya Maria who officiated at the opening of the paralegal training workshop underscored the importance of creating human rights awareness among the citizens as one sure way of keeping rights violators under check and the victims redressed.

The trainees were equipped with basic knowledge of the 1995 Constitution of Uganda, children and women's rights, issues of governance and constitutionalism, skills of monitoring and documentation of human rights violations, rights of vulnerable groups like prisoners, People With Disabilities, Internally Displaced Persons, the powers of Resistance Council courts, land tenure system in Uganda and the campaign against torture. At the end of the training programme, a five member Mubende District Paralegal Committee was formed to work with FHRI in order to expose human rights violations within their community.

Upon request from the Uganda Health Empowerment Project (UHEP), FHRI conducted a paralegal training course for twenty community health workers in Wakiso District. The training which took place from the 1st – 5th August 2006, in Wakiso district enabled the health workers and community leaders to understand the human rights concepts, the court system, the role of constitutional bodies, domestic and sexual violence, children's rights, the law governing land in Uganda, judicial powers of Local Councils and skills in carrying out human rights research and advocacy.

Relatedly, FHRI extended the legal rights programme to four (4) community based groups/organizations during the year including; a human Rights Sensitisation workshop for Mirembe Voluntary Group in Kasubi- Kawala on the 22nd May 2005, (70 participants; 52 women 48 men), the Uganda Muslim Supreme Council on the 21st June 2005, (60 clerics ; 50 men and 10 women), Makindye Sabaggabo Association on the 7th May 2005 (50 participants; 38 men and 12 women) and a series of sensitisation workshops organised by the Uganda Reach the Aged Association in Luwero district at which two hundred and fifty (250) civic and opinion leaders in the district including 182 men and 68 women were trained.

In an attempt to ensure that poor victims of human rights abuse obtain redress and perpetrators punished, the Foundation for

Human Rights Initiative Legal Aid Unit has since 1993 provided a rapid response mechanism to victims of human rights abuse.

In 2005, the FHRI Legal Unit handled and successfully completed a total of one hundred sixty cases (160); among them one hundred and one (101) female clients and fifty nine (59) male clients.

Women and children constituted the bulk of clients seeking legal counsel from the Unit with complaints on deprivation of property rights, neglect and custody of children, physical child abuse among others. Reports of torture, illegal detention, mismanagement of cases by law enforcement agencies, were also common complaints received by the Unit during the year. Cases of breach of work contracts, unfair dismissal from work including dismissal without pay were some of the human rights issues that the unit handled. Out of the one hundred sixty (160) cases received during the year, eighty seven (87) cases were subject to Alternative Dispute Resolution (mediation and negotiation), twenty five (25) were subject to Court litigation, twenty (20) cases received were referred to appropriate agencies including Civil Society Legal Aid Service Providers while twenty eight (28) were pending conclusion by the end of the year.

As a member of the Legal Aid Service Providers Network, FHRI worked towards strengthening the network in the area of standardisation and quality determination of services provided.

During the year, FHRI participated in the development and formulation of the control of the provision of Legal Aid to Indigent Persons Regulations, 2005 organised by DANIDA, LASPNET and the Law Council.

In 2005, FHRI together with Human Rights Watch presented a 14 page Alternative report entitled; *'Concerns regarding torture and cruel, inhuman or degrading treatment or punishment in Uganda'*, to the UN Committee Against Torture (CAT) on 10th May 2005 in Geneva, Switzerland. The concluding observations and recommendations of the UN Committee as well the local and international media coverage and debates on the process clearly reflect the impact of the joint report and the concerns expressed about prison conditions and practices of torture in Uganda.

In 2005, FHRI attended the 37th and 38th Ordinary Session of the African Commission from the 27th April – 11th May 2005 and 21st November – 5th December 2005 both sessions held in Banjul, Gambia. FHRI submitted reports on the situation of human rights in Uganda during both sessions which were adopted in the final communiqué of the African Commission on Human and Peoples Rights.

In 2005, FHRI actively participated and celebrated the AU decision to finally operationalise the African Court on Human and Peoples Rights. As a focal point for the Eastern Africa Region under the NGO Coalition for the establishment of an effective African Court, FHRI attended coalition meetings organized alongside the African Commission sessions to lobby for the set up and operationalisation of the court. The election of the human rights Court Judges was determined at the AU Summit held in January 2006 in Khartoum, Sudan and Arusha has been adopted to be the seat of the court.

Impact

Since 1993, the Paralegal Training Programme of FHRI has enlisted a total trainee population of one thousand six hundred (1600) paralegals in 15 districts of Uganda including; Mukono, Kayunga, Mubende, Kasese, Mbale, Rakai, Nakasongola, Tororo, Busia, Pallisa, Masaka, Sembabule, Luwero, Masindi and Kampala. In 2005, Paralegals so trained and through their community based associations/ paralegal district committees have been instrumental in monitoring and exposing human rights abuses such as torture, domestic violence, child abuse and neglect, land and property rights as well as exposure of corruption and abuse of office at the Local government level in their communities.



Paralegal Training Session, Mubende

During the year, the paralegals referred thirty five (35) clients from the districts of Wakiso and Mubende to FHRI for legal advice who sought redress for violations of their rights to property (land matters), right to education, unfair dismissal from work and miscarriage of justice. The newly formed FHRI Election Observation Group will enlist the participation of some of the trained paralegals to monitor the 2006 Presidential, Parliamentary and Local Council Elections.

Established in 1993, the legal aid support unit has handled close to Two Thousand One Hundred Twenty Eight (2,128) clients to date. In a country where there is a non-existent legal aid policy and the only state briefs limited to capital offences, the Legal aid Unit provides a very important avenue to access justice for the poor.

In 2005, DANIDA and the Legal Aid Service Providers Network (LASPNET), worked closely to coordinate advocacy for a National Legal Aid Policy in Uganda. A pilot project, the Paralegal Advisory Services Project (PAS) was initiated by the Legal Aid Basket Fund (LABF) and coordinated by FHRI during the year. PAS utilises paralegals to provide legal aid services to prisoners on remand in four (4) selected magisterial areas of Kampala, Gulu, Mbale and

Fort-portal. In 2005, the Advocates Amendment Bill was passed. The Bill seeks to utilise practising advocates in the provision of Pro-bono services.

In 2005, FHRI issued shadow reports to regional and UN Human Rights bodies. Therefore, FHRI'S involvement in shadow reporting is a strategic chance in the engagement process. Shadow reports provide an opportunity to FHRI to dialogue with treaty bodies on its findings beyond international boundaries.

During the year therefore, Uganda came under severe attack and scrutiny on the use of torture in maintaining law and order. The need to adopt legislative measures under Article 4 of CAT 1984 to criminalise torture has been stressed. The scrutiny prompted the Government of Uganda to counter the reports by national, regional and transnational human rights organisations and indirectly has stimulated Uganda to take on the treaty reporting function seriously.

The decision by the International Criminal Court (ICC) to investigate human rights abuses committed in northern Uganda took centre stage. The decision was protested by some sections of civil society and religious leaders who argued that it was prejudicial to the peace process. Two delegations comprising of civil society and religious leaders including some of the victims travelled to the Hague during the year to discuss the possible arrest of the six leaders of the LRA including Joseph Kony.

