



TOGETHER WE CAN MAKE A DIFFERENCE

2009 ANNUAL REPORT 2009



Foundation
for
Human Rights
Initiative (FHRI)



Foundation
for
Human Rights
Initiative (FHRI)

THE FOUNDATION FOR HUMAN RIGHTS INITIATIVE (FHRI) is an independent, non-governmental, non-partisan and not-for-profit human rights organization. Established in 1991, FHRI is legally registered as a Non-governmental human rights organization under the Non-governmental Organizations Registration Statute 1989. It is duly incorporated under the Companies Act, Cap.110 as a body corporate. The organization seeks to enhance the knowledge, respect and observance of human rights, promote exchange of information and best practices through training, education, research, legislative advocacy and strategic partnerships in Uganda. The organization has Observer Status with the African Commission on Human and Peoples Rights, is a member of the World Coalition Against the Death Penalty and is affiliated to the International Federation of Human Rights Defenders, (FIDH).

FHRI has effectively executed five strategic plans since its inception in 1991. Each of these programs is based on research, monitoring and documentation of human rights violations, human rights education, legislative advocacy and legal aid service delivery. In its 18 years of human rights advocacy, FHRI has spearheaded the human rights movement in Uganda and beyond through publication of action oriented research reports, capacity building programs for community based human rights associations, treaty reporting to Regional and UN human rights bodies, campaigns against torture, the death penalty and impunity, law reform and provision of legal aid services to the rural and urban poor especially women and children in hard to reach areas. In addition, the organization has facilitated the formation of community based human rights groups, sponsored weekly radio talk shows and human rights centered drama and established a Human Rights and Democracy Resource Centre to support program implementation.

While the fifth strategic plan (2006-2008) titled *"From Theory to Practice: Advancing the human rights agenda in Uganda"* sought to deepen engagement of the "supply and demand" side of rights, the current sixth strategic plan (2009- 2011) code named; *Put our World to Rights: Deepening Democratic Practices in Uganda (2009-2011)* whose objective is to enhance meaningful citizen participation in democratic governance for sustainable development in Uganda, addresses the question of deepening human rights practices through building a democratic ethos across the political and social spectrum of Ugandan society. The program seeks to enhance meaningful citizen participation in democratic governance in order to build sustainable structures that would contribute to eradication of poverty, promote stability and challenge practices of impunity, corruption, political intolerance and exclusion of vulnerable sections of Ugandan society in the run up to the 2011 General elections.

FHRI is proud to be associated with a number of partners at the national, regional and international level. In 2009, FHRI actively maintained close collaboration with its implementing partners including: Uganda Prisons Service, Uganda Police Force, Uganda Human Rights Commission, Parliament of Uganda, Uganda Law Reform Commission, The Justice Law and Order Secretariat, The Judicial Studies Institute/Judicial Training Committee, the Directorate of Public Prosecution, The Ministry of Justice and Constitutional Affairs, Gender, Labour and Social Affairs, Ministry of Foreign Affairs, Makerere Institute of Social Research, Uganda Governance Monitoring Project, UGMP, Coalition Against Torture, African Centre for the Treatment of Torture Victims, (ACTV), Uganda Christian Lawyers Fraternity (UCLF), Foundation for Needy Communities (FDNC), Planning, Development and Rehabilitation (PDR-COU), Human Rights Watch, Amnesty International, NGO Coalition on the African Court on Human and Peoples' Rights, the Death penalty project LTD, REDRESS TRUST (UK), FIDH, Penal Reform International (PRI), World Democracy Forum and the International Centre for Not for Profit Law (ICNL).

FHRI also supports and works with a number of Community based human rights groups such as: Pastoral Women Alliance to Break Cultural Chains (PWABC) in Kiboga, Action for Human

Rights and Civic Awareness (AHURICA) in Kayunga, Rwenzori Peace Bridge for Reconciliation (RPBR) in Kasese, Women's Initiative for Development and Paralegal Activities Association (WID-PAA) in Mukono, The Uganda Paralegal Society (UPS) in Kampala, The Foundation for Needy Communities (FDNC) in Mbale, Human Rights Target (HRT) in Luwero, Association of Human Rights Organisations (AHURIO) in Fort Portal, Youth Revival Association (YRA) in Kampala, Shape African Children Initiative in Wakiso, Kalangala Human Rights Defenders (KHRD) in Kalangala district, Bukoggolwa Widows and Orphans' Care Centre, Mpigi, Uganda Ey'enkya Development Project Group in Masaka, Lira Women's Peace Initiative (LIWEPI) in Lira district and Human Rights and Paralegal Services (HUPAS) in Busia district.

FHRI is a member of and collaborates with a number of civil society networks, coalitions/platforms and civil society groups including: Human Rights Network (HURINET), Development Network of Indigenous Voluntary Associations in Uganda (DENIVA), Uganda Child Rights NGO Network (UCRNN), National Union of Researchers and Research Users (NURRU), Coalition Against Torture (CAT), Uganda Governance Monitoring Project (UGMP), Citizens Coalition for Electoral Democracy in Uganda (CCEDU), Platform for Labour Action (PLA), Uganda Land Alliance (ULA), Legal Aid Service Providers Network (LASPNET), the Uganda Journalists Human Rights Network (UJHRN), Uganda Parliamentary Press Association (UPPA), Uganda Media Development Foundation (UMDF), Human Rights and Peace Centre, (HURIPEC), Uganda Law Society (ULS), ANPCANN, Uganda Debt Network (UDN), Uganda Joint Christian Council (UJCC), FIDA-Uganda, UWONET, UN Office of the High Commissioner for Human Rights (Uganda), Uganda Land Alliance (ULA), Refugee Law Project (RLP), Anti Corruption Coalition Uganda (ACCU), the Strengthening Access to Justice – Uganda Chapter (SAJEA), and the National NGO Forum.

The University human rights network which was initiated in 2006 now has a total of 14 Human Rights Clubs comprising of Busoga University, Ndejje University, Nkozi University, Makerere University, Kampala International University (Gaba), Kampala International University (Kansanga), Kibuli Teachers' Training College, Bugema University, Nkumba University, Kyambogo University, Uganda Christian University Mukono, Gulu University, Mbarara University of Science and Technology and the Islamic University, Mbale.

The print and electronic media have emerged as key partners in the sector during the year including: CBS FM, Super FM, Radio One, Radio Simba, KFM, Vision Voice, Sanyu FM, Capital FM, Voice of Teso, Dembe FM, Top Radio, Power FM, Radio West, Voice of Africa, BBC, UBC, WBS, NTV, Top TV and Record TV among others. Newspapers that have supported the campaign include: New Vision, Monitor publications, Weekly Observer, Bukedde, The East African, Reuters, The Independent Magazine, the Sunrise Newspaper, among others.

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.

CONTENTS

ACKNOWLEDGEMENTS	ii
MESSAGE FROM THE CHAIRPERSON	ii
INTRODUCTION	ii
SOCIAL, ECONOMIC AND POLITICAL BACKGROUND	11
1. PROGRAMME ACTIVITIES	21
Research Division	22
Legal Services Division	29
Capacity Development Division	36
Program Development Division	47
Communication and Information Division	53
2. NETWORKING & COLLABORATION	55
3. ORGANISATIONAL DEVELOPMENT	59
4. FINANCIAL OVERVIEW	59
5. CONCLUSION	59



ACKNOWLEDGEMENTS

The Foundation for Human Rights Initiative (FHRI) is indebted to countless individuals and organizations that made our work possible in 2009.

- Humanistic Institute for Co-operation with Developing Countries (HIVOS-Netherlands).
- Swedish International Development Agency (SIDA).
- European Union (EU).
- DANIDA (Democratization, Civil and Political Rights- HUGGO).
- DANIDA (Legal Aid Basket Fund).
- Danish Association for International Cooperation (MS -U).
- National Endowment for Democracy (NED).
- Finnish NGO Foundation for Human Rights (KIOS).
- Westminster Foundation for Democracy (WFD).
- DIAKONIA (Sweden).
- International Commission of Jurists (Kenya).
- TIRI (Pro- Poor Integrity)

Special thanks to REDRESS Trust UK, The Death Penalty Project Limited (UK), Church of Uganda (PDR), Makerere Institute for Social Research, (MISR), Coalition for an Effective African Court on Human Rights, International Center for Non- Profit Law (ICNL) and Housing Finance Company (Uganda) Ltd for the excellent partnership and support to FHRI during the year.

To the many individuals and companies that supported our work, thank you very much.

Last but not least, to the victims of human rights abuse, communities and groups who sought our assistance, thank you for the confidence and trust in our services.

MESSAGE FROM THE CHAIRPERSON



Ms. Barbra Katende
Chairperson
FHRI Board of
Directors

2009 was an important hallmark in the history of the Foundation. As the organization started the first year of implementation of its sixth strategic plan (2009-2011), the FHRI also marked celebrating 18 years of human rights activism in Uganda. And as one of our members has rightly stated, 'as a growing organization, there is no doubt that the road so far traveled has been a long one and the contribution to the growth of a human rights culture in Uganda undeniable.'

It therefore gives me great pleasure to present to you this 18th Annual Report of the Foundation for Human Rights Initiative (FHRI) for the period ended 31st December 2009. As a cooperate entity, it is FHRI's obligation to annually account to its members, partners and the communities whom we serve. The Annual Report documents the work we have undertaken, the resources utilized and the challenges faced during the period.

In his foreword written in the January 2009 African Peer Review Report No. 7 on the Republic of Uganda, Meles Zenawi, Chairperson of the African Peer Review Forum applauded Uganda for the substantial progress it has made in promoting good governance at the political and economic fronts, moving from 'recovery and reconstruction towards sustainable growth and poverty reduction.'

Notwithstanding this progress, significant challenges still persist. Some of these glaring ones include: the endemic poverty among the rural and urban poor, corruption among the political elite, the narrowing political and civic space for competition and expression of divergent views, urgent reconstruction of the North, the threats to media

freedom and judicial independence, increasing incidences of gender based violence, mob justice, practices of torture, increasing incidences of human and child sacrifice, child trafficking, increasing incidences of discriminatory practices and current social, political and growing economic imbalances in Uganda, the strained relations between the central government and the Buganda Kingdom, land disputes, delays in accessing justice and the ever increasing culture of impunity in Government. As we approach the 2011 General elections, the necessity for a level playing field is more apparent.

In 2009, the Foundation's focus has been to ensure that we effectively respond to these challenges through interventions that provide independent action and amplify alternative voices. FHRI therefore continued to monitor the state of human rights in the country, undertook legislative advocacy, community education and provision of legal assistance to victims of human rights abuse. The organization consolidated its outreach interventions; reaching out mainly to victims of Gender Based Violence, torture victims and prisoners including juvenile offenders. The Organization also provided support to community based hu-



man rights groups through training, production and provision of human rights materials as well as logistical support. Our strategies have thus been broadened to include action research and studies, capacity development, technical assistance, legislative advocacy, legal assistance and community empowerment.

Our constituency for engagement now includes Universities, Local Government, judiciary, prisons, community based human rights associations, media, regional bodies and victims of human rights abuse. Through partnerships, we have during the year continued to engage in national processes like the Justice Law and Order Sector through the Criminal Justice Working Group, contribution to the National Development Plan, establishment of a National Consultative Platform, among others.

At the institutional level, we convened the 13th Annual General Meeting on 15th August 2009 that gave an opportunity to members of the organization to discuss issues which in their view are critical to the future sustainability of FHRI. The solidarity expressed by each of them to the growth of FHRI was very re-assuring and we would like to thank each one of them for this show of commitment to the organization.

Similarly, we would like to extend our gratitude to the FHRI Board of Directors who in line with the constitutional mandate, have invested substantially in consolidating and ensuring implementation of organizational policies, resource mobilization and managing the FHRI Cooperate image and public relations.

Like in previous Annual reports, we have highlighted several of the key activities that have

been undertaken by the organization during the year and where possible, insights in the impact of our work on the human rights situation in Uganda. The report also points out a number of challenges which the organization and the sector still have to contend with and in some instances proposes some strategies to overcome some them.

During the year, FHRI committed about Ushs 3 billion to human rights advocacy in Uganda. This support and contribution demonstrates a strong commitment of our Development partners, members, friends, Trustees, Board of Directors, staff, partners and human rights defenders. To you all, we say thank you. We are highly indebted to your for this invaluable support

TOGETHER WE CAN MAKE A DIFFERENCE!



MR. WYCLIFFE BIRUNGI
CHAIRPERSON, FHRI BOARD OF DIRECTORS





Annual General Meeting 2009

INTRODUCTION



Mr. Livingstone
Sewanyana
Executive Director
FHRI

The Foundation for Human Rights Initiative (FHRI) is honored to present this 18th Annual Report for the period 1st January – 31st December 2009, one year into the implementation of our sixth Strategic Plan (2009- 2011). At this point in our history we cannot forget to thank the Almighty God for his blessings and guidance!

At the end of 2009, we marked 18 years of human rights activism in Uganda. Unlike previous years, 2009 was replete with news of a global financial meltdown. In this fast moving and uncertain environment, the 2009 FHRI Annual Report reflects on how the Foundation for Human Rights Initiative (FHRI) had to lean forward to respond to the related human rights and democratic challenges with flexibility, speed, innovation and attention to results.