Challenge

From the wealth of experience and case load handled by FHRI over the last 14 years, FHRI would have to focus more on public interest litigation and high impact cases that would generate precedents for remedy of abuse and law reform. Areas for legislative advocacy include but not limited to pre-trial detention, land rights and freedom from torture. The lack of a National legal aid scheme and policy however pose a greater challenge to the delivery of legal aid services in Uganda. Advocacy for the adoption of this scheme will continue to pre-occupy FHRI in the search for Justice in the coming year.

IV. THE POLICE AND PRISON REFORM PROJECT.

Goal

The project aims at improving Criminal Justice Policy and ensuring better treatment of detainees in Uganda's police and prison detention centres.

Implementation

The Prison reform component advocates for the improvement of conditions in Uganda's one hundred ninety four (194) prisons, works for greater efficiency and fairness in the country's criminal justice system through constructive dialogue, implementation of the Community Service Act, 2000 and through public education on the benefits of penal reform and prisoner rehabilitation including a campaign against torture in Uganda. The Police reform component on the other hand tracks down human rights abuses that occur within police detention centres and makes recommendations for the respect of the rule of law within a human rights perspective.

Planned Activities

The project planned thirty (30) police and prison inspections, a two (2) day Penal review meeting, spear head the Civil Society Coalition Against Torture in Uganda as well as monitor and carry out public education on Community Service in Uganda.

Output

During the reporting period, FHRI visited a total of thirty five (35) detention centres including twenty (20) prisons and fifteen (15) police stations in the districts of Lira and Gulu from the 10th – 16th April 2005, Rakai district from the 31st July – 6th August 2005, the West Nile districts of Arua, Koboko, Yumbe from the 10th – 15th October 2005, Kasese district from the 6th – 13th November 2005 and the districts of Masindi, Mubende and Hoima from the 27th November – 11th December 2005.

Generally the prison conditions still remain bad. Although there was a slight improvement in the Local Administration prisons in Rakai district, in all the other facilities inspected, the problem of overcrowding still persists, the sanitary conditions in many of the local administration prisons remain very poor, squalid, dirty, poorly ventilated with some leaking when it rains. Prison labour is very common, with prisoners working for 10 hours a day for 6 days a week while others work for 12 hours a day under the light of the moon if it gets dark. FHRI also found lodgers (suspects placed in prison while awaiting production in court) who had stayed in prison close to 14 days and were subjected to prison labour like convicted prison inmates. Cases of torture, inhuman and degrading treatment were also recorded during the inspections with prison officers and fellow inmates allegedly as perpetrators. Delayed trials, lack of segregation of remands and convicts, juveniles and adults were common occurrences.

Following each of these visits, reports and memoranda detailing

the findings were compiled. Follow up meetings were held with the senior Police and Prison Officers to share the findings and proposed recommendations for corrective action.

FHRI submitted three (3) memoranda to the Uganda Prison Service, which highlighted FHRI findings, areas of concern and recommendations. A positive response from the Prisons department was registered and specific corrective action has been undertaken on alleged cases of torture and over stay in the detention facilities. Further a report of the findings from the inspections was also transmitted to the Parliamentary Committee on Internal Affairs, which considered the Prisons Bill, 2003. The memoranda were further circulated to stakeholders in the Justice and human rights sub-sector calling upon Government and more specifically Parliament and the Ministry of Internal Affairs to remedy the situation in the detention facilities and to expeditiously cause the enactment of the Prisons Bill, 2003. The Prisons Bill 2003, has already been enacted into law.

Prison inspections and advocacy for legislative reform were core business of this project since 1993. Gradually the project undertook prison staff training and review of rules and regulations governing the prisons regime. After a decade of prison reform, the need to adopt a new Agenda became a necessity.

In 2005 therefore, a four day meeting under the theme, **‘Prison Reform in Uganda: Towards a New Agenda’**, was held from the 29th March – 1st April 2005 at Hotel Ridar, Seeta. The seminar which attracted sixty six (66) participants including nineteen (19) women and forty seven (47) men from the Police and Prisons Service, government representatives from the Ministry of Gender, Labour and Social Development and the Ministry of Finance, representatives from Civil Society, academia, advocates, penal reform activists and the media, reviewed and assessed reforms in Uganda’s penal institutions over the last decade. In an attempt to consolidate past achievements and devise new strategies for the future, the meeting discussed issues of penal reform in Uganda, the role of the Uganda Human Rights Commission and the Uganda Prisons Service, conditions in Ugandan Prisons, the Case Backlog programme, Community Service program and the Chain Link Project. In determining the future agenda, the seminar discussed the HIV/AIDS challenge and strategies for dealing with the scourge in prisons. The role of the Uganda Prisons Service partners was discussed and an action plan and recommendations adopted in this regard.

The Agenda +5 Prison Reform seminar was graced with the presence of the then Commissioner of Prisons, Mr. Joseph Etima,

who delivered a key note address on the reforms in the Uganda Prisons Service. In recognition of his work and efforts towards Penal Reform in Uganda, Mr. Joseph Etima was given an Award of a Meritorious Certificate by the FHRI. Dr. J Byabashaija, the new Commissioner of Prisons outlined his plans for the Uganda Prisons while closing the seminar. The meeting then adopted a new penal reform agenda in Uganda for the next five years.

In order to contribute to the improvement of the criminal justice policy, FHRI and the Uganda Prison Service continued to work towards repeal of the Prisons Act (1964) and improvement of the policy frame work obtaining in the Uganda Prisons Service.

During the year, FHRI and the Uganda Prisons Service completed the review of the Prison Standing Orders in April 2005.

FHRI was also preoccupied with advocacy work for the enactment of the Prisons Bill , 2003. FHRI subjected the Prisons Bill, 2003 to discussion at the four day review meeting with senior prison staff code named '*Agenda + 5 Prison Reform seminar.*' The participants observed that there was an inordinate delay on the part of Parliament to pass the Prisons Bill and urged the Ministry of Justice and Constitutional Affairs to explore modalities for the speedy enactment of the law. The Bill has since been enacted into the Prisons Act 2006.

FHRI as a member of the National Community Service Programme took advantage of the Agenda + 5 Prison Reform seminar held in March 2005 to sensitise participants on the application and relevance of the programme. In addition, FHRI used the media, including radio talk shows and human rights conferences both nationally and internationally to publicize the community service programme and share Uganda's experiences in implementing the sentencing option. Since the country wide roll out of the Community Service programme in 2004, Community Service has continued to attract debate from criminal justice experts, advocates of non custodial sentencing and the general public on its efficacy in penal reform. By the end of 2005, three thousand fifty (3050), Community Service Orders had been issued to deserving offenders.



UN Day in Support of Torture Victims

The Coalition Against Torture spearheaded by FHRI was formed as an innovative approach to advocate for the prevention and eventual eradication of torture, punish perpetrators and provide redress for the victims. In 2005, the coalition produced its 2nd Bi-annual report on torture in Uganda with information on torture patterns in Uganda. The coalition also held a coordination meeting on the 21st June 2005 to evaluate the work of the coalition and effectively utilise the media to step up its advocacy campaign

against incidences of torture whenever they occurred. Several strategies were devised to explore prospects for the enactment of legislation against torture in Uganda. Among the strategies was the need for partnership between the Uganda Police Force, the Law Reform Commission (LRC), Uganda Human Rights Commission (UHRC), and Uganda Prisons Service (UPS) in the formulation of the bill and advocacy for its enactment.

On the UN International Day in support of victims of torture, the coalition issued a press statement to this effect while on the 26th of June 2005 coalition members marched along the streets of Kampala to protest against the practice of torture.

Impact

Since its inception in 1993, the Penal reform project has inspected two thirds of the 179 prisons in Uganda and findings thereof discussed with relevant organs. Although prison conditions remain life threatening, there has been positive acknowledgement of the problem by the Uganda Prisons Service and the Justice, Law and Order Sector . Notwithstanding this pathetic situation, improvements in conditions of some local administration prisons like Rakai district prison have been registered on account of this continuous exposure of the poor conditions. Most importantly, the Commissioner of Prisons, Dr. Johnson Byabashaija, has noted that FHRI' s credible exposure of rights abuses in the prisons has resulted in caution and deterrence within government ranks.

The Prison review meeting for senior prisons staff on the New agenda for Penal reform in Uganda provided fora and an opportunity to among others, the Uganda Prisons Service, civil society organizations and development partners to discuss the future penal reform agenda in Uganda.

A New agenda for Penal reform has now been adopted by the Uganda Prison Service, Justice Law and Order sector institutions and non-state actors. The forward looking strategy which adopts action plans and strategies on remand, legislative reform, alternatives to imprisonment and non custodial measures, the treatment of inmates and the psychological needs of inmates, provides an extremely practical guide to future interventions in prisons work.

By the end of 2005, close to three thousand fifty (3,050) Community Service Orders had been issued to deserving offenders with no recorded incidences of mob justice or rejection of offenders by the community. The public acceptance of the programme leading to its widely acclaimed success has been partly attributed to the effective public education programmes undertaken among others

by FHRI.

One major indicator of the Penal Reform Project has been the formation of the Coalition Against Torture that raises a collective voice against torture practices in Uganda. According to the Commissioner of Prisons, torture cases and impunity have reduced significantly within prisons and abuses are now treated as assaults which are dealt with by the police. The joint FHRI /Human Rights Watch parallel report to the UN Committee Against Torture in 2005 raised the profile of this problem even further for international scrutiny.

Challenges

During the last 14 years, FHRI has been pre-occupied with advocacy for the realisation of a legislative framework that upholds internationally accepted standards for the treatment of inmates. The enactment of the Prisons Bill 2006 therefore raises a prospect and challenge of implementation given the need to merge central and local government prisons.

Monitoring practice and effecting change in both the Police and Prisons remains a huge challenge for FHRI and other penal reform actors. Aggressive human rights monitoring and exposure will need to be undertaken to ensure that the legislative and administrative framework adopted is adhered to. Particular attention will have to be given to the rural police posts and with the enactment of the Prisons Act, 2006, the merger of both the Central and Local government prisons.

Although the Community service programme has scored very highly in the past, this success is threatened with the continued limited provision of financial resources to effectively implement the scheme on the part of Government. Public involvement to sustain its application will therefore be essential.

The campaign against torture must continue in order to attain zero tolerance towards the practice by security and law enforcement organs. FHRI and the Coalition Against Torture therefore have the challenge of ensuring that Legislation against torture is enacted and corrective action against perpetrators carried out.

2. HUMAN RIGHTS EDUCATION

The Human Rights Education component of FHRI's program seeks to promote citizen awareness of basic rights and obligations; foster public dialogue on how best to preserve and protect these rights, whether civil, political, economic, social or cultural.

In 2005, FHRI continued to promote public understanding and dialogue on key human rights issues to ensure respect for human rights standards and procedures.

Key activities under this program include:

- Publications;
- Radio Talk Show and;
- Democracy Resource Centre.

I. Publications

Goal

FHRI publications serve to inform a wider audience on internationally recognized human rights standards and principles, educate Ugandans in general on their rights and sensitise and mobilize specific target groups on human rights issues.

Implementation

FHRI published and distributed the Human Rights Defender, the Country Human Rights Report, 2005 and the Annual Report 2004.

Planned Activities

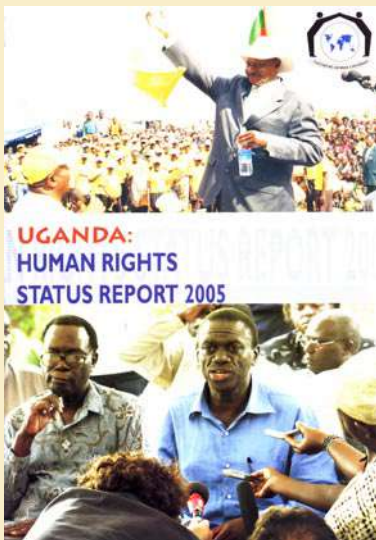
FHRI sought to publish one (1) issue of the Defender, the Annual Report 2004 and the Country Human Rights Status Report; 2005.

Output

In 2005, FHRI published one (1) edition of the bi-annual Human Rights Defender; *Vol.8 Issue No. 3 2005*. FHRI also published the FHRI Annual Report 2004 and progressively worked towards releasing the Human Rights Status Report, 2005.

With a print run of 1500 copies, the Defender, Vol. 8 Issue 3, focused on 'Human Rights and the Right to Participate in Governance.' The single edition also highlighted FHRI activities and events within the human rights sub-sector in Uganda as well as staff interventions during the year.

The Defender has been circulated to Government institutions mainly the Electoral Commission, Uganda Human Rights



Commission, the Police, the Army, Ministry of Justice and Constitutional Affairs, Parliament and specifically the Legal and Parliamentary Affairs Committee, the Equal Opportunities Committee, government departments, Political parties, Civil Society Organisations, human rights groups, both local and international, Development partners both local and international, the academia and media bodies notably the Uganda Parliamentary Press Association, National Institute of Journalism in Uganda, the Uganda Journalists Association and the wider public.

The Annual Report 2004 focusing on FHRI's activities, achievements and challenges for 2004 was published in April 2005 with a print run of 500 copies. Four hundred ninety five (495) copies were disseminated to FHRI members, the donor partners, Foreign Missions, civil society, academic institutions, the media and Government departments.

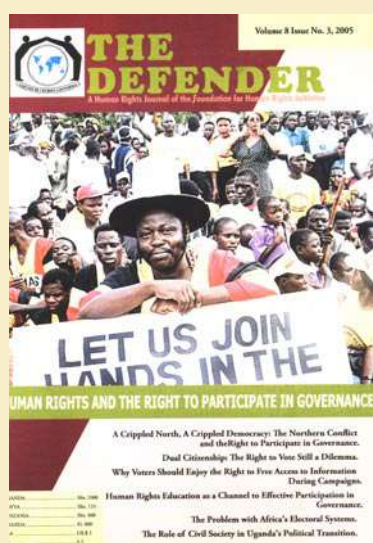
FHRI also published reports on major events; *National Seminar for the Protection of Human Rights Defender (July 2005)* and *the Report on the National Seminar on Prison Reform, (Agenda + 5) (April 2005)*.