At the institutional level, we embarked on implementation of the first year of its sixth Strategic plan codenamed: *Put our World to Rights: Deepening Democratic Practices in Uganda (2009-2011)* which focuses on six thematic areas including: civic participation, access to justice, freedom of expression, association, assembly including the media, right to life, liberty and security of person, judicial independence and integrity and leadership development of human rights defenders. The Strategic plan which builds on the achievements of the organization in the last 17 years is based on research, monitoring and documentation of human rights violations, human rights education, legislative advocacy and legal aid service delivery.

Responding to the need to enhance collective action and create a common platform for engagement in the run up to the 2011 General elections, FHRI spearheaded the formation of the Citizens Coalition for Electoral Democracy in Uganda (CCEDU), a new non- partisan, non- profit broad civil society coalition that brings together and affords a platform for like minded civil society organizations and citizens to advocate for civic engagement in Uganda. Launched on 19th August 2009 by the Hon. Speaker of Parliament, Hon. Edward Ssekandi at the Imperial Royale Hotel, Kampala and with a membership of over 487 civil society groups and citizens of Uganda, the Coalition seeks to advocate and promote integrity, transparency and active citizen participation in Uganda's electoral processes through mobilizing citizens for civic education, advocating for electoral reforms and election monitoring.

At the regional front, FHRI convened a five day Human Rights Summer Course for Human Rights Defenders in the Great Lakes region from 4th -9th October 2009 at Nile Resort Hotel Jinja, Uganda. The course which was attended by twenty two human rights defenders from

Uganda, Kenya, Tanzania, Burundi, Rwanda and the DRC has proved to be an important platform for reflection by human rights defenders in the region on their work, risks, opportunities, new tactics and joint advocacy efforts

The district launch of the Paralegal Advisory Services program in 9 districts of Uganda including Arua, Kabarole, Bushenyi, Mbarara, Jinja, Mbale, Gulu, Kitgum and Lira in June 2009 has not only secured a buy in of the program at the district level but has enhanced understanding and created awareness of the program and its interventions within the criminal justice system in Uganda.

The volume and scope of our work has grown significantly. Most notably has been the rights monitoring and advocacy function bi-annual human rights thematic reports, have provided policy and practice advocacy tools for the Disability movement juvenile justice sector and broader access to justice initiatives. This

engagement has been extended to national processes like the APRM review, the National Development Plan, the Justice Law and Order Sector, Parliament, the Donor Human Rights Working Group, Uganda Prisons Service, Uganda Governance Monitoring Platform and the African Commission on Human and Peoples Rights through a parallel report to the State Party report on the implementation of the African Charter at the 45th Session of the ACHPR.

Under the Legal Services Division legal support is extended to victims of human rights violations, victims of Gender Based Violence and vulnerable groups among them, women, children, workers, Persons with Disability, the elderly and victims of torture. The Legal aid program was able to train and pass out a total of two hundred eighty four paralegals in the districts of Kiboga, Sembabule, Kalangala, Busia, Lira and Kasese and assisted over 500 victims of abuse and /or vulnerable groups through the provision of legal advice and on spot legal assistance in these districts.

Torture meeting at FHRI



The campaign against torture took centre stage during the year. A Petition filed by FHRI together with its partner, REDRESS (UK) on enforcement of awards by the UHRC for torture victims cited as *"Miscellaneous Cause No. 512 of 2008: Sgt. Tumwine Julius and Pte. Nanguma Fred Vs the Attorney General"* in which the Attorney General conceded and undertook to pay the outstanding awards was heard on the 24th June 2009.

A total of 18 torture victims continued to receive legal support. FHRI provided support towards cause listing of their cases, collection of evidentiary materials to support their cases and engaged in constructive dialogue with the Uganda Human Rights Commission (UHRC) on the need to expedite hearing of these cases. Through collective advocacy work under the Coalition Against Torture, civil society continued to call upon the Government of Uganda to consider enacting into law the Anti-Torture Bill, 2009 drafted by Civil Society organizations which criminalizes torture and urged government to handle human rights awards expeditiously.

The Supreme Court ruling in *Susan Kigula & 417 Others Vs Attorney General* in the Supreme Court on 21st January 2009 re-ignited the campaign against the death penalty in Uganda. 152 prisoners' sentences were commuted to life imprisonment, 5 released and the mitigation hearings were on course, setting a legal precedent in sentencing in capital cases in Uganda which is firmly in place.

FHRI's community outreach and capacity development function has enabled the organization to broaden its constituency during the year. Through the program, we have engaged University human rights clubs, Local Governments, the Judiciary; community based associations and media groups. The production of human rights education materials and IEC materials to support this capacity building function has been a major pre-occupation of FHRI. Reference materials have been translated into local languages to enhance access by the rural poor. The outreach program has utilized local

FM radios in different districts to enhance dialogue between district leaders and citizens on key human rights and development issues in their locale.

Issue No.3 focusing on Juvenile Justice in Uganda was published. The publication of the *Annual Report 2008*, the re-print of the *FHRI Brochure* and the regular production of the *e-Newsletters* had the combined effect of keeping all stakeholders informed.

Even with this broad range of interventions a number of key challenges still exist that in many ways negate the democratization process in Uganda.

During the last twelve months we noted a decline in Uganda's human rights record. Freedom of expression, association and assembly including the media continues to be curtailed with space for independent and alternative thinking shrinking, mob justice, corruption and abuse of office are on the rise; domestic violence, extra judicial executions, use of excessive force by security agencies are common, ethnic nationalism and discrimination is being entrenched and land disputes characterize everyday life.

Impunity is taking root among government officials and security agencies and as the 2011 General elections draw closer political intolerance among the population is awakened. Child sacrifice and child neglect dominate the media and there is every indication that all is not well. Given the prevailing financial crisis, famine in several parts of the country and climatic conditions that are a threat to agricultural production, our individual and collective obligation to ensure social justice is enormous.

The run up to the 2011 elections still poses challenges to the democratic process in Uganda. Considering that Government is evidently reluctant to undertake fundamental electoral reforms in the run up to the elections, fears continue to grow of a possible repeat of the pre and post 2006 election irregularities which if not decisively and genuinely addressed the democratic development in Uganda will re-

main an illusion even if elections are regularly held. Voter apathy remains a challenge which has to be dealt with as evidently, a large section of Ugandans increasingly kept away from several bye elections conducted during the year.

Freedom of expression, association and assembly has largely remained restricted. Although guaranteed under Article 29 of the 1995 Constitution of Uganda (as amended), the open support by President Museveni of the use of tear gas to disperse political rallies and activists, renders his will to respect and to genuinely open up the political space questionable. Peaceful political and civic rallies continued to be dispersed through use of both legislative and administrative manipulation.

Space for media freedom continued to shrink as media freedoms remain under serious attack. The setting up of a 'Media and Political Squad' within the Uganda Police to monitor media broadcasts in respect of what is referred to as 'irresponsible and criminal utterances against the Government and the person of the President, threats to close and the actual closure of popular FHRI radio stations highly critical of Government and outspoken on Government excesses have sent a chilling effect on the media and self censorship has become the norm. As a result, media activities and reporting has focused on the positive developments within Government and have largely isolated dissenting voices and critics.

Even with the enactment of the Political Parties and Organizations (Amendment) Act (2008) which allows for funding of political parties on an equal basis in respect of elections, sentiments and worries that the playing field is not leveled and is in-fact tilted in favor of the ruling NRM party continue to grow; political parties and sections of civil society persistently and repeatedly called for the disbandment of the Electoral Commission which is largely seen as partisan and an instrument of the ruling Government, lacks independence and largely unresponsive to the demands and complaints of members of the opposition.

Civil society space continues to narrow. The enactment of the NGO Registration Amendment (Act), 2006 still poses a threat to the work of highly critical human rights groups. Reports of intimidation and threats from government officials to de-register district based human rights advocacy groups have been filed following CSO demands for accountability from public officials. Nonetheless, Civil society has come out strongly to oppose this harassment calling upon the Government of Uganda to uphold the rule of law and respect the Constitution which guarantees the independence of human rights organizations as well as freedom of expression.

Human rights defenders vehemently opposed the Regulation of the Interception of Communication Bill 2007 tabled in Parliament by the Security Minister on 2nd March 2009 arguing that if passed into law in its present form, there would be violation of the inherent right to privacy, expression, speech, assembly and association provided for in the 1995 Uganda Constitution.

Although the judiciary made some far reaching decisions in respect to the protection of human rights, judicial independence continues to be threatened, characterized by disregard of Court orders and judgments by the executive and the appointment of what are popularly known as 'cadre judges' viewed as sympathizers to the ruling party. None the less, the Judiciary continued to resist this trend and very candidly rejected the President's proposal to set up an independent body that would audit the judgments of judicial officers.

The shocking revelations of corruption and abuse of Public Procurement procedures in the use of CHOGM funds by Government ministers and institutions has continued to undermine Governments' efforts to fight corruption. Although the newly established Anti-corruption Court was able to determine a few cases of abuse of office and bribery, it is widely held that the 'big fish' still remain comfortable and at large with little hope that they will ever face justice.

Northern Uganda though largely peaceful is still threatened by the presence of Lords Resistance Army which having relocated to the DRC continues to cause havoc in the region. Although relative peace is experienced and the once Internally Displaced Persons slowly return home, the Governments of Uganda, Southern Sudan and the DRC continued military actions against the LRA. There are however still a number of challenges regarding the return of the IDPs and most particularly, Persons With Disability. Although the PRDP has been kick started and rolled out, it makes no mention of people with disabilities (PWDs). Although the vulnerable are mentioned, this has often been limited to children, orphans, the elderly and widows. 90% of PWDs still LIVE in the camps.

Despite the stiff resistance registered against the Land Amendment Bill (2007) this was enacted into law. Although the land amendment act was intended to among others regulate the landlord –tenant relationship, this however continued to be a source of conflict and in some instances resulted into death. Land owners were continuously threatened by tenants who feared to be evicted. In one instance, a landowner was killed by tenants after suspecting that he was preparing to sell off his land which would lead to their displacement and loss of livelihood. Reports of forceful evictions by Government agents on behalf of individuals and Government were reported during the period prompting the President to arrest some of the police officers who were allegedly involved in some of these acts.

A Private Members Bill - *The Anti-Homosexuality Bill, 2009* tabled by Hon. David Bahati on 14th October 2009 sparked off intense debate and mixed reactions from sections of the public in Uganda and the international community. Although a number of Ugandans supported and welcomed the Bill as an important step in the fight against homosexuality in Uganda, human rights defenders rejected the bill referring to it as an anti- human rights piece that threatens to undermine the principle of non-discrimination, human dignity and the right to privacy. Due to intense pressure both local and international, Government back tracked and

delayed the enactment of the bill.

Inspite of the persistent challenges within the sector, the Justice Law and Order Sector must be commended for its efforts to foster a human rights culture within the JLOS institutions, implementation of the Human Rights Based Approach, a reduction in congesting levels in prison by 23% through provision of more accommodation, improvement of the prisoner warder ratio to 1: 4.5, increased staff accommodation in the hard to reach areas, community service and reduction in the remand convict ratio to 45:55, as well as implementation of juvenile diversion programs. A number of Laws key to human rights protection and initiated by the JLOS were also tabled and some enacted including: the Domestic Violence Bill, the Marriage and divorce Bill, the ICC Bill, among others.

Parliament of Uganda must be applauded for taking keen interest in the unwarranted delay of Presidential appointments of Justices to the Supreme Court and Commissioners of the Uganda Human Rights Commission that caused a backlog of cases in both systems, 95,000 in the criminal justice system and 476 stalled torture cases before the Commission. The President's delay to appoint the Commissioners was inordinate and suspicious perceived by the public as a reaction towards the displeasure of State House over the Commission's critical work in the past.

Child abuse remained a serious problem during the year; child sacrifice and sexual abuse of children were common while the state of gender equality did not improve given significant increases in incidents of domestic violence and rape. There has also been no discernible improvement in the status of reproductive health; although infant mortality rate fell from 67.22 (per 1000 live births) in 2007 to 65.99 in 2008 and 64.82 in 2009, the estimated maternal mortality rate from the Uganda Demographic and Health survey is 435 deaths per 100,000 live births¹ while the unmet need for family planning has risen from 35% in 2001 to

¹ According to the UNDP it is highly unlikely that Uganda will meet MDGs 4 and 5; reduce child mortality and to improve maternal health by 2015.

41% in 2009. Rates of unwanted pregnancy stand at an average 56%; ranging from 64% in West Nile to 49% in Southwestern Uganda. [Economic Policy Research Institute]. The Equal Opportunities Commission which is mandated to address these issues, remained largely inoperative.

Promoted by a collective resolve to meet these challenges, FHRI sought to strengthen its capacity to effectively execute its agenda through staff training and development, operationalisation of its policy framework and building sustainable partnerships both at the national and international levels.

It is in this spirit that the Foundation for Human Rights Initiative (FHRI) is forever grateful to all its supporters. Through the commitment of many individuals, foundations, corporations and institutions, our work is truly possible and relevant.