Impact

A total of two thousand (2,000) copies of FHRI core publications were published in 2005. Out of these, a total of one thousand eight hundred eighty (1880) copies were disseminated to over eight hundred and five (805) recipients including Government institutions and officials, Justice Law and order institutions, Parliament, Judiciary, grass root and international civic organizations, academic institutions, book stores and libraries, media associations, community leaders, FHRI members, interested individuals among others.

The quality of the publications was boosted by the high quality articles and subscribers outsourced. In 2005, a total of twenty five (25) articles were outsourced from leading authors mainly in the academic and specialised institutions. Seventeen (17) international subscribers to FHRI publications were recorded.

As a result of the improved quality, the FHRI Publications have continued to curve out a niche as a human rights reference tool for Government institutions, Civil society organisations, university students, researchers and academia, professional associations, development partners and individuals. During the year, the Legal and Parliamentary Affairs Committee, the Equal Opportunities Committee, the Centre for Basic Research, the Bahai Faith, among others made orders of the Human Rights Defender. The readers have acknowledged and underscored the deep analysis of the



human rights discourse offered through thematic editions.

Volume 8 Issue 3, 2005 Defender on Human Rights and the Right to participation in Governance contributed to the better understanding of the transitional process, the democratic development process in Uganda, freedom of expression, association and assembly and the right to public participation in public affairs. The information therein has enriched public debate on key issues of governance during the transition period and has provided a useful basis upon which the Ugandan public demands political and public accountability. The media in 2005 picked several of these issues for wider debate as well.

The function of FHRI publications as a publicity tool and a platform for feedback to FHRI interventions and institutional set up cannot be over emphasised. During the year, FHRI received acknowledgement of its work from Government officials, clientele, membership, civil society groups, donor partners, media and UN Agencies among others. Several partnerships with local groups emerged around issues of training and advocacy on human rights.

Like in 2004, the publications department contributed to FHRI local revenue generation through the sale of publications and raised Ug. Shs. One Million Eight hundred thirty two thousand, six hundred sixty four shillings only (1,832,664/=).

Challenge

More than ever, before, Ugandans are increasingly engaged in public debates on human rights issues and democratic governance. Consequently, the demand for credible information is very high. FHRI must therefore position itself very strategically to meet this insatiable quest for human rights information in a timely, qualitative and in many cases relevant manner.

The high printing, communication and postage costs constraint this effort.

II. The Radio Talk Show.

Goal.

The Radio program aims at enlightening Ugandans about their rights and obligations. As an educational and publicity tool, the radio programme enables FHRI to reach a very diffuse audience in many parts of the country, disseminating information on basic human rights and democracy in Uganda.

Implementation

The FHRI radio program, '*Manya edembe lyo*', translated as, '*Know your Rights*' is a weekly one hour phone in program aired on one of the popularly listened to and privately owned Radio Station, the Central Broadcasting Service, CBS, 89.2fm. The program, which is aired in one of the widely spoken local vernacular, Luganda, affords listeners an opportunity to dialogue on key governance and current issues in the Country.

Planned Activities

Fifty-two weekly radio talk shows of 60-minute phone in programs were to be aired over the Central Broadcasting Service on human rights and good governance and current issues in 2005.

Output

The weekly phone in program, continued to run every Sunday from 8 pm – 9pm with a total of fifty-two weekly broadcasts in 2005.

The radio programme remained an indispensable educational tool to the human rights advocacy strategy of FHRI during 2005. In the heat of the transition period, the FHRI radio programme hosted among others, President of the Forum for Democratic Change, Dr. Kiiza Besigye, leading political opinion leaders like Retired Minister Hon. Jaberu Bidandi Ssali, Eria Kategaya and Members of the Movement Caucus in Parliament. Other guests were representatives of political pressure groups, Members of Parliament, Government officials, media practitioners, opposition members of traditional/cultural institutions, the prisons and the police. The different personalities critically reviewed the transition and democratic development process of Uganda at that time thereby contributing to the much needed public understanding of the process.

Impact

With a recorded number of three hundred sixty two (362) phone calls received on the live phone in programme during the year, the programme provides a useful platform for ordinary Ugandans to participate and influence public opinion on key Constitutional and political issues.

There was a recorded increase in the participation of women on the radio programme who focussed more on issues of poverty and governance.

The radio programme provides space for discussion of key

governance and human rights issues and because of the relevance and intensity of the discussions, the debates and discussions were picked by the print media and published in leading national dailies. This enhanced better public understanding and involvement in the democratisation process.

The interactive nature of the programme offers FHRI a mechanism to gauge the degree and level of understanding of FHRI strategies and campaigns by the public while remaining one of the most effective publicity tools for the organisation. FHRI has also registered positive feedback of its work and interventions and on record, 25 clients out of the 160 received at FHRI were inspired by the radio programme to seek legal assistance.

Challenge

The Media was under threat in 2005 and the space has been shrinking since 2003. This state of affairs, it is feared will cause a state of self censorship by the media practitioners for fear of being branded 'anti –government' and may restrict the nature and volume of debates in future.

III. The Democracy Resource Centre.

Goal

The Democracy Resource Centre promotes information exchange, supports research and information dissemination locally, nationally and internationally.

Implementation

In 2005, FHRI worked towards maintaining a computerized database, procurement, Resource Centre organization and program support. Regular up date of FHRI website, Internet access to enhance research, and visual aids to satisfy the information needs of the ever increasing readership were also a priority.

Planned activities

In 2005 the FHRI Resource Centre sought to upgrade and maintain the FHRI Website, manage the E-Mail and internet communication facility, manage and disseminate the FHRI E-Newsletter, acquire new human rights materials, continue with the current awareness service and selective dissemination of information, conduct book exhibitions, host guest lectures, put together a Documentary film on human rights in Uganda (1986 – 2005) and provide library and research services to internal and external users.



Users in the Democracy Resource Centre

Output

Traditional methods of accessing and disseminating information are often relatively slow, expensive and may provide out dated information. However, the Email and Internet facility immediately provide access to a wealth and diversity of updated information on countless global issues on human rights and democracy and are a very cost effective medium to publish and disseminate information locally, regionally and internationally.

In order to take advantage of this facility, the FHRI Resource Centre maintained an E-mail and Internet facility. Twenty nine (29) external users were recorded to having used the Internet facility, an increase from the twenty (20) in 2004. An internal survey of the effectiveness of the service revealed that the facility provided up to date information on human rights and governance, the facility was convenient as it was easily accessed at each one's workstation, the facility allowed electronic access and therefore able to down load and upload documents and reports and was user friendly as it required minimal computer skills. The Local Area Network, which makes sharing of computers, printing and Internet facilities easier, was functional during the year and new computers were purchased to ease programme implementation.

The Resource Centre maintained the FHRI Website as well. The Resource Centre published three issues of the FHRI E-Newsletter highlighting FHRI's activities and electronically sent it to FHRI members to keep them abreast with the work of the organisation.

The Resource Centre acquired new library materials and equipment during the year, including, four hundred forty (440) text books, five hundred fifty one (551) periodicals and audio visual materials, all on human rights and democracy including four (4) tapes and three (3) CD-ROMS. The Resource Centre continued to classify and catalogue the centre's materials, (classified at least 998 books during the year) and undertook stocktaking of its materials at the end of 2005.

In an effort to collaborate with and publicise the material in the Resource Centre amongst other like minded institutions, FHRI membership and individuals, the Resource Centre carried out a current awareness service to other resource centres, libraries and the general public to inform them on new acquisitions in the Centre. As usual, individuals and organizations made positive inquiries as a result. Three (3) book exhibitions were held during human rights public events organised by Save the Children in Uganda, the NGO Forum and HURINET Uganda, to promote information exchange and publicise the work and resource materials at FHRI. Forty members of the public visited the FHRI

stall during the Book fair organised by HURINET on the Human Rights Day; 10th December 2005.

As a result of the high publicity of the materials in the centre, the Resource Centre recorded a user-ship of One thousand one hundred fourteen readers (1,114) of whom 42.5% were female and 57.5% male users. Female users increased by 2% during the year from the previous year. Like the previous year, 85% of the users were from institutions of higher learning like Kampala International University, Makerere University and the Law Development Centre. Other users included, the judiciary, civil society organizations, independent researchers, and consultants, among others.

On the 17th June 2005, the Resource Centre hosted Dr. Joe Oloka Onyango, Director, Human Rights and Peace Centre at a Guest lecture for staff who discussed issues of social mobilisation, activism and challenged FHRI to deepen its engagement with the state on rights questions including Economic, Social and Cultural Rights.

The Resource Centre realized Ug. Shs One Million Five hundred eighty three thousand six hundred shillings (1,583,600/-) towards FHRI locally generated revenue from library and secretarial services offered including photocopying, printing, internet access, binding and library user-ship.

The Documentary film on human rights in Uganda (1986- 2005) planned for 2005 was not realised due to financial constraints.

Impact

Since its establishment in 1994, the FHRI Democracy Resource Centre has grown into a facility that has benefited over 5000 users who consistently describe it as an excellent and functional research facility. The wide ranging subject areas on human rights, governance, democracy, international relations, among others coupled with the modern library tools utilised for accessing and classifying information have placed the Democracy Resource Centre as a useful focal point for human rights research. The regular maintenance of the data base has added value to the Resource Centre and as a result, the Resource centre has maintained its high calibre user-ship including students of higher learning, independent researchers, consultants, government and constitutional bodies and individual human rights activists and experts.

The Resource Centre was also selected the Best Exhibitor, during the Annual Human Rights Week Book Fair organised by HURINET from the 5th – 10th December 2005.

With the increased acquisition of reference materials as well as audio and visual resources, the Resource Centre was an effective support tool to the FHRI advocacy and education programme in 2005. With the introduction of the Guest lecture series in 2005, the Resource Centre is slowly emerging into a fora for strategic thinking and reflection especially in the area of human rights and democracy.

The Email and Internet facility has become a virtual treasure trove of information to support FHRI's human rights advocacy programme and not only has it provided FHRI with an easier access to a wealth of human rights and democracy information trends and resources but has ably supported timely and quality research.

The website has also enhanced FHRI publicity, visibility and credibility. The effect of this visibility is the increase in the number of requests for partnership, information, internships, volunteer placement and employment. For example in 2005, FHRI was able to extend internships to sixteen (16) interns while in the same year, FHRI received over sixty (60) invitations to attend and participate in various programmes, meetings, training courses and seminars from various groups nationally and internationally.

Challenges.

In order for FHRI to respond to the ever growing human rights information needs of Ugandans today, it must invest substantially in the Resource Centre. FHRI will have to invest into more accessible on line data bases to enable users take advantage of the rapidly changing information resources.

3. PARALEGAL ADVISORY SERVICES PROJECT (PAS).

Goal

The Paralegal Advisory Service Project (PAS) that commenced on the 1st October 2005 as a pilot for 15 months is an innovative project that aims at enhancing access to justice through the use of paralegals and social workers to provide legal aid services to poor persons in conflict with the law.

Implementation

The Paralegals and social workers should expedite access to justice in the criminal justice system by working in places of detention (police, prisons and remand homes) along side the criminal justice officials and follow up cases through the courts while keeping closely in touch with the community. Implementation of the project is undertaken in partnership with the Uganda Prisons Service and one selected organisation in the selected Magisterial areas; Mbale (Foundation for the Development of Needy Communities), Fort Portal, (Association of Human Rights Organisations) and Gulu (Legal Aid Project of the Uganda Law Society).

Output

During the 3 months period (October – December 2005), the project signed Memoranda of Understanding with the Uganda Prisons Service and the afore mentioned partners, recruited project personnel; six (6) paralegals and eighteen social workers, trained the social workers and paralegals, and undertook a study tour to Malawi in order to under study a similar project.

Impact

The project is an innovative project that aims at testing and developing an efficient and affordable strategy for quicker delivery of justice to people in conflict with the law. A full assessment of the project will be undertaken at the end of the pilot project in December 2006.



Launch of PAS project

4. NETWORKING AND COLLABORATION.

Goal

FHRI's networking strategy is to work closely with different actors to build a sound, viable and credible human rights movement in Uganda in order to strengthen national and international lobbying and advocacy for the better respect of international human rights standards and norms.

Implementation

FHRI collaborates with many human rights and social justice groups at the local, national, regional and international levels through joint campaigns and coalitions, participation in regional events of institutions like the African Commission on Human and Peoples' Rights and the United Nations treaty bodies, internships and volunteer placements and membership with local networks in Uganda.

FHRI staff and members regularly attend human rights conferences, workshops and training courses around the world that are relevant to the work of the organization.

Output

Like in previous years, FHRI membership in 2005 was restricted to few networks only: The Human Rights Network (HURINET), Uganda Child Rights NGO Network, (UCRNN), Legal Aid Service Providers Network, (LASPNET), Development Network of Indigenous Voluntary Associations (DENIVA), Uganda Debt Network, (UDN), Uganda Land Alliance (ULA), and the National Network of Researchers and Research Users, (NURRU). FHRI has taken leadership positions on the Boards of Directors/ Management Committees of HURINET, UCRNN, ULA, DENIVA, NURRU and LASPNET.

FHRI also participated in joint campaigns and coalitions. These include; the Coalition Against Torture, Legal Aid Service Providers Network, the Civil Society Coalition on the Abolition of the Death Penalty in Uganda, the Uganda Governance Monitoring Project and the NGO Coalition on the establishment of the African Court on Human Rights.

FHRI maintained active cooperation with key trans-national groups that relate closely to its work; Amnesty International, International Federation for Human Rights Defenders (FIDH), ALLAVIDA, American Information Centre, The Centre for Victims of Torture, Africa Democracy Forum, Penal Reform International, Human Rights Watch, Amnesty International, International



Ms Sophie Kyagulanyi at a Human Rights Defenders' Conference, Nairobi, Kenya

PROGRAMME ACTIVITIES

Commission of Jurists, International Centre for Legal Protection of Human Rights, Centre for Capital Punishment, Association for the Prevention of Torture, Institute for War and Peace Reporting and the Krock Institute among others.