To Our Trustees, Board of Directors, members, staff, partners, Development Partners, friends and individuals - without you, not only would our success be limited, but the impetus for change would be diminished. Thank you so much for standing with us in times of need!

‘TOGETER WE MAKE A DIFFERENCE.’



LIVINGSTONE SEWANYANA
EXECUTIVE DIRECTOR





Penal Reform Meeting at Munyonyo Speke Resort

SOCIAL, ECONOMIC AND POLITICAL BACKGROUND

A decorative graphic consisting of several overlapping, wavy arrows pointing to the right. The arrows are in various colors including orange, green, blue, purple, red, and light blue. They are positioned behind the text box and extend towards the right edge of the slide.

In his State of the Nation Address delivered on 1st January 2010, H.E Yoweri Museveni, noted that the Country's National economic outlook had continued to grow at a relatively high rate despite fears that the economic downturn in the advanced economies of the world would negatively affect the economy. With assurances that Uganda's economic sector is sound, stable and solvent, President Museveni informed the people of Uganda that the national economy had grown by 6.6% in 2009 having increased from 28.2 Trillion Uganda Shillings in 2008 to 33.0 Trillion Shillings in 2009, equivalent to US \$ 16.2 billion. In his own words, *'although the estimated growth rate in 2009 is lower than the growth in 2008 of 9.2%, it was among the fastest in the world during the period of global economic downturn.'*

In spite of the economic growth, the impressive figures noted did not march the economic reality on the ground. A Chronic Poverty report released by a UK Based Chronic Poverty Research Centre stated that 26% of the population of Uganda lives in chronic poverty while 31% live under the poverty line and surviving on less than shs. 1,600 (less than a dollar) a day. The same report criticized national programs aimed at poverty eradication which they referred to as short term and are drawn without consulting the target group. Instead, the report advocated for a holistic approach to the problem warning against handouts and cash transfers to individuals.

In 2009 calls for electoral reforms intensified from political party activists and human rights organizations. The Inter party Cooperation (IPC) and civil society groups called on Government to embrace electoral reforms in order to provide an enabling environment for the conduct of free and fair elections in Uganda in 2011. While the IPC called for the disbandment of the Electoral Commission, restoration of the Constitutional presidential term limits, review of affirmative action, exclusion of security organs in elections, the demarcation of constituencies, cleaning up of voter registers, among others, Civil society under its framework; the Citizens Coalition for Electoral Democracy in Uganda (CCEDU) called for among others, reform in election legislation and administrative management of elections, independence of the Electoral Commission and review of the appointments process, reinstatement of the Constitutional presidential term limits, funding and accountability of political parties and stiff penalties for election fraud.

These proposals were complimented by a mini survey carried out on the attitudes and perceptions of Ugandans towards democracy conducted by the Wilsken Agencies Ltd and the Centre for Democratic Governance in 55 districts of Uganda which also indicated that the number of Ugandans who called for the reinstatement of Presidential term limits had almost doubled in the last four years from 41% to 76%. The same report also indicated that a growing desire for alternative political leadership had risen from 57% to 77% which was a result of the citizens' dissatisfaction with the Government's performance in addressing their pressing problems.

The Diplomatic Corp in Uganda added their voice to calls for electoral reforms when the Head of the European Union Delegation to Uganda H.E Vincent De Visscher urged the Government of Uganda to seriously consider the electoral reform proposals fronted by different stakeholders. Pressure for reform was also registered within the East African Community when during a regional consultative meeting in Burundi held to harmonize the values and principles on good governance under the East African Treaty, key resolutions were made around harmonizing/reinstating presidential term limits in member states, the exclusion of the army in Parliaments of member states of the East African Community (EAC) and for Speakers in the Parliaments of Member states to relinquish their party affiliations and remain impartial. In a rare show of inde-

pendence, the Governing Council of the Africa Peer Review Mechanism in their proposed Action Plan on the country self assessment report released on 27th May 2009 also recommended the reinstatement of the two-term presidential limit in Uganda as a good governance practice.

Further, Mr. Carl Gershman, President of the US based National Endowment for Democracy (NED) while addressing a cross section of civil society actors on “*Threats to Democracy Promotion in Developing Countries*” at the Human Rights House on 21st April 2009, stressed the need for Presidential term limits, an independent Electoral Commission and strong government institutions as key factors to a flourishing democracy in developing countries like Uganda.

Openly unmoved by these proposals and the necessity for electoral reforms, the President of Uganda publicly dismissed calls for reform arguing that the legal and administrative framework for the conduct of elections in Uganda was and is adequate.

The re-appointment of the Chairperson and four other Commissioners of the Uganda Electoral Commission by the President of Uganda on 5th August 2009 did allay these fears. The reappointment was protested by the opposition and sections of the public who called for wider political representation on the Commission and serious consideration of the 2006 Supreme Court ruling which highlighted major shortcomings on the part of the Electoral Commission in the discharge of its functions during the 2006 General Elections.

Notwithstanding persistent calls to disband the newly appointed Electoral Commission (EC), the Chairperson of the Electoral Commission, released the Electoral Commission political road map to Parliament. He announced some of the new measures that would be put in place to ensure free and fair elections and respond to electoral related crimes. Even with the signing of a 50 billion grant to the Government of Uganda from the European Union to support Democratic Governance and Accountability, the EC complained of lack of adequate funding to the Commission and urged Parliament to persuade the Government of Uganda to meet its 2011 budget shortfall of Ug. Shs 57.6 billion to enable it smoothly organize the 2011 General Elections. By year’s end the Government of Uganda had committed 31 billion shillings to the Electoral Commission to embark on implementation of the Road map for the successful conduct of the 2011 General Elections. .

Bowing down to public pressure, albeit reluctantly, cabinet approved several electoral reform related bills which were consequently tabled on 15th December 2009 before Parliament including; *The Presidential Elections (Amendment) Bill 2009*; *The Parliamentary Elections (Amendment) Bill 2009*; *The Electoral Commission (Amendment) Bill, 2009*; and *The Political Parties and Organisations (Amendment) Bill 2009*. By year’s end, the *Political Parties and Organisations (Amendment) Bill 2009* which provides for the use of Government or public resources including party funding for political parties or organization activities had been enacted into law.

None the less, the post 2006 General elections and the run up to the 2011 elections still pose challenges to the democratic process in Uganda. Government is evidently reluctant to undertake fundamental electoral reforms; fears continue to grow of a possible repeat of the pre and post 2006 election anomalies which if not decisively and genuinely addressed, deter full democratic development in Uganda.



PAS steering committee meeting 2009

Political party and human rights activists still operate within restricted spaces. Freedom of expression, association and assembly remains restricted in practice. Although guaranteed under Article 29 of the 1995 Constitution of Uganda (as amended), the open support by President Museveni of the use of tear gas to disperse political rallies and activists, renders his will to respect and to genuinely open up the political space questionable.

Peaceful political and civic rallies continued to be dispersed through use of both legislative and administrative manipulation. Ironically, even in a multi-party political dispensation, dispersion of political rallies continued undermining the constitutional right to freedom to assemble and associate. During the year, police dispersed 4 Democratic Party (DP) rallies in Kampala and the outskirts and arrested 19 party supporters who were soliciting for signatures to support a petition to Parliament calling for a referendum on the Government proposals on the election of the City Mayor and the extension of the boundaries of Kampala City. The party supporters were later charged with criminal trespass, illegal assembly and obstructing police and subsequently released on bail.

Tension between the Central Government and the Buganda Kingdom deepened when ahead of the planned visit by the King of Buganda to preside over the Youth day celebrations on 12th September 2009 in Kayunga district in Buganda Kingdom, the King's subjects were denied access into Kayunga by the Uganda Police and the UPDF on security grounds. This Police action sparked violent protests between September 10th -12th in the city and other areas in Buganda region which were quelled with teargas and live bullets. The standoff which lasted 2 days resulted into burning of a police station in Natete by civilians, indefinite shut down of four radio stations by the Uganda Broadcasting Council for allegedly inciting the public, loss of 27 lives and arrest of over 800 people who were later charged with inciting violence, unlawful assembly and terrorism.

Some sections of the public blamed Government for instigating the crisis. Some Members of Parliament and FHRI criticized the conduct of the security agencies and decried restrictions of freedom of movement, association and assembly including the media that followed thereafter.

That notwithstanding, the President of Uganda and the ruling NRM came out strongly against the Buganda Kingdom urging the Parliament of Uganda to enact a law that prohibits cultural leaders from engaging in politics and ordered the judiciary not to grant bail to those arrested during the riots. Further, following the riots, the President issued a directive allowing the police to “shoot to maim” demonstrators while DP spokesperson Betty Namboze was blocked by the police from leaving the country to seek medical treatment allegedly due to ongoing inquiries into her role during the September riots.

Space for media action continued to shrink as media freedoms remained under serious attack during the year. With the setting up of a ‘Media and Political Squad’ within the Uganda Police to monitor media broadcasts in respect of what is referred to as ‘irresponsible and criminal utterances against the Government and the person of the President’ the threats to close and the actual closure of popular FHRI radio stations namely CBS, Suubi FM, Akaboozi Kubiri highly critical of Government and outspoken on Government excesses have sent a chilling effect on the media and self censorship has become the norm. A number of journalists have reportedly been sacked from various radio stations or prohibited from hosting programs highly critical of government while outside broadcasting (ebimeza) has been banned. Two senior journalists working with the Monitor Newspaper were dragged to court, charged with forgery and released on bail, following the publication of the President’s letter/opinion on the alleged ethnic tensions between the indigenous *Banyoro* and the immigrant *Bafuruki* in South Western Uganda. The letter sparked off controversial debate and raised tribal sentiments within political parties and the general public. Several sections of the public accused the President of promoting sectarianism when he called for ‘ring fencing’ jobs for the Banyoro to the detriment of the Bakiga. As a result, media activities and reporting has focused on the positive developments within Government and have largely isolated dissenting voices and critics.

Government introduced the Interception of Communication Bill 2007 which was vehemently opposed by some Members of Parliament, human rights defenders including FHRI, the Uganda Law Society, and sections of the public who expressed fear that if passed into law in its present form. This would be recipe for the violation of the inherent right to privacy, expression, speech, assembly and association provided for in the 1995 Uganda Constitution and subject to abuse by government to oppress the opposition and independent minds. The MPs on the Parliamentary committee on Information and Communication Technology further likened the Bill to that of Zimbabwe; recommended that the power to authorize phone tapping should be left to the courts. By year’s end, the Bill had not been presented for the second reading. The Bill tabled on 2nd March 2009 by the Security Minister seeks for authority to intercept and monitor private mail and phone conversations. The bill purports to fight terrorism and bolster national security and gives the Security Minister sweeping powers to allow scrutiny of an individual’s bank transactions, postal mail, letters, and money transfers in addition to telephone conversations.

Taking advantage of the World Press Freedom day marked annually on 3rd May 2009, Human Rights organizations, journalists under their Network of Journalists, political party activists, the Uganda Human Rights Commission (UHRC) and the international community called upon government to respect the media including freedom of expression, association and assembly. Given that more than a dozen journalists face prosecution, the human rights defenders decried the hostile environment within which they work. FHRI reiterated the critical role the media plays in growing democracies. Government remained adamant insisting that Uganda had ‘excessive’ press freedom which required journalists to work professionally or risk arrest.

The vice of corruption in the public sector hit headlines and remained a serious growing concern. In his State of the Nation Address to Parliament on the 4th June 2009, the President prioritized the fight against corruption within Government and directed the Auditor General to undertake a Value for Money Audit in Government departments and ministries where reports of corruption had been received. The establishment of the Anti Corruption Court that secured convictions welcomed by development partners and civil society and is widely seen as a show of support in the fight against the vice.

Government's efforts to fight corruption were severely undermined when CHOGM funds were grossly misused due to flouting of procurement procedures by highly placed government officials. By year's end, the probe committee was yet to release a comprehensive report on their findings and extent of loss and mismanagement of these funds.

In 2009, Transparency International ranked Uganda as one of the most corrupt countries in the world, topping the bribery rate in the East Africa region, rated down from 111th position to 126th among 180 countries in 2007 and 2008 respectively.

This negative publicity of the country hurt Uganda's international image to the extent that the country did not qualify for the US-funded Millennium Challenge Account (MCA). The MCA is a no-strings attached poverty reduction fund where up to US \$ 700 million is awarded to developing countries that score well in the fight against corruption. Government experienced a cut of 85% of donor funds to existing anti-corruption efforts. The Ombudsman was hard hit by a financial squeeze which in turn adversely affected its ability to carry out its stated mandate. The Danish government however promised to continue supporting Uganda in its anti –graft campaign reaffirming its zero tolerance for corruption.

The situation in Northern Uganda remained fragile due to the failure by LRA and government to conclude the peace process. The office of the UN Special Envoy to the Great Lakes region in Kampala closed in June 2009 whereas the return and decongestion of IDPs was well on course. Reports received from the Office for Coordination of Humanitarian Affairs (OCHA) indicated that 50% of Internally Displaced Persons (IDPs) had returned to their homes and a total of 16,576 abandoned huts and 1,047 latrines in the IDP camps in Gulu and Amuru districts demolished. 2,000 grass thatched huts and latrines built with support from the UN Refugee Agency and the American Refugee Council for orphans, the elderly, the terminally ill who were stuck in the camps were handed over to the beneficiaries identified by the local leaders while more support in form of mosquito nets, cups and she-goats was handed out to IDP returnees to enable them start a new life. Sensitization programs on peace building were also conducted for returnees during the year.

By the end of the year, with less than 200,000 people still in camps (*out of the original 1.2 million Internally Displaced Persons*), the people of Northern Uganda continued to enjoy the peace that has slowly returned to this part of the country. The Northern Uganda Social Action Fund (phase 2) had been kick started while the Peace, Recovery and Development Program though highly politicized was on course. However, land disputes and reports of land grabbing were recorded amongst returnees. Members of Parliament hailing from Northern Uganda called upon Government to take charge of the escalating disputes.

Despite the stiff resistance registered, the Land Amendment Bill (2007) was finally enacted into Law. Although the law was intended to among others regulate the landlord –tenant relationship, this continued to be a source of conflict and in some instances resulted into death. Land owners were continuously threatened by tenants who feared to be evicted. In one instance, a landowner was killed by tenants after suspecting that he was preparing to sell off his land which would lead to their displacement and loss of livelihood. Reports of forceful evictions by Government agents on behalf of individuals and highly placed Government officials were reported during the period prompting the President to arrest some of the police officers who were allegedly involved in some of these acts.

The hitherto land disputes that were a feature of 2007 and 2008 in Uganda extended to Lake Victoria when a dispute over a one Migingo Island erupted between Kenya and Uganda over ownership of this island which is surrounded by rich fishing waters. Although a joint boundary survey was agreed upon to solve the dispute threatening diplomatic ties between the two countries, the First Deputy Prime Minister Eriya Kategaya revealed that Uganda would consider taking the dispute to the International Court of Justice in The Hague or involve another country if Uganda and Kenya failed to agree. No official agreement had been reached by year's end.

The long awaited Supreme Court ruling on the constitutionality of the death penalty was finally delivered on the 21st January 2009. Although the court upheld the decision of the Constitutional Court, the Supreme Court made far reaching declarations which have enriched the jurisprudence on sentencing in capital offences in Uganda and all over the world. For the respondents whose sentences were already confirmed by the highest appellate Court, their petitions for clemency under Article 121 of the Constitution must be processed and determined within three years from the date of confirmation of the sentence. Where after three years no decision has been made by the Executive, the death sentence shall be deemed commuted to imprisonment for life with remission. Those respondents whose sentences arose from the mandatory death sentence provisions and are still pending before an appellate Court, their cases would be remitted to the High Court for them to be heard on mitigation of sentence and the High Court may pass such sentence as it deems fit under the law.

In their ruling, the Supreme Court urged the Legislature to re-open debate on the desirability of the death penalty in Uganda. Considering that no death sentences had been executed yet inmates continued to be incarcerated on death row without knowing whether they were pardoned, had their sentences commuted or are to be executed.

With 152 prisoners' death sentences commuted to life imprisonment, 5 released and mitigation hearings on course, the campaign against the death penalty has continued to evolve setting legal precedents in sentencing in capital cases in Uganda and the world over and has placed the subject high on the agenda within the Justice Law and Order Sector.

By year's end, the first mitigation hearing had been held on 6th of October 2009; **Uganda vs. Bwenge Patrick** HCT-03-CR-SC 190/1996 before Justice Anne Magezi. In her ruling delivered on 9th November 2009, Court overturned a sentence of death and sentenced the accused to imprisonment for a period of two years with the second year being suspended with supervision of

a Court nearest to the convict's home. This case has set a precedent for the many other cases which are yet to be heard.

The campaign against the death penalty continued to gain momentum. During the commemoration of the World Day Against the Death penalty held on 10th October 2009, the European Union (EU) welcomed Uganda's de facto moratorium on executions, encouraged Government to commit itself to permanent abolition of the same. The efforts of the Civil Society Coalition on the abolition of the death penalty spearheaded by FHRI were recognized and applauded by the European Union in this respect.

The Parliamentary Committee on Legal Affairs discussed the Annual Uganda Human Rights Commission reports for the period 1999 – 2007. Members of Parliament met the Inspector General of Police, Internal Affairs State Minister and the Uganda Prison Service authorities who informed the legislators of challenges faced in running the criminal justice institutions. They noted the increasing numbers of the remand population, delays in judicial hearings among others. Unfortunately, the Ministers for Disaster Preparedness, Health and Finance and Uganda Aids Commission failed to appear over queries raised in the human rights reports despite several summons from Parliament.

Parliament took keen interest in the unwarranted delay of Presidential appointment of Justices to the Supreme Court and Commissioners of the Uganda Human Rights Commission that had caused a backlog of cases in both systems, 95,000 in the criminal justice system and 476 stalled torture cases. The President's delay to appoint the UHRC Commissioners was interpreted by the public as a reaction towards the displeasure that the State House had over the Commission's critical work.

Reports of torture re-surfaced during the year. On 8th April 2009, Human Rights Watch released a report titled: *Open Secret, Illegal Detention and Torture by the Joint Anti Terrorism Task Force in Uganda* in which the Joint Anti Terrorism Task Force (JATT), an arm of the Chieftaincy of Military Intelligence (CMI) was accused of wide-scale use of torture and illegal detention of suspects. The report covering the period August 2008 to February 2009 relied on testimonies of former detainees who were tortured and highlighted torture as one of the most recurrent and intractable human rights violation in Uganda.

The FHRI *Juvenile Justice Report; January – June 2009* launched by the Chairperson of the Uganda Human Rights Commission (UHRC), Mr. Medi Kaggwa also complimented the Human Rights Watch report and called upon Government to expeditiously enact the proposed Prevention and Prohibition of Torture Bill 2009 to ensure individual responsibility for perpetrators of abuse.

In debating the Uganda Human Rights Commission Reports (1997 – 2007), the use of safe houses and torture dominated the Parliamentary debates between the Minister of Defence and Members of Parliament. Whereas the Members of Parliament described safe houses as torture chambers, the Minister denied the use of the safe houses for the purpose arguing that these were non-existent in Uganda. Instead the UPDF, in responding to the human rights reports commended institutions like JATT for its vigilance in curbing threats of terrorism in the country which are considered as growing threats to national security. Although Government was applauded for taking up some of the recommendations in the UHRC reports by the Parliamentarians, most glaring

were the conclusions and recommendations on Uganda's initial report on the UN Convention Against Torture that was submitted to the Committee Against Torture in 2006 which remained outstanding. Arrears of Shs 2.1 Billion compensation due to victims of torture by Government remained an outstanding issue.

Human rights groups complimented the campaign against torture by undertaking policy and legislative advocacy in order to eradicate the vice. In pursuit of the petition filed in the High Court in 2008 on the enforcement of decisions in favor of torture victims made by the Uganda Human Rights Commission, the Foundation for Human Rights Initiative (FHRI) together with its partner, REDRESS (UK) cited as: "*Miscellaneous Cause No. 512 of 2008: Sgt. Tumwine Julius and Pte. Nanguma Fred Vs the Attorney General*" before Judge Betty Musoke of the High Court, the Attorney General conceded and entered a consent judgment to pay the outstanding amounts due to the applicants. A consent order was extracted but still awaited the signature of the Director of Civil Litigation, Attorney General's chambers before it could be signed by a Judge for enforcement. This however delayed the process of payment to the claimant.

The campaign for the enactment of an Anti Torture Law intensified. The Civil Society Coalition Against Torture formulated 'A Prevention of Torture Bill' for consideration by Parliament. The Coalition further called upon the Government to ratify the Optional Protocol to the UN Convention Against Torture in order to systematically address the increasing reports of torture.

That aside, the Justice Law and Order Sector continued to work towards implementation of sector priority interventions and to strengthen the principles of coordination, cooperation and communication both at the national level and district level as a means of achieving its objectives under the justice reform program.

Using the Human Rights Based Approach improvements have been recorded; a reduction in prison congestion to 23% through provision of more accommodation, improving the prisoner warder ratio to 1: 4.5, increasing staff accommodation in the hard to reach areas, implementation of community service and reduction in the remand convict ratio to 45:55, as well as implementation of juvenile justice diversion programs. The sector has also made efforts to decentralize service delivery. One additional Ministry of Justice and Constitutional Affairs regional office was opened in Arua, 6 new courts constructed, 2 DPP offices, boarder posts, police stations and barracks repaired. The sector also improved the capacity of JLOS institutions through more recruitment in the judiciary, police and prisons. Because of these interventions the police population ratio is now at 1:786 while courts operate at 66% capacity in terms of staffing. The sector has also invested in retooling and equipping the sector institutions and has reduced the case backlog from 17% to 7.9% with over 78,000 cases disposed of. The sector continues to prioritize Local Council Courts development through training of the officials in 79 districts now covered. The sector has registered a reduction in the incidence of reported crime from 83 for every 10,000 to 39.9 for every 10,000; at the same time the rate of recidivism reduced from 35% to 28%. A number of Laws key to human rights protection initiated by the JLOS were also tabled and some enacted into law including: the *Domestic Violence Bill*, the *Marriage and divorce Bill*, the *ICC Bill*, among others. Another notable achievement in this area has been the review of the Prison Rules and Regulations to align them to the Prisons Act 2006. **[JLOS Annual Progress Report: 2008/09].**

The Constitutional Court sought to uphold the rule of law and protecting the right to appeal as guaranteed in the Constitution of Uganda. The Court unanimously declared the execution of the two soldiers by the Field Court Martial in 2002 in Kotido unconstitutional because they were not granted their right of appeal to the Supreme Court. The Uganda Law Society had petitioned the Constitutional Court to declare the National Resistance Army Statute of 1992 unconstitutional because it empowers the Field Court Martial to pass death sentences without the right to appeal.

Despite these achievements, the sector continues to face a number of challenges. The case backlog and disposal of the same within the system still remains a challenge. Although a high disposal rate of cases has been registered in the criminal and family justice areas, land justice case disposal remains the lowest with a disposal rate of 15.8% in 2008/9 in comparison to a disposal rate of 48.6% for criminal justice and 42.7% for family justice. The sector still remains below the desired international standards of 75% convicts to 25% remand prisoner's population. The committal period varied from 6 months to four years.

The integrity of the Judiciary was undermined due to reported incidences of corruption and public perceptions of the same. The National Integrity Survey undertaken by the Inspectorate of Government in 2008 and released in 2009 revealed that more than eight out of 10 people interviewed named the Police force as the most corrupt followed by the Judiciary at 79%. It is however worth noting that the Judicial Service Commission has continued to champion the sector's efforts to develop measures that enhance the integrity within the sector. The sector is developing an anti-corruption strategy and key activities for its implementation are to be identified and prioritized in the work plan for the FY 2010/11. In the meantime, the Law Council and the Judicial Service Commission responded to public complaints on a regular basis, heard and disposed the same while the Judicial Service Commission carried out publicity and civic education as a way of enhancing the public awareness about the services of the sector, the locations of the sector institutions, the procedures to be followed to access the services offered by the sector as well as the rights and obligations of the service users.

The absence of a National Legal aid policy still poses a huge challenge for the demand side/users of the Justice system in Uganda. Although there have been discussions within the sector to develop a National Legal Aid Policy there was no policy in place by year's end. Efforts however have been made by the Law Council to develop the Advocates (Legal Aid to Indigent Persons) Regulations, 2007 whose objectives are to inter-alia regulate and monitor the quality of legal aid service delivery and to ensure that legal aid and advice are provided in a most effective and efficient manner.

The Government was in the spotlight for its poor treatment of juvenile offenders. Launched on 16th September 2009, the FHRI periodic report (January to June 2009) titled: '*Juvenile Justice in Uganda*' implicated security agencies like the Joint Anti –Terrorist Taskforce (JATT), Rapid Response Unit (RRU) and Chieftaincy of Military Intelligence (CMI) in the torture of suspected juvenile offenders, inhumane treatment of children in remand homes, detention of juveniles with adults. The lack of remand homes in some districts and delays in accessing justice by juvenile offenders were among the challenges identified.

The continued detention of 15 juveniles in Luzira Upper Prison who committed offences as ju-

veniles but had matured as adults at the time of sentencing and were awaiting the Minister's orders² for eight years now, was a major concern within the sector. The issue which was documented and highlighted in the FHRI *Juvenile Justice* report released on 16th September 2009 and consistently followed up with the Deputy Attorney General and Minister of State for Justice and Constitutional Affairs by the Donor Human Rights Working group in Uganda, the Justice Law and Order Sector and Parliament who deliberated on the same within the Gender, Labour and Social Development Parliamentary committee.

High levels of congestion in prisons persisted, prisons accommodated about twice the total approved design capacity. As at June 2009, there was an excess of 16,598 prisoners over and above their approved carrying capacity of 13,373 inmates. This in itself has led to other problems such as poor sanitation, diseases, and poor sleeping conditions due to overstretching of the prison resources.

Some of the most overcrowded prisons include; Luzira, Gulu, Amita, Kakiika, Rukungiri, Bushenyi, Loro, Lira, Kumi among others.