FHRI participated in key global events that shape the human rights agenda during the year, both regionally and internationally. Among these were:

- All Africa Colloquium on Clinical Legal Education, 31st January – 2nd February 2005, Abuja, Nigeria.
- A symposium on the visions for human rights and democracy in Eastern Africa, organised by the East Africa Human Rights Institute, from the 22nd – 25th March 2005, Zanzibar, Tanzania.
- Penal Reform International, Executive Board Meetings, 9th – 14th March 2005, 20th -25th July 2005 and 28th September - 3rd October 2005, London, UK.
- African Human Rights Court meeting organised by the Foundation for Human Rights, (SA) and the Kenya National Commission on Human Rights, 8th – 10th April 2005, Nairobi, Kenya.
- The ALLAVIDA Sustainability and Grant making seminar, Nairobi, Kenya 4th – 6th May 2005 and 17th – 19th October 2005, Dar-es-salam, Tanzania.
- Management meeting of the African Human Rights Court Coalition, 2nd – 9th September 2005, Dakar, Senegal.
- Roundtable discussion on a study on judicial independence hosted by the University of Cape Town, Law School and IDASA, Cape Town, 11th – 14th October, 2005 Cape Town, SA.
- The V International Human Rights Colloquium, 8th – 15th October 2005, Sao Paulo, Brazil.
- Meeting on Trade and Human Rights organised by SEATINI, 16th -18th November 2005, Nairobi, Kenya.
- 38th Ordinary Session of the African Commission on Human and Peoples' Rights, Banjul, The Gambia

FHRI presented several papers and attended various fora of a governmental, intergovernmental, religious, and civil society nature locally. Some of these include;

- National Committee on Community Service Coordination



Ms Wendy Kasujja at the 38th Ordinary Session of the ACHPR, Banjul, The Gambia.

meetings during the year.

- Meeting on Legal Aid to Remand Populations in Uganda organised by DANIDA; 22nd – 23rd March 2005, Kampala.
- A meeting for the coalition for Access to Essential medicines organised by HEPS- Uganda; 9th – 11th March 2005.
- A coalition meeting on the Domestic Relations Bill organised by UWONET; 28th March 2005.
- A Meeting of the Uganda Monitoring Project on the presentation of the final report to the Netherlands Embassy and the Government of Uganda; 24th March 2005.
- A meeting to formulate Regulations and controls of Legal Aid Provision in Uganda organised by the Uganda Law Council and DANIDA; 3rd – 6th April 2005.
- Launch of the National Anti-Corruption Strategy by the Directorate for Ethics and Integrity, Office of the President; 6th April 2005.
- Workshop on Government misuse and wastage of public property and resources, organised by the Uganda Debt Network; 9th – 10th May 2005.
- Meeting on Street Law, organised by the Legal Aid Clinic; 23rd May 2005.
- Launch of the Amnesty International Human Rights Global Report by Amnesty International, Kampala; 25th May 2005.
- The Executive Board Meetings of Uganda Child Rights NGO Network throughout the year.
- Annual Consultative Workshop of the Uganda Human Rights Commission; 20th May 2005, Entebbe.
- Launch of the Africa Leadership Institute (AFLI) organised by AFLI; 17th May 2005, Kampala.
- Workshop on the UN Study on violence against children organised by Save the Children, Uganda; 20th May 2005.
- Commemoration of the Day of the African Child, organised by the Ministry of Gender, Labour and Social Development and the National Council for Children; 16th June 2005.
- DENIVA Annual General Meeting; 28th June 2005
- Steering Committee on Social Security hosted by Platform for Labour Action; 15th June 2005.

PROGRAMME ACTIVITIES

- 9th Semi Annual JLOS Review; 6th and 7th June 2005.
- ACTV Break fast meeting on Torture; 25th June 2005.
- UN Torture day; 26th June 2005
- Women and leadership; Akina Mama wa Africa ; 18th July 2005.
- Allavida seminar on Social Justice; 1st August – 3rd August 2005, Kampala, Uganda.
- Launch of the Human Rights Watch Report on Northern Uganda; 20th September 2005.
- Workshop on Small Arms in Uganda, organised by the Uganda Focal Point on small arms in the Uganda Police Force and Safer world, South Africa; 26th – 27th September 2005, Kampala.
- Regional Human Rights Defenders Seminar; 30th October – 3rd November 2005.
- Uganda Law Society Forum; Faculty of Law, MUK; 28th November 2005.
- Annual Lawyers Day, Kampala University; 2nd November 2005.
- Nomination of Presidential Candidates; 14th and 15th November 2005.

Impact

FHRI' strategic and issue based partnerships with both local and international organisations has been applauded. More specifically, the collaboration with renowned international organisations in producing and popularising human rights reports has given the organisation's monitoring and reporting process credibility, has ensured maximum voice and impact on key issues such as torture, the death penalty, the effective establishment of the African Court on Human and Peoples Rights, Legislation on the Access to Information, and the National Legal Aid Policy.

5. INSTITUTIONAL STRENGTHENING AND DEVELOPMENT.

Objective

The broad goal of institutional strengthening and development is two fold, namely; to enhance FHRI's capacity to execute its programmes efficiently and to develop a policy framework for efficient planning, monitoring, evaluation, training, management, investment and gender mainstreaming within FHRI strategic plan and programme work.

Implementation

This component focuses on;

- Staff Training and Development
- Policy Development
- Office Administration
- Staffing and organization
- Governing Bodies
- External Evaluation
- Public Relations.

Output

I. Staff Training and Development

Knowledge, passion and professionalism are key ingredients to the successful execution of the FHRI programme. Over the years, FHRI has provided training, exposure and study opportunities to staff.

In 2005, FHRI planned five in –house training courses for staff: Lobbying and Advocacy, Project Planning and Management, Gender Analytical Skills Development, Monitoring and Evaluation and Modern Office management course.

Lobbying and Advocacy Course, 27th – 29th April 2005, Kampala, Uganda

The lobbying and Advocacy course was conducted between the 26th – 29th April 2005 for FHRI staff by Ms. Karen Mol from BBO, a Netherlands based organisation that engages in lobbying and training lobbyists. The training which was conducted at the Human Rights House, Nsambya was designed to equip participants with lobbying and advocacy skills so as to strengthen FHRI's capacities in lobbying and advocacy for social justice in Uganda. Twenty – three FHRI staff including seven (7) males and sixteen (16) females

PROGRAMME ACTIVITIES

participated in the four day course and were well grounded in the most effective and relevant forms of lobbying and advocacy skills.

Modern Office Management Course, 14th -18th November 2005, Nairobi, Kenya

Four (4) members of staff (3 women and 1 man) including; the Administrative Assistant, the Executive Assistant, the Logistics Officer and the Receptionist participated in this course. One FHRI member (a woman) was also facilitated to participate in the modern office management course. The Course which was conducted at the Modern Management Institute, Nairobi, Kenya aimed at appraising participants in modern office management concepts and practices addressing the following; cost effectiveness, information management, team work, customer care and relations, decision making, time management, office procedures and office systems.