The National Community Service program and National Paralegal Advisory Service program (PAS) spearheaded by FHRI were applauded for contributing to decongestion in detention centers across the country by JLOS and the Parliament of Uganda. While the Community Service program was able to issue 6,350 orders in the period 2008/2009 which meant that this prevented these persons from going into or continuing to stay in prisons, the FHRI PAS Program has been able to facilitate the release of 24,756 remand prisoners through among others, obtaining court bail, mediations, diversions, discontinuations and fine payments in the 10 operating sites.

This notwithstanding, the Uganda Prisons Service was criticized for its use of prisoner labor. Although the Prisons Act 2006 outlaws use of prisoner labor in all prisons in Uganda, the practice continued, prompting the Parliament of Uganda to order the Uganda Prisons to stop the practice which was described as hard labor. According to JLOS, the mechanization of prison farms has reduced the working hours during the period by 12.5% from 8 hours to 7 hours per day and promises to reduce even further.

FHRI's penal reform campaign yielded some results when an upward revision of salaries of Prisons Lower Cadres from Ug. Shs. 164,000/= to 200,000/= was made after a period of ten years. The Government also approved a Ug. Shs. 2 billion fund under the *Prosperity for all* scheme for the Prisons' Savings and Credit Cooperative Societies to boost the staffing scheme of the Prisons Service.

Although the Constitutional Court has held that the provision of the Police Act³, which extended the length of time beyond 48 hours before which an accused must be produced in court was unconstitutional as it contravenes Article 23 (4) of the Constitution⁴, the police and other security agents have and repeatedly continue to hold suspects for more than the constitutionally mandated period of 48 hours. The attempt to further consolidate this practice into policy through a proposal by the Defence Minister while appearing before the Legal and Parliamentary Affairs Committee seeking to legally extend the 48 hours to 90 hours in order to interrogate suspects of

2 As required by the Children's Act.

3 Section 25 (2) of the Police Act.

4 *Foundation for Human Rights Initiative v AG* Constitutional Petition NO.20 of 2006.



serious crimes was highly suspect and as such shelved by the Legal and Parliamentary Committee promising to subject it to further scrutiny with a human rights lens. FHRI at a Press Conference on 17th February 2009 opposed the proposal observing that Government had no justification to extend the detention period beyond 48 hours and that the longer a suspect spent in custody the more vulnerable they were to inhuman, cruel and degrading treatment.

Accusations of excessive use of force and torture by the Police Force were common. The Uganda Police Review would therefore provide an opportunity to citizens to demand for an independent and accountable police service. Public consultations were expected to start in 2010.

The newly established Professional Standards Unit had through disciplinary panels the police had dealt with 3000 cases of errant officers out of the 5000 complaints received from the public on police conduct and respect for human rights.

The Parliament of Uganda continued to play its oversight role in ensuring effective checks on the executive by scrutinizing Government action through Parliamentary Committees, debating ministerial budgets, discussing the Uganda Human Rights Commission reports, passing legislation key to human rights protection and key to access to justice and debates seeking Government intervention on national issues affecting Ugandans like, child sacrifice and trafficking, Female Genital Mutilation, media freedoms and closure of highly critical radio stations, poverty, the National Health Scheme, among others. There was however growing concern at the continued arrest and mistreatment of Members of Parliament from the Opposition. A number of opposition MPs namely Hon. Kikungwe (DP), Hussein Kyanjo (JEEMA), were arrested for allegedly inciting violence during the September riots, holding illegal rallies among others. Investigations in these cases were still on by year's end.

Child abuse remained a serious problem particularly child sacrifice and sexual abuse of children. FHRI in its report on Juvenile Justice revealed that in just the period of January-April 2009 alone, at least 150 cases of child sacrifice were reported to the Police, most of these involving witchcraft. Unfortunately, the response to the problem of child sacrifice has largely been reactive and emotional punctuated with demands for the perpetrators to be executed.

Defilement is one of the most common sexual offences in the country. According to the Uganda Police, 900 girls were defiled in the Eastern region in the period up to June 2009. The African Network for the Prevention of Child abuse and Neglect –Uganda reported that between January – April 2009, of the 8,286 child related cases reported to police, 2,592 cases involved defilement. One of the key challenges in defilement cases is that persons related to or close to the victim commits most sexual offences and as such adversely affects the process of investigation and prosecution often leading to dis-continuity of cases by the prosecution due to reluctance of the victim to testify.

Being a major source and destination for children and adults trafficked from east and central Africa, a report highly critical of the Government of Uganda released by the US Government during the period, faulted Uganda for not doing enough to rein in on child and human trafficking practices and had thus failed to comply fully with the minimum standards aimed at eliminating the practice. Titled, '*Trafficking in Persons*' the report cited a weak regulatory framework in Uganda which has motivated the trade.



Penal Reform Meeting at Munyonyo Speke Resort

In April 2009, Parliament passed the Anti-Trafficking in Persons Act, 2008. The Act was assented to by the President on 1st October 2009 and criminalizes trafficking in persons. Under the Act, those found guilty of the offense are liable to life imprisonment.

There were still reports that indicated that children were trafficked for labour from Uganda to Pakistan, Egypt, Turkey, Iraq, UAE and Saudi Arabia, traffickers cited to using legal means to take children out of the country for illicit purposes. Victims of internal trafficking were subjected to hazardous working conditions and commercial sex. A survey undertaken by FHRI in Kalangala district, Central Uganda revealed that girls within the age group of 8-17 years coming from the main land are trafficked to different islands in Kalangala district disguised as children/students on study tours to Kalangala district. These end up as house helps, bar maids and child prostitutes in the numerous brothels in Kalangala district. Kitobo, Mwena and Kachanga landing sites are notorious for child prostitution that thrives with little or no effort to rein in by the authorities. Several victims of child trafficking were also rescued and deported to Sri Lanka according to the Human Rights Watch March 2009 report on Uganda.

Although the legal framework to deal with child trafficking is well in place, like most laws in Uganda, the major challenge will be its effective enforcement that entails as a minimum, training and facilitation of the police task force on trafficking and sensitization of the community. Nonetheless, immigration officials formed a task force to examine the trend and make recommendations to the ministries for internal affairs and justice on the problem.

Child labor is still widespread in Uganda. A baseline survey carried out by FHRI in Sembabule district alone in 2009, shows that 3,367 children were engaged in child labour and are unable to attend school. As a result, the primary school retention rate especially for girls in the district remains very low, only 27% of enrolled girls complete the primary school cycle. Some of the parents from the predominantly pastoral communities like Kagologolo village in Lwemiyaga sub-County and Lugusulu sub-county have forced their children and especially girls as young as 10 years to look after big herds of cattle. Children are very vulnerable to abuse including being defiled in the remote fields while looking after cattle.

Although a number of positive and progressive pieces of legislation were tabled and or enacted during the year, the state of gender equality did not improve significantly. There was an increase in incidents of domestic violence and rape, there was no discernible improvement in the status of reproductive health; although infant mortality rate fell from 67.22 (per 1000 live births) in 2007 to 65.99 in 2008 and 64.82 in 2009, the estimated maternal mortality rate from the Uganda Demographic and Health survey is 435 deaths per 100,000 live births⁵ and the unmet need for family planning has risen from 35% in 2001 to 41% in 2009. Rates of unwanted pregnancy stand at an average 56%; ranging from 64% in West Nile to 49% in Southwestern Uganda. [Economic Policy Research Institute]

No comprehensive data on the prevalence of domestic violence data exists in Uganda today. Available information however indicates that the practice is prevalent in all regions of Uganda; in Kiboga for example, 8 out of 10 women interviewed during a survey undertaken by FHRI stated that they experienced physical violence (wife battering by husbands/partners) daily or knew somebody who did, while in Sembabule 68% of the respondents confessed to having been beaten by their husbands/partners at some point. According to the police, in 2008, 137 cases of murder resulted from incidents of domestic violence. The same trend has been witnessed in 2009.

As a result, the debate on domestic violence bill was renewed and on November 12, Parliament passed the Domestic Violence Bill which criminalizes domestic violence. Consequently, Government arrested and prosecuted 15 persons responsible for domestic violence.

A private member's bill seeking to outlaw FGM was tabled and passed in Parliament. 'The prohibition of Female Genital Mutilation Act, 2009' criminalizes FGM, and provides for the prosecution of offenders. According to Ms. Dora Byamukama of the East African Legislative Assembly, about 500 girls undergo the ritual to signify entry into womanhood annually.

Bride price is still a contentious issue and a major factor in the campaign against domestic violence, culture often cited as one of the causes of domestic violence. A constitutional petition by Mifumi Project- a Women's advocacy organization asking the Constitutional Court to outlaw and abolish bride price was filed. The petition was however opposed by the Attorney General and the court had not made a ruling.

Another Private Members Bill - *The Anti-Homosexuality Bill, 2009* was tabled by Hon. David Bahati on 14th October 2009 sparked off intense debate and mixed reactions from sections of the public in Uganda and the international community. While civil society groups and the interna-

⁵ According to the UNDP it is highly unlikely that Uganda will meet MDGs 4 and 5; reduce child mortality and to improve maternal health by 2015.

tional community rejected the bill referring to it as an anti- human rights piece that threatens to undermine the principle of non-discrimination and the right to privacy, the Government of Uganda vowed to support the fight against homosexuality through this legislation. However, by year's end the Government had delayed debate on the bill due to local and international pressure.

On the International Human Rights Day, 10th December 2009 under the theme '*Embrace Diversity End Discrimination in Uganda*', human rights groups in Uganda decried the increasing incidences of discriminatory practices and the current social, political and economic imbalances in Uganda, calling upon Government to end ethnic discrimination, social prejudice, political intolerance and lack of respect for divergent opinions which were cited as some of the major causes. Minorities and Persons With Disability were cited as worst hit by these discriminatory practices. Resonating with the theme, on 16th December 2009, FHRI released the report on Disability titled, '*Disability is not inability*' which cited discrimination and non-inclusion as key challenges to the disability movement. Although the report applauds Government's efforts to put in place a policy framework to facilitate respect of rights of Persons With Disability, much more is needed to promote their participation in electoral processes and access to social services.

According to the UNDP Country Human Development Report, in 2009 the Human Poverty Index value for Uganda was 28.8% ranking 91st among 135 countries for which the index had been calculated. The Human Poverty Index (HPI-1) focuses on the proportion of people below certain threshold levels in each of the dimensions of the human development index - living a long and healthy life, having access to education, and a decent standard of living. The index thus measures severe deprivation in health by the proportion of people who are not expected to survive to age 40. Education is measured by the adult illiteracy rate; a decent standard of living is measured by the un-weighted average of people not using an improved water source and the proportion of children under age 5 who are underweight for their age. Uganda's performance as reflected by its rank and position in 2009 is self explanatory.

Given the above challenges and progress reported, the Foundation for Human Rights Initiative (FHRI) intensified its human rights advocacy in order to effectively address them in 2009.

PROGRAM ACTIVITIES



2009 was the 1st year in the current 6th Strategic Plan of the Foundation for Human Rights Initiative (FHRI). Code named: *Put our World to Rights: Deepening Democratic Practices in Uganda (2009-2011)*, the objective of the plan is to enhance meaningful citizen participation in democratic governance for sustainable development in Uganda.

The FHRI 6th program agenda has the following strategic objectives:

1. To monitor the electoral process and advocate for electoral reforms for free and fair elections in 2011.
2. To monitor and document human rights practices in order to promote dialogue and respect for human rights and democratic development in Uganda.
3. To upscale our engagement of the national, regional and international human rights protection mechanisms to maximize compliance with human rights standards.
4. To advocate for best practices in the administration of Justice.
5. To promote sustainable access to justice for the poor and vulnerable groups in Uganda.
6. To build the civic competence of the media, political parties, local government and educational institutions for effective participation in governance
7. To build the capacity of grassroot associations for systematic exposure of human rights abuses and effective participation in democratization processes in Uganda.
8. To establish a leadership program to advance knowledge in the field of human rights for human rights defenders.
9. To strengthen the institutional capacity and sustainability of FHRI.

This program has six themes: civic participation, access to justice, freedom of expression, association, assembly including the media, right to life, liberty and security of person, judicial independence and integrity and leadership development of human rights defenders. These key themes are executed under six operational divisions: Research Division, Legal Services Division, Capacity Development Division, Communication and Information Division, Program Development Division and the Executive Division.

The program utilizes a mixture of strategies depending on the target group, issues at hand and desired outcome including the following: *investigative field research, Focus Group Discussions, Petitions, media briefings, court litigation, public lectures, talk shows and publications and through networks and coalitions.*



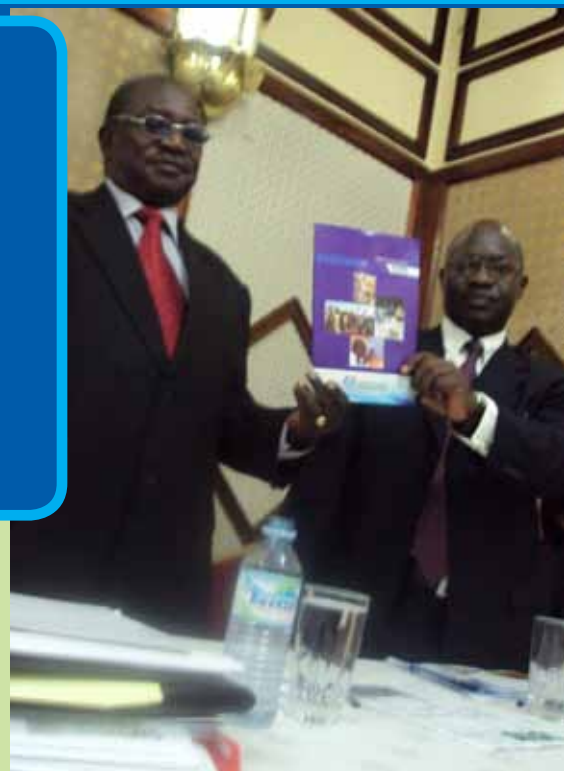
I. RESEARCH DIVISION

Objective

The Research division aims at monitoring and documenting human rights practices in order to promote dialogue and respect for human rights and democratic development in Uganda.

The Research Division has three key activities namely;

- Research and Documentation of human rights violations.
- Treaty Reporting.
- Election Observation.



PWD report launch at Grand Imperial

Implementation

The areas of focus include: juvenile justice, labour rights, right to health, rights of the disabled, freedom of expression and association, right to life and security of persons, police and prison reform especially the campaign against torture, prison and police conditions, conditions of both the internally displaced persons and returnees, the democratic reform/ electoral process, rights of women especially in regard to domestic violence and a general synopsis of the human rights situation in Uganda. The project annually releases the Country Status Human Rights Reports and periodically publishes and disseminates thematic human rights reports.

Planned Activities

Five (5) activities were planned in 2009 including; release of the Annual Country Human Rights Status Report 2008; release of two (2) human rights thematic reports on Juvenile Justice and Persons with Disabilities, preparation and presentation of an alternative report on Uganda's compliance to International Convention on Civil and Political Rights (ICCPR) before UN Human Rights Committee, participation in the 45th Session of the African Commission on Human and Peoples' Rights and presentation of a shadow report on Uganda's compliance to UN Convention Against Torture before the UN Committee Against Torture.

Output

On 16th September 2009, FHRI formally released the Country Human Rights Status Report 2008 together with the 1st thematic report on Juvenile Justice titled; '*Juvenile Justice in Uganda; January – June 2009*' at Hotel Africana Kampala. The Juvenile Justice report highlights key areas within the juvenile justice system in Uganda that require immediate intervention and action including; lack of implementation of laws that protect children due to insufficient funds from Gov-

ernment, detention of juveniles with adults mainly due to the shortage of operational remand homes, the high crime rate by the juveniles attributed to idleness, poor facilitation and lack of basic necessities like water, food and clothing in the remand homes and difficulty in ascertaining the age of most of the juveniles. On the other hand, the Country Human Rights Status report, 2008 provides an in-depth account of the human rights situation pertaining in Uganda during 2008 proposing a catalogue of recommendations for improvement.

Field missions for both reports covered districts of Gulu, Mbarara, Isingiro, Bushenyi and Kasese as well as findings from courts, police stations, prisons, remand homes and labour sites. Two hundred fifty (250) copies of the Juvenile Justice report and five hundred (500) copies of the Human Rights status report 2008 were printed and distributed to justice law and order sector, civil society organizations, development partners, transitional organizations, the media, FHRI members and subscribers.

During the launch, FHRI took advantage of the forum to condemn and express disapproval at the President's order to the military to 'shoot at sight' and 'shoot to disable' civilians involved in riots arguing that the order was not only unconstitutional and inhumane. This came in the wake of the September riots in which citizens protested Government's actions which blocked the Kabaka of Buganda from officiating at the youth day celebrations in Kayunga district.

As planned, FHRI further launched the 2nd thematic human rights report on Rights of Persons with Disabilities titled; '*Disability is not Inability; July – December 2009*' on 16th December 2009 at Grand Imperial Hotel. The report analyzes the extent of inclusion of persons with disability and the degree of enjoyment of key human rights standards including the right to education, health, employment and access to public service in Uganda. In addition the report also examined the general human rights situation in the country for the period July to December 2009.

Two hundred fifty (250) copies of the report were printed and distributed to the Justice Law and Order Sector, Civil Society Organizations, Development Partners, Transitional Justice organizations, International NGOs, the academia, the media, FHRI members and subscribers.

Both launches were attended by a total of three hundred (300) delegates including, Development partners from EU, DANIDA, HIVOS, Members of Parliament, academia, representatives from the media, civil society organizations, political parties, government departments, FHRI members and subscribers with each stakeholder reiterating the relevance of the reports and the issues raised therein.

Under the Treaty Reporting component, FHRI participated in the 45th Ordinary Session of the African Commission on Human and Peoples Rights from 9th - 17th May 2009, in Banjul, Gambia as well as the pre-session Non Governmental Organization's (NGO) forum that was held on 9th – 11th May 2009 in Banjul. During the session, while the Government presented its 2nd State Party report, FHRI presented its 8th parallel report on Uganda's compliance with the African Charter on Human and Peoples' Rights highlighting the state of human rights in Uganda, application of the death penalty in Uganda and the Supreme Court ruling in this respect, the practice of torture and safe houses, the state of women and children's rights, police accountability, state of prison conditions in the country, the conduct of security agencies among others.

Under the Election Observation component, FHRI would like to build on the achievements and work done in 2005/2006 under its Uganda National Election Assessment and Monitoring project

(UNELAMP) to monitor the 2011 General Elections and events in the run up thereof. This will be kick started in 2010. However in the meantime, during the year, FHRI monitored the bye elections for the Sembabule District Woman Member of Parliament in Sembabule and the election for the Rubaga Division Chairperson. Despite the high number of registered voters, FHRI noted the poor turn up of voters due to voter apathy, violence and in some instances, rigging.

Outcome

The Human Rights thematic reports particularly on Juvenile Justice and Rights of Persons With Disability have lent tremendous support to and stepped up the advocacy within the disability movement and child rights related advocacy in Uganda.

As tools for engagement with Government, the release of the juvenile justice report resulted into a constructive engagement with relevant agencies that deal with child rights issues including the Minister for Gender, Labour and Social Development who took time off to provide Government's position on a number of key access to justice issues highlighted in the report and at the same time, acknowledging some of the challenges highlighted.

On the other hand, useful engagement and deliberations on the rights of Persons With Disability ensued during the launch of the report with the Member of Parliament representing Persons With Disability applauding FHRI's efforts and focus on disability which in her view complimented the campaign for access to public services and infrastructure by PWDs and inclusion of the same in issues of governance. The support rallied from the Uganda Human Rights Commission, the academia and the National Union of Persons with Disability in Uganda around the issues raised in the report has been well acknowledged and provides a useful opportunity and framework for use of the report as an advocacy tool.

The reports have informed key Development partner discussions and interventions with Government in the context of access to justice for children in Uganda. For example, the continued detention of 15 juveniles in Luzira Upper Prison who committed offences as juveniles but had matured as adults at the time of sentencing and were awaiting the Minister's orders⁶ for eight years now, remained a concern within the sector during the period. The issue which was documented and highlighted in the Juvenile Justice report released on 16th September 2009 was consistently followed up with the Deputy Attorney General and Minister State for Justice and Constitutional Affairs by the Donor Human Rights Working group in Uganda and the Justice Law and Order Sector.

Further, Members of Parliament have taken advantage of the reports using them to inform debates on issues of access to justice and to enrich their oversight function when engaging with Government on the rights of vulnerable groups in Uganda. Hon. Alice Alaso, Forum for Democratic Change (FDC) Secretary General and Woman representative for Soroti district tabled the issue of the 15 juveniles in Luzira before the Gender, Labour and Social Development Affairs Committee in Parliament for discussion while soliciting Government's response and intervention on the same.

The division reports have improved and informed the human rights debate in Uganda. The protracted public and media analysis (both in the print and electronic media) of juvenile justice highlighting areas for reform has elevated the subject and profiled juvenile rehabilita-

6 As required by the Children's Act.

tion as an important priority. On the other hand, the Disability report has generated debate on the inclusion of Persons With Disability within electoral processes, with the public calling upon the Government to ensure their effective access in the upcoming 2011 General elections. Table 1 below highlights a series of articles capturing debate around issues raised in the FHRI human rights reports in 2009.

Table 1

Title of the Article	Source
Security agencies torture juveniles, says new report	<i>Daily Monitor, Thursday September 17th 2009</i>
Order to shoot is uncalled for	<i>Daily Monitor, Thursday September 17 2009</i>
Give juvenile inmates a second chance	<i>The New Vision, Thursday September 24th 2009</i>
Mob justice cases expected to increase	<i>The New Vision, Thursday September 24th 2009</i>
Domestic violence: children, women most vulnerable	<i>Daily Monitor, Thursday October 8th 2009</i>
Unskilled medics cause disabilities	<i>The New Vision Friday, December 18, 2009</i>
At elections cater for people with disabilities	<i>The New Vision, Tuesday 29th December 2009</i>

Further still, upon request, FHRI conducted a number of interviews on the key human rights issues through electronic media during the year as indicated in Table 2 below:

Subject	Source
Situation of Human Rights in 2009	<i>CBS: 13th January 2009</i>
Death Penalty	<i>KFM: 21st January 2009</i>
Death Penalty	<i>Radio One: 22nd January 2009</i>
Death Penalty	<i>NTV: 29th January 2009</i>
Press freedom	<i>Documentary recording: 30th January 2009</i>
Pre trial detention	<i>Vision Voice: 16th February 2009</i>
Impunity/Magara prosecution	<i>Radio One: 23rd March 2009</i>
World Press freedom day	<i>KFM: 29th May 2009</i>
Press freedom	<i>Radio one: 3rd May 2009</i>
Judicial independence	<i>Dembe FM: 29th May 2009</i>
Banyoro/Bafuruki	<i>Radio One: 10th August 2009</i>
CCEDU Launch	<i>Spectrum and KFM: 17TH August 2009</i>
September riots	<i>NBS: 15th September 2009</i>
Juvenile justice	<i>Radio one: 16th September 2009</i>
Juvenile justice	<i>Impact FM: 17th September 2009</i>
September riots	<i>KFM: 17th September 2009</i>
Death Penalty	<i>Radio one: 30th October 2009</i>
Death Penalty	<i>Radio One, Simba, Super FM, Vision Voice- 13th November 2009</i>
Death Penalty	<i>WBS Interview- 17th November 2009</i>
48 Hr rule	<i>NTV: 20th November 2009</i>
Hr Day	<i>The Observer- 7th December 2009</i>
Anti – Homosexuality Bill	<i>Dutch Journalist: 15th December 2009</i>

The demand for the reports is overwhelming. During the year, FHRI run out of all the printed copies given that over 50 institutions and individuals requested for these including, the Judiciary, Development Partners and specifically the Human Rights working group, Justice Law and Order Sector, independent researchers, civil society groups at the national and international level, students and the academia and the general public who have made regular reference to the findings of FHRI.

The reports have supported and informed FHRI's role within the Justice Law and Order Sector, making the organization recognized as a key actor in the JLOS Criminal Justice Working Group, the Annual Judges Conferences and the annual Joint Government of Uganda/Donor reviews of the sector.

Likewise, the initiative by the Frederick Ebert Stiftung to develop an Afro Media Barometer for Uganda has benefited from FHRI's work on media freedoms, while FHRI work has enabled it to participate in international human rights global initiatives like the World Movement for Democracy, preparations for the UN Crime Congress in Nairobi among others.

Uganda's State party reporting function continued to improve with better government participation in treaty body sessions. Uganda was ably represented at the sessions of the African Commission and continuously provided information and updates on the situation of human rights as required in the African Charter on Human and Peoples' Rights.

FHRI's participation and presentation of the shadow report at the 45th Session of the ACHPR was much appreciated by the African Commission who have used the information provided therein to engage the Government of Uganda delegation on state of human rights in Uganda. Some of the issues of concern at the Commission are Uganda's continued application of the death penalty, the poor state of prisons, safe houses used as torture chambers, Uganda's delay in the ratification of the Protocol to the African Charter on Human Rights on the Rights of Women in Africa, the situation and conditions of IDPs in Northern Uganda, the rights of women and children, media freedoms, deprivation of liberty, freedom of expression, association and assembly, rights of children, the right not to be discriminated, governance issues, among others. The Concluding Observations on Uganda by the ACHPR largely reflect some of the issues raised in the FHRI parallel report. The UN Office of the High Commissioner for Human Rights in Uganda has also benefited from FHRI's expertise and experience in this respect by involving FHRI in capacity building and information sessions for civil society on Treaty reporting.

Challenges

Uganda faces daunting challenges in the search for genuine democracy and respect for human rights. A human rights culture and social consciousness is necessary to achieve this goal. Notwithstanding these shortcomings there is a new wind of hope-society is becoming more critical; the executive is being asked to account and more people are demanding a say in how they are governed. All this has been possible due to the consistent efforts of groups such as FHRI that are using all possible avenues to see that this change is possible.

Therefore as we look towards the 2011 General elections our efforts will necessitate deeper and broader entrenchment within civil society to ensure that the demand for accountability is more pronounced and sustained.