The Project Planning and Management course, the Gender Analytical skills development course and the Monitoring and Evaluation Course were postponed to 2006.

During the year, individual staff also benefited from the following training programs;

Capacity Building in Conflict and Reconciliation

Legal Officer, Technical and Advisory Services attended the training programme from the 1st – 3rd March 2005 organised by Centre for Basic Research, Kampala, Uganda.

Training on Workers' Rights

The Legal Officer, TAS, attended the advocacy skills training on workers' rights organised by the Central Organisation of Free Trade Unions in Uganda on the 30th June 2005.

The Peer Exchange Programme under HURINET-Uganda

The Publications Editor participated in this programme from the 4th July – 4th August 2005 at the Kenya National Commission on Human Rights, Nairobi, Kenya.

Training on Gender Mainstreaming

The Executive Assistant attended the training organised by Anti Corruption Coalition Uganda and HURINET, 19th – 22nd April 2005.

Training on the coverage of the International Criminal Court

The Police and Prisons Reform project coordinator attended the training organised by the Institute for War and Peace reporting, 23rd – 26th August 2005, Johannesburg, South Africa.

Impact

The specialized training undertaken by FHRI staff has enabled them to improve their capacities in human rights advocacy and human rights related campaigns. The administrative staff have played a key role in improving the management and information systems of the organisation and are contributing to the development of a comprehensive internal and external communication strategy for the organisation.

II. Policy Development

An appropriate Policy environment is key to the successful implementation of FHRI activities.

In 2005, FHRI planned to develop a Gender policy, a Monitoring and Evaluation policy, a Staff Training Policy and to finalise the organisation's Investment Plan.

The draft investment plan was a subject of consideration during the year. Some of the proposals there in have been adopted by the FHRI Board and Management. Development of a Gender policy and a Monitoring and Evaluation Policy were carried over to 2006.

During the year, FHRI adopted the Investment plan, reviewed the Property Management, Procurement and Disposal Handbook, Office Procedures Handbook, the Human Resource Policy and the Financial Policy. Amendments were also made to these policies and adopted by the Board of Directors.

III. Office Administration

FHRI regularly paid the utility bills and met costs associated with routine consumables including mortgage repayments.

As an established practice, FHRI commissioned an External Audit for the 2004 Accounts, an audit report thereof was approved by the Board of Directors on behalf of the membership.

Office acquisitions during the year include;, the purchase of one computer, one motor vehicle (mini-bus), furniture and fittings. The Organization regularly serviced and maintained its equipment including vehicles, computers, photocopier and furniture.

IV. Staffing and Organization

The FHRI Staff team comprises of professional and support staff. The staff team as at the end of 2005 stood as follows;

Executive Director	Livingstone Sewanyana
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Program Staff

Penal Reform Coordinator	Apolo Kakaire
Access to Justice Coordinator	Sheila Muwanga
Research Monitoring and Documentation Coordinator	Sophie Kyagulanyi
Paralegal Advisory Services Coordinator	Elinor Chemonges
Resource Centre Manager	Elizabeth Nantamu
Publications Editor	Jessica W. Senyonjo
Senior Legal Officer	Sylvia Ntambi
Legal Officer	Jacqueline Mwendha
Public Relations Assistant	Wendy Kasujja
Assistant Research Monitoring and Doc. Coordinator	Alice Nasaka
Assistant Research Monitoring and Doc. Coordinator	Edmond Nkalubo
Resource Centre Assistant	Rhona Nagujja Zziwa
Resource Centre Assistant	Josephine Nalutaya

Administrative Staff

Finance Officer	Rose Kamuli Mwesigwa
Executive Officer	Emily Ikiriza
Executive Assistant	Harriet Bwayiga
Administrative Assistant	Milly Nakakande
Senior Officer Assistant	Stephen Sebaana
Senior Driver	Allan Semalulu
Receptionist	Elizabeth Nakato
Driver	Moses Kyazze
Logistics Assistant	Mathew Sekitto
Welfare Assistant	Olivia Kigozi
Security Guard/Gardener	Richard Okeya

Volunteers

Nambi Barbra	Technical and Advisory Services
Arinaitwe Rosete	Technical and Advisory Services
Daniel Bakayana	Technical and Advisory, Services

Interns



*Ms Jackie Kasoma, Law Student
Makerere University*

Jackie Kasoma	Law Student, Makerere University
Patricia Mawemuko	Student, Uganda
Rachael Barish	Visions in Action, Ug
Birungi Haawa	M.A H/R Student, DANIDA, Ug
Douglas Lee	Paralegal/American
Brooke Oppenheimer	Law Student/American, New England School of Law, US
Samantha Wright	Uni. of St. Andrews Scotland, US
Rachel Knowles	Uni. of King's College, London
Maria Micaela Cayton	Kroc Institute, US
Rahool Agarwal	University of Toronto, Canada
Orlando Marcelo	Centre for Capital Punishment, UK
Paul Kingsley	Centre for Capital Punishment, UK
Jane Mary Nakato	Library & Infor. Science, MUK
Hanayo Ozaki	European Uni. Austria
Ian Andres	University of Toronto, Canada
Joyce Mtinyag	University of Dar es Salaam, TZ
Tafadwa Mafumi	Human Rights and Peace Centre/MUK, Faculty of Law/ Zimbabwe

69% of the staff were female while 31% male. Staff held several meetings to review program implementation and deepen their monitoring and evaluation capacities.

From the 5th – 9th September 2005, staff held a five day Strategic Planning Meeting to review the FHRI program (2001- 2005) and to develop a new Strategic Plan (2006 – 2008). During the Strategic planning meeting staff reviewed among others, the Vision, Mission and Objectives of FHRI. The findings and recommendations of the 2005 FHRI External evaluation were extensively adopted. At the end of the year, a Staff- Board Retreat was held on the 21st December 2005 to review the 2005 FHRI programme, its results and related challenges for the organisation and to set new strategies for 2006.

V. Governing Bodies Membership



The Late Mrs Robinah Kiyingi

FHRI is a membership organization with a General Assembly and a Board of Directors. FHRI holds Annual General Meetings to discuss policies, adopt programs and review financing of the organization. Members elect the Board of Directors at the end of every three years. As at 31st December 2005, FHRI had seventeen (17) life members including ten (10) men and seven (7) women and about 300 ordinary subscribers.

A General Assembly shall be held at the end of July 2006 to elect a new Board of Directors for the period, 2006 - 2009.

On a sad note, FHRI lost one of its life Members and former Chairperson of the Board of Directors, 1999 – 2002, Mrs Robinah Kiyingi, who was brutally murdered on the night of Monday 11th July 2005. May her Soul rest in Eternal Peace!

Board of Directors

By the end of 2005, the Board of Directors stood as here below;

Mrs. Mary Sewamuwe	Chairperson
Mr. Albert Mukundane	Vice Chairperson
Ms. Allen Nakiboneka	Hon. Secretary
Mr. Kizito Mayanja	Hon. Treasurer
Mr. Olewi Gabriel	Member
Ms. Barbara Katende	Member
Mr. Njoki Deo Hasubi	Member
Mr. Livingstone Sewanyana	Executive Director (Ex- officio)

37.5% of the Board were female and 62.5% male.