Handing over of equipment at the inaugural paralegal training in Kiboga

II. LEGAL SERVICES DIVISION

Objective

The Division seeks to promote sustainable access to justice for the poor and vulnerable persons/groups in Uganda. It also seeks to advocate for best practices in the administration of justice.

The Legal Services Division has three major activity areas that include;

- Pro bono Legal Assistance to women and children.
- Criminal Legal Defence (assistance to Victims of torture, representation of death row inmates, paralegal advisory services).
- Public Interest Litigation / Legislative Advocacy.

Implementation

The campaign to promote sustainable access to justice and advocate for best practices in administration of justice involves; research, strategic litigation, pro- bono legal services to the poor and vulnerable persons, legal support to victims of torture, death row inmates, suspects in police cells and inmates in prisons, capacity building for communities and inmates on human rights, criminal justice procedures, tracer services for prisoners and their family members and legislative advocacy for policy change.

Planned Activities

The planned activities for the Division in 2009 were: to author a human rights course curriculum, conduct six 5-day paralegal training courses in *Busia, Kiboga, Lira, Sembabule, Kasese and Kalangala districts*, hold twelve 3-day mobile legal aid camps, offer legal representation to 30 cases of women and children, provide legal support to 5 torture cases and 575 prisoners on death row, run six one-week radio talk shows on human rights and state obligations, conduct eight community awareness sessions on criminal justice processes, undertake tracer services for at least 15,000 sureties and submit researched petition / memorandum on the unconstitutionality of the Police Act Section 35.

Outputs

a) Pro bono Legal Assistance to women and children

In order to consolidate our outreach program under the legal aid component, in 2008, FHRI started implementation of a project titled; *'Promoting access to justice for socially deprived women and children in Uganda with specific reference to Busia, Kalangala, Lira, Kiboga, Sembabule and Kasese districts'*, co- funded by the European Union (EU) under the 9th EDF and HIVOS through the support to Human Rights and Good Governance Program. The activities implemented under



PROGRAM ACTIVITIES

this project include: Baseline surveys, Paralegal Training Courses, the conduct of Legal Aid camps and Radio talk shows on issues of Human Rights and access to justice.

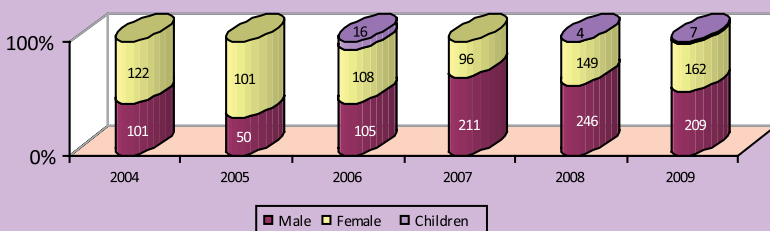
In 2009, in preparation for the district based paralegal courses, FHRI carried out 6 baseline surveys in the six target districts. The baseline surveys were part of the preparations for the six paralegal training courses and the development of the course curriculum. The objectives of the baseline surveys were to map out the practical human rights issues and challenges on the ground in relation to the levels of awareness of women and children's rights. The 6 Baseline surveys for Busia, Kalangala, Sembabule, Kiboga, Lira and Kasese districts were carried out between the period: 21st October – 13th June 2009. A total of 872 respondents were reached during the surveys. The activities secured a buy in for the program by the district authorities in the target districts and the findings supported the development of the curriculum on Gender Based Violence and Human Rights and the paralegal training courses conducted.

The six 5-day paralegal trainings conducted in Kiboga district (2nd – 6th August 2009), Kasese and Lira districts (30th August – 4th September 2009), Kalangala and Busia districts (20th – 25th September 2009) and Sembabule district (11th – 16th October 2009), equipped partner Community Based Organization members with knowledge and skills in Human Rights and Gender Based Violence (GBV) to ensure enhanced access to justice for victims of human rights abuse and GBV. A total of 284 trainees (137 men and 147 women) participated in the trainings.

The training courses were co-facilitated by FHRI Resource team, JLOS officials and experts from CSOs working on issues of GBV. Although the topics were generic for all districts, each training course focused in detail on some of the unique district based human rights issues and challenges identified during the baseline surveys. For Kiboga and Kasese districts, emphasis was on property rights in marriage, widow inheritance, wife sharing and domestic violence. While in Lira district, the focus was on transitional justice and the Peace Recovery and Development Program (PRDP) and its perceived impact on women and children. In Busia, emphasis was on child trafficking while in Kalangala and Sembabule districts the focus was on domestic violence and child labour.

Under the same project, FHRI conducted fourteen 2-day mobile legal aid camps in the six districts alongside the training courses. The camps were conducted in schools, community centers, markets, hospitals and in some instances open ground by FHRI Legal Officers and paralegals. A total of three hundred eighty one (381) clients (86 men, 293 women and 2 children) were attended to, the highest number registered in Kasese due to escalating land cases as a result of few available Magistrates in the district to hear cases. Figure 1 below illustrates the number of cases by gender and district.

Fig 1: Category of Cases by Gender and District



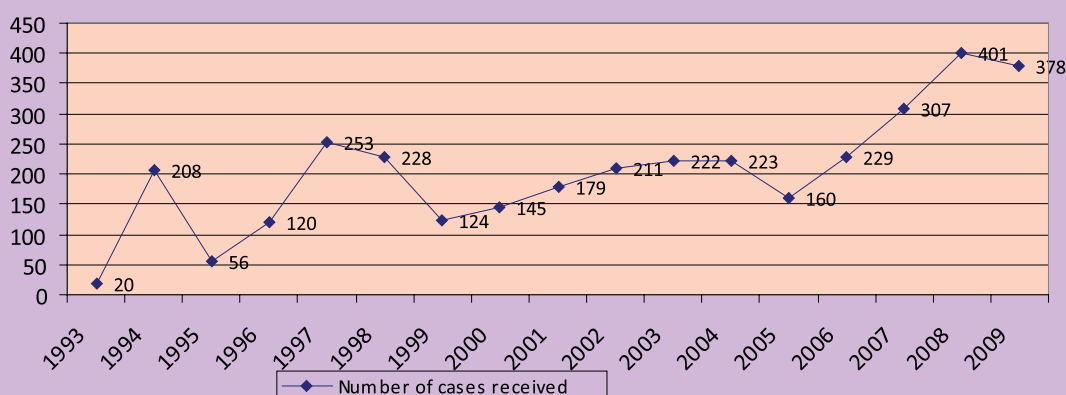
From figure 1 above, although the number and profile of cases differed from district to district, common GBV cases handled were; property grabbing from widows and orphans, administration of estates, child custody, family neglect and maintenance, domestic violence against women and

children, defilement and other criminal cases such as destruction of property, arson and threatening violence. And out of 381 clients received, 54 received child support, 10 had their property redeemed, 8 obtained compensation for damages suffered, 1 secured court bail, 144 received legal advice on GBV and human rights issues, 11 were assisted to file their cases in court, 2 were protected from domestic violence, 9 were still receiving legal support from FHRI and 122 victims were appropriately referred to key JLOS institutions like Police (Child and Family Protection Unit), Local Councils and community based human rights groups.

The six one week phone in radio talk shows were also run parallel to the paralegal training courses on local community radios including; Radio Kiboga (Kiboga district), Radio Sseke (Kalangala), Eastern Voice (Busia), Mbabule FM (Sembabule), Voice of Lango (Lira) and Radio Messiah (Kasese), 8pm – 9pm from Sunday to Friday. The radio talk-shows provided an opportunity to those who were not trainees to discuss human rights issues which were addressed during the paralegal training courses on a daily basis.

During the year, FHRI under its Legal Aid Unit attended to walk –in victims of human rights violations and continued to provide legal support through a rapid response mechanism and relief in cases of violations suffered. In 2009, FHRI's Legal Aid Unit received and handled three hundred seventy eight (378) cases of human rights abuse. Figure 2 below illustrates the number of cases by FHRI since 1993:

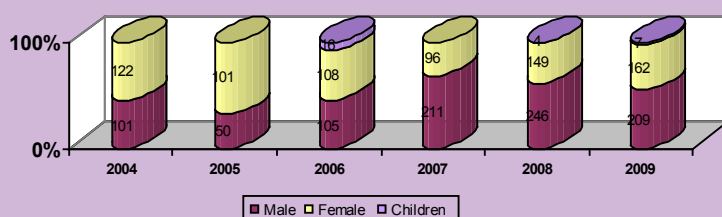
Fig 2: Number of cases received by FHRI since 1993 to 2009



As illustrated above the total number of cases handled by the Unit were 378. The number of cases handled in 2009 fell by 26 as compared to 2008. In 2009, both men and women sought legal support as illustrated in figure 3 below:

Fig 3: Category of Cases by Gender; 2004 - 2009

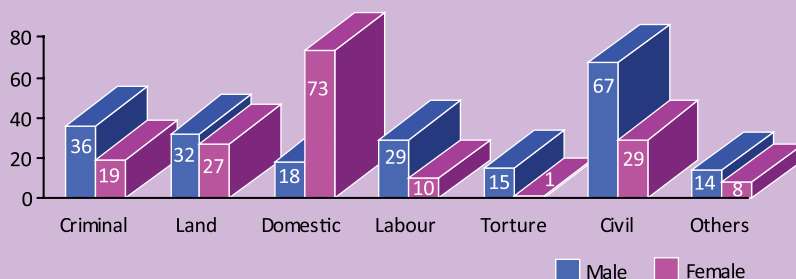
Fig 3: Category of Cases by Gender; 2004 - 2009



Male cases constituted the bulk of cases totaling 209, the female at 162 and 7 children. This trend could be attributed to the fact that men seem to have more knowledge of their rights and aware of where to seek redress and support as compared to the women who are not as exposed and knowledgeable. Further more, women are afraid to claim or stand up for their rights due to the fear and risk of being abandoned or divorced by their husbands, or triggering disagreements / conflicts within and outside their families.

Like in 2008, the majority of cases in 2009 constituted domestic related cases. Figure 4 below provides an illustration of the nature of violations reported during the year.

Fig 4: Nature of violations and prevalence by Gender: 2009



The domestic related cases comprised of; child maintenance, child custody, desertion by fathers, inheritance (administration of estates) and domestic violence. Civil cases on the other hand comprised the second largest category of cases broken down to include but not limited to torts, breach of contract, pension claims, insurance claims, loan repayments, rent arrears, unlawful eviction from school, false imprisonment, unlawful dismissal from work, enforcement of court orders and environmental cases.

Land cases also comprised a big percentage of cases handled. This category included unlawful land evictions, trespass, land encroachment and wrongful sale of family land by relatives or neighbors. On the other hand, criminal cases included assault, threatening violence, theft, robbery, defilement, forgery, possession of fire arms, malicious damage to property, murder and assault occasioning grievous bodily harm while some clients just needed assistance to access police bond or bail. Labor cases comprised of non payment of salary arrears, wrongful dismissal, and compensation claims. The category referred to as others comprised of, among others, accident claims and refugee cases.

Through provision of legal advice, holding mediations and working hand in hand with local authorities, the FHRI Legal Aid Unit managed to successfully provide effective remedies to some cases. Out of the 378 cases received, 45 women accessed child support, 26 victims were compensated, 20 persons had their property returned and 6 persons were released on bond or bail.

b) Criminal Legal Defence

This component has three key activity areas: Reparation of Torture Survivors, Representation of Death row inmates and Paralegal Advisory Services (PAS).

i. Reparation for Torture Survivors

On 17th October 2008, FHRI in partnership with REDRESS (UK) filed a petition on enforcement of decisions in favour of torture victims made by Uganda Human Rights Commission (UHRC) in the High Court. FHRI subsequently filed an application for writ of mandamus on 28th November 2008. On 24th February 2009 the petition cited as; *“Miscellaneous Cause No. 512 of 2008: Sgt. Tumwine Julius and Pte. Nanguma Fred Vs the Attorney General”* was heard before Justice Betty Musoke of the High Court. The Attorney General conceded and entered a consent judgment to pay the outstanding amounts due to the applicants and by year’s end, a consent order had been extracted awaiting enforcement.

In the same vein, FHRI provided legal support to 18 victims/survivors of torture with collection of evidentiary materials, filing of cases before the Uganda Human Rights Commission Tribunal, following up of cases within this system, providing legal support during the hearing for some of these cases and linking the victim to the commission.

In a related effort, FHRI presented a petition to the Attorney General proposing reforms within the human rights victims’ award procedure in the Ministry of Justice and Constitutional Affairs and recommended the establishment of a human rights desk to specifically handle human rights awards.

ii. Representation of Death Row inmates

The Supreme Court Appeal ruling arising from Constitutional Court petition cited as, *‘Suzan Kigula and 416 others Vs Attorney General’* was finally delivered on 21st January 2009. Although the Supreme Court of Uganda upheld the imposition of the death penalty as Constitutional, the Justices of the Court upheld mandatory death sentences as unconstitutional while making far reaching orders enriching jurisprudence around sentencing in capital offences in Uganda and the world over. The Supreme Court held the following:

- *That the death penalty is Constitutional and does not in any way conflict with Article 22 (1)⁷ and 44 (a)⁸ as long as the sentence of death was passed by a competent court after a fair trial and it has been confirmed by the highest appellate Court. Such a sentence could not be torture, cruel or degrading punishment in the context of Article 24.*
- *That a Mandatory death sentence is inconsistent with the Constitution and that all laws on the statute books in Uganda that provide for this are void. Such a mandatory sentence can only be regarded as a maximum sentence.*
- *That a delay in carrying out the death sentence beyond three years from the date when the sentence of death was confirmed by the highest court constitutes unreasonable delay. At the end of the period, of three years, after the highest appellate court has confirmed the sentence and if the President shall not have exercised his prerogative one way or the other, the death sentence shall be deemed to be commuted to life imprisonment without remission.*

⁷ Provides for the Right to life.