The Board of Directors met four times during 2005, reviewed policies, examined work in progress, approved budgets and reviewed strategies for effective monitoring of programme activities. The FHRI strategic plan 2003- 2005, the FHRI work-plan 2005 and quarterly programme reports were used as monitoring tools.

VI. External Evaluation

During the year, the Swedish International Development Agency (SIDA), a key partner of FHRI, commissioned an External Evaluation of FHRI strategic plan (2001 – 2005). The evaluation was conducted by Mr. Mutahi Ngunyi, a development consultant and OD specialist, Nairobi, Kenya and Ms. Ashanut Okille from AJIKUL Consulting Group, Kampala, Uganda.

The primary purpose of the External Evaluation which took place in July 2005 was to examine and take into account the progress and

impact of the work of FHRI (2001- 2005) and to tease out lessons and recommendations on the rationale for the size and modalities of a possible continued SIDA support to FHRI. The consultants held discussions with a wide range of respondents including FHRI Board, FHRI staff, Government officials, representatives of the donor community, district council leaders, civil society organisations including community based organisations and paralegals and members of the general public.

The overall assessment of the organisation was that the Foundation for Human Rights Initiative, FHRI, has made significant changes both to its institutional and programming approaches and as a result, FHRI is currently on the cutting edge of human rights work in Uganda. The main impact of FHRI work, they assessed, was FHRI's ability to engage the supply side of rights or duty bearers, FHRI's monitoring and shadow reporting and FHRI's ability to tease out international practices and domesticate them in Uganda. Constructively, the evaluation challenged FHRI to reposition it self to be able to deeply engage the duty bearers and engage in monitoring their human rights practices.

The Evaluation report was a very useful tool during the Strategic Planning meeting held in September 2005. A number of the programmatic and institutional proposals and recommendations were discussed by the staff and the FHRI Board of Directors and have been adopted and consequently incorporated in the new FHRI Strategic Plan 2006 – 2008.

VII. Public Relations

The Public Relations Strategy of FHRI is geared towards promoting FHRI's corporate image, broaden public understanding of FHRI activities, increase public involvement in FHRI programmes, gauge public opinion about FHRI relevance, goals and impact of its activities and create regular interaction with related civil society and the media.

2005 was an exceptional year. Unlike the previous year, FHRI was flooded with requests from both the print and electronic, local and international media who were interested in understanding FHRI's strategies and sought FHRI's opinion, responses and assessment of the human rights situation in Uganda in light of the transition process and the political developments in the country at that time. Therefore unlike previous years, FHRI featured upon request, on over 15 media talk shows, in both the local and international media to provide opinion on a number of governance issues in the country.

Radio One

Uganda's Human Rights record in 2004/5;
The return of, 'Operation Wembley';
The International Criminal Court's decision to arrest Kony rebels;
The death penalty and ;
The arrest of FDC President, Dr. Kizza Besigye.

Central Broadcasting Service

Women's rights in Uganda;
The Referendum 2005;
Media freedoms and;
The human rights situation in Uganda in the run up to the 2006 National elections.

Akabozi Ku Biri (Radio 2)

ICC investigations and the UN response to the Northern conflict;
2006 elections and the playing field;
Respect for freedom of expression, association and assembly in Uganda;
The death penalty in Uganda and;
Torture in Uganda.

FHRI was also invited on *Radio Simba* to discuss the harassment of the opposition, on *Capital Radio*, *Touch FM* and *Kampala FM* to discuss the death penalty constitutional court petition, on *Sanyu FM* to discuss the 3rd term project and the dispersion of demonstrations by the Uganda Police, and on *Radio Sapensia* and *WBS Television* to debate the arrest of FDC President, Dr. Kizza Besigye.

With respect to the International media, FHRI featured on the *BBC* in an interview on the death penalty petition and the Human Rights Situation in Uganda leading to the 2006 elections; *Talking Africa, London*, on the State funeral for the Late ex President Milton Obote, and on *Channel IV News ITN* in an interview on the Presidential 3rd Term Project.

FHRI was invited by Mengo Rotary Club to present a lecture/talk on the Political transition process in Uganda; to the Launch of the Chief Justice; Hon. Justice Benjamin Odoki's Book; and held discussions with visiting Members of the Austrian Parliament to discuss the human rights situation in Uganda in the run up to the 2006 General Elections.

FHRI issued five (5) press releases covering; the Independence of the Judiciary, use of excessive force against protestors, respect

for media freedom, the right to peaceful demonstration and intimidation of political opposition.

A Newspaper supplement titled; '*Police Appreciation Day*' featured in the New Vision on the 27th May 2005 to recognise the role of the Uganda Police. FHRI pledged its partnership with the Uganda Police in ensuring that rights are protected in Uganda.

FHRI also hosted sixty six (66) visitors from international and national organizations, embassies and foreign missions, development partners, youth groups, treaty bodies, Local Government, Government ministries who expressed interest in collaborating with the organisation. Notable among these was Hon. Lady Justice Mary Maitum, Chairperson of the National Committee on Community Service.

Towards the end of the year, the Executive Director of the Foundation for Human Rights Initiative, FHRI, Mr. Livingstone Sewanyana was awarded a *Humanitarian Award by the Makerere University Law Society in recognition of his outstanding contribution to the promotion and protection of human rights in Uganda.*

6. Financial Overview.

IN 2005, FHRI realised 88% of the funds budgeted. The income expenditure ratio was 1.1. On average, FHRI was able to implement 99% of its set activities. In an effort to fundraise for its activities, FHRI with the support of its partner SIDA, held a Donor Roundtable at the Embassy of Sweden on the 1st November 2005 to appraise the development partners of the new FHRI Strategic Plan; 2006 – 2008. The Roundtable was attended by donor representatives from DANIDA, SIDA, Netherlands Embassy and the UN Office for the High Commissioner for Human Rights/Uganda.

CONCLUSION

THE 4TH, FIVE-YEAR FHRI STRATEGIC PLAN (2001 – 2005) focused on strengthening human rights activism for genuine democracy and sustainable development in Uganda. During the implementation of this programme, new and strategic areas of engagement were tested. This has had a positive impact on the organisation and its methods of work. Creativity, zeal and a passion for justice contributed to growth and pragmatism.

The struggle for Justice therefore will never be the same again. We all must win using the most cost effective and result oriented approaches.

And has been rightly stated by the 2005 SIDA Evaluation of FHRI report, *'the investment in FHRI has had 'value for money'. FHRI has been able to increase the value of its grants. . That is for every dollar provided, the foundation gave results in Uganda worth one dollar and more.'*

What remains is for the organisation to position itself strategically to appropriately respond to the new challenges of multi-party politics against the background of poverty, ignorance and disease among the vast majority.

Notwithstanding these challenges, the Foundation for Human Rights Initiative, (FHRI) pledges its resolve to ensure justice for all. We remain steadfast and more than before committed to the cause of freedom and prosperity.

To our staff, members, Board of Directors, donor partners and friends, lets us stand up for victory!

'Together We Can Make A Difference'