⁸ Refers to right to freedom from Torture as a non-derogable right.





Media reporting mtng at Munyonyo
(Reparations project)

- *That the method of hanging is not unconstitutional in the context of Article 24⁹ of the Constitution of Uganda- a method that causes death within minutes meets the standard of not causing excessive pain and suffering as required by International standards.*

The court thus declared that,

- *For the respondents whose sentences were already confirmed by the highest appellate Court, their petitions for mercy under Article 121¹⁰ of the Constitution must be processed and determined within three years from the date of confirmation of the sentence. Where after three years no decision has been made by the Executive, the death sentence shall be deemed commuted to imprisonment for life with remission.*
- *For those respondents whose sentences arose from the mandatory sentence provisions and are still pending before an appellate Court, their cases shall be remitted to the High Court for them to be heard on mitigation of sentence and the High Court may pass such sentence as it deems fit under the law.*

In their judgment, the Justices of the Supreme Court urged the Legislature to re-open debate on the desirability of the death penalty on the Statute books particularly in light of findings that for many years, no death sentences had been executed yet individuals concerned continued to be incarcerated on death row without knowing whether they were pardoned, had their sentences commuted or are to be executed.

Following the Supreme Court ruling, FHRI together with Katende & Sempebwa Advocates conducted a debriefing session for prisoners in Luzira on the interpretation of the judgment and its

9 *Prohibits torture, cruel, inhuman and degrading treatment*
10 *Provides for Prerogative of Mercy.*

impact on death row inmates on 21st July 2009. Further the Solicitor General of the Republic of Uganda provided an interpretation of the judgment laying down the effects of the Judgments and orders for prisoners on death row in Uganda for implementation by the Uganda Prisons Service.

As part of the death penalty campaign, FHRI and the Death Penalty Project UK organized a one day regional meeting on the abolition of death penalty in Africa on 13th February 2009 at the Sheraton Hotel Kampala. The meeting aimed at sharing practical experiences on the application of the death penalty in Africa was attended by twenty five (25) delegates from Kenya, Nigeria, Malawi, Tanzania, Zambia, United Kingdom and Uganda. At the end of the meeting, delegates recommended the creation of a joint network on the abolition of the death penalty in the region.

FHRI continued to conduct interviews for 540 prisoners on death row in Luzira and Jinja main prison, Kirinya, facilitated the psychiatric assessments of 575 prisoners on death row, undertook witness tracking in districts of Lira, Apach, Kitgum, Arua, Pakwach and Nebbi and obtained 40 witness statements, prepared mitigation statements and supported one mitigation hearing for '*Uganda Vs Bwenge Patrick HCT-03-CR-SC 190/1996*' on 6th October 2009.

On 4th February 2009, FHRI made an oral presentation to the Donor Human Rights Working Group on the ruling of the Supreme Court on the death penalty and the implications on sentencing in capital offences.

iii. Paralegal Advisory Services (PAS)

The Paralegal Advisory Service project seeks to improve understanding of principles and procedures of the formal criminal justice system by both users and criminal justice agencies in Uganda. The project contributes to physical and case file decongestion, links the demand and supply sides and advocates for practice change in the criminal justice system.

The PAS project which commenced in October 2005 as a pilot in four sites had by end of 2009 gradually expanded to ten sites including: Gulu, Jinja, Arua, Kitgum, Mbarara, Bushenyi, Lira sites hosted by Uganda Prisons Service (UPS); Kampala site hosted by UPS and Uganda Christian Lawyers Fraternity (UCLF); Mbale site hosted by Foundation for Development of Needy Communities (FDNC) and; the Fort Portal site hosted by Association of Human Rights Organisations (AHURIO). The programme is directly implemented by thirty eight (38) Paralegals and thirty-nine (39) Social Workers employed by the above hosts, who are placed in prisons and police stations to provide basic legal advice, follow up cases in the criminal justice institutions, and link the suspects and remand prisoners to their families and community members for requisite assistance.

In 2009, the paralegals contributed to the process of physical and case file decongestion within the targeted magisterial areas as illustrated in figure 5 below:



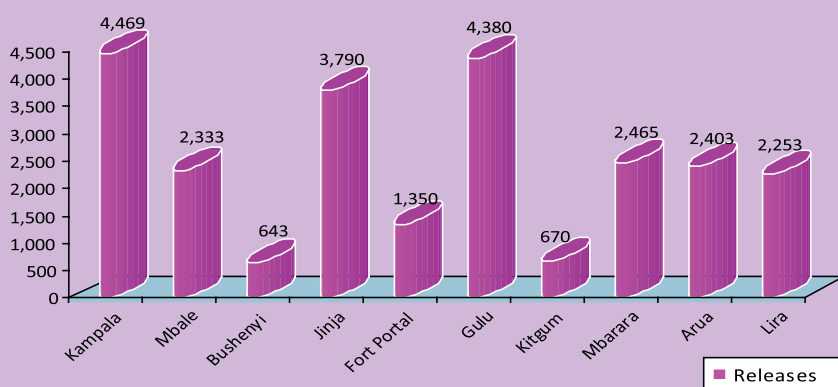
Fig: 5 Tabulation reflecting PAS releases; January-December 2009

Project Site	Bail	Bond	Communi-ty Service	ADR	Fines	Other Releases	Total Re-leases	Sureties Traced	Basic Legal Advice
Kampala	1,310	1,219	1,241	115	7	577	4,469	7,325	22,581
Mbale	178	645	95	142	0	1,273	2,333	1,109	1,524
Bushenyi	117	142	11	25	5	343	643	358	728
Jinja	447	1,668	51	507	11	1,106	3,790	4,546	2,000
Fort Portal	252	457	125	78	24	414	1,350	4,521	6,662
Gulu	1,619	1,151	110	29	39	1,432	4,380	2,384	2,093
Kitgum	259	215	43	14	0	139	670	236	254
Mbarara	722	589	109	295	15	735	2,465	1,901	1,888
Arua	532	778	770	27	15	281	2,403	1,679	7,771
Lira	695	725	66	14	88	665	2,253	2,009	3,790
Total	6,131	7,589	2,621	2,461	204	6,965	24,756	26,068	49,291

In 2009, the total number of suspects and inmates released through PAS interventions was twenty four thousand seven hundred fifty six (24,756) among them; 6,131 (bail), 7,589 (bond), 2,621 (community service order), 2,461 (mediation / diversion), 204 (fine payment) and 6,965 (dismissals / discontinuation). The paralegals also traced a total of twenty six thousand sixty eight (26,068) sureties and offered advice and counseling to forty nine thousand two hundred ninety one (49,291) inmates.

The performance of each of the individual PAS sites in terms of total releases was commendable as illustrated in figure 6 below:

Fig 6: Performance of PAS Sites in terms of total releases; 2009



Like in 2008, Kampala site hosted by Uganda Prison Service (UPS) and Uganda Christian Lawyers Fraternity with ten paralegals and eight social workers performed extremely well on releases with a total of four thousand four hundred sixty nine (4,469) inmates from Luzira prison, Kira

Road Police Station, Central Police Station, Old Kampala Police Station and Wandegaya Police Station. The Gulu site hosted by UPS with three paralegals and four social workers secured the second highest releases with a total of four thousand three hundred eighty (4,380) inmates from Gulu Main Prison and Gulu Police Station.

As part of the PAS induction and preparation for field operations in the various sites, PAS conducted an orientation training workshop for the new twenty-three (23) paralegals, social workers and supervisors from Kitgum, Jinja, Bushenyi, Mbarara, Fort Portal, Gulu and Lira Sites, 27th to 31st July 2009, Buziga Country Resort, Kampala. Representatives from CJ Institutions facilitated the various sessions relating to PAS work. The training centered on the procedures and processes in the various Criminal Justice institutions inclusive of Police, Prisons and Court; administrative skills to manage the various sites, team work amongst the members, communication and report writing.

In August and September 2009, PAS organized exchange programmes in the Northern and South-western regions of Uganda. The exchange programme provided hands on experiences for the new staff through interaction with the older staff and an opportunity for all the sites to share best practices. As a spin off, the program also energized and motivated older staff who were later taken to the new project sites to kick start the PAS programme.

During the period of June to July 2009, Phase two of PAS project was regionally launched in Kitgum, Bushenyi, Mbarara, Lira, Gulu, Mbale, Jinja, Arua and Fort Portal with participation of the respective district officials, district leaders, PAS National Steering Committee and FHRI. Activities included radio talk shows on the respective local radio stations, procession through the respective towns led by local brass bands with participation of district officials and all CJ institutions and screening of the PAS documentary. The PAS district launches climaxed with a public function and luncheon for all stakeholders.

In 2009, PAS also held four Steering Committee meetings and discussed the bottlenecks in the administration of justice. The Steering Committee is chaired by Hon. Justice Gidudu of the High Court of Uganda.

c) Public Interest Litigation / Legislative Advocacy

i. Access to Justice for Pre-trial detainees

On 18th July 2006, FHRI under a project titled: 'Enhancing access to justice for pre-trial detainees through creation of awareness and enforcement of their constitutional right to bail', filed a Constitutional Petition cited as; Constitutional Petition No. 20 of 2006; Foundation for Human Rights Initiative Vs. the Attorney General challenging overstay on remand of pre-trial detainees. The Judgment was delivered on the 26th March 2008 before the Registrar of the Constitutional Court, Her Worship Gladys Nakibule Kisseka. While Sections 16 of the Trial on Indictment Act, Section 76 of the Magistrates Court Act (MCA), Sections 219, 231 and 248 of the UPDF Act and Section 25 (2) of the Police Act that prescribed lengthy periods of detention before trial were found to be unconstitutional, the Court ruled that sections 14 (2) and 15(1-3) of the Trial on Indictment Act and Sections 75(2) and 76 of the Magistrates Court Act were not unconstitutional in as far as they provided for the regulation of the grant of bail.



On 31st July 2009, an Appeal was filed in the Supreme Court by FHRI against sections of the judgment that did not succeed or were not addressed at all by the Constitutional Court. However, the appeal had not been heard by end of the year. As part of this initiative FHRI started work on the production of a Handbook on Bail which would facilitate understanding on the controversial subject.

With the framework of the Legal Aid Service Providers' Network (LASPNET), FHRI provided legal support to pre-trial September 2009 rioters who were arrested and charged. FHRI opposed during a press conference organized on 17th February 2009 Government's proposal seeking to extend the pre-trial detention period for suspects in police cells from 48 hours to 90 hours in order to interrogate suspects of serious crimes as well as advised Government against passing and operationalizing the Communication Interception Bill, 2007 warning that it was a violation of the right to privacy and freedom of expression, association and assembly. The campaign against torture was further amplified when the Coalition Against Torture formulated the 'Prevention of Torture Bill' 2009.

Outcome

The six Paralegal training courses conducted during the year have enhanced knowledge on human rights and Gender Based Violence among the 284 members of community human rights groups that participated.

Four groups including, Pastoral Women Alliance to Break Cultural Chains in Kiboga (PWABC), Kalangala Human Rights Defenders in Kalangala (KHRD), Lira Women Peace Initiative (LIWEPI) in Lira and Rwenzori Peace Bridge for Reconciliation (RPBR) in Kasese have conducted follow up human rights sessions and utilized the information packs and knowledge acquired during the paralegal training courses among community leaders, schools, churches and women groups. The paralegal training also strengthened linkages and collaboration between the community based groups and JLOS institutions. This interaction with JLOS officials has enabled the paralegals to develop rapport and a working relationship with these key officials which enhance coordinated and sustainable legal assistance to victims of Gender Based Violence.

In some of the districts like Kiboga the referral rate of cases by the paralegals to JLOS institutions has increased. Finally, the collaboration with the media and local radio stations under the program increased community awareness. The range and quality of guests hosted on the radio talk shows was a rich mix for ordinary community members to engage in qualitative dialogues with their district political heads on issues of rights and state obligations, the situation of women and children in the districts. For the district officials, the talk shows were also an opportunity to obtain feedback on different government programs on water and sanitation, agriculture, health and education. The participation of FHRI, paralegals and district based NGOs provided an opportunity for a healthy exchange of information on the program, receive on spot legal advice, and get enlightened on the concept of human rights, women's rights and Gender Based Violence.

During the 14 legal aid camps conducted, 372 victims of Gender Based Violence and other human rights violations were able to access some form of legal assistance. 9 of the cases received are still going through mediation processes. The camps have been run in some very remote and hard to reach sub-counties in all the target districts and as a result women, children and men

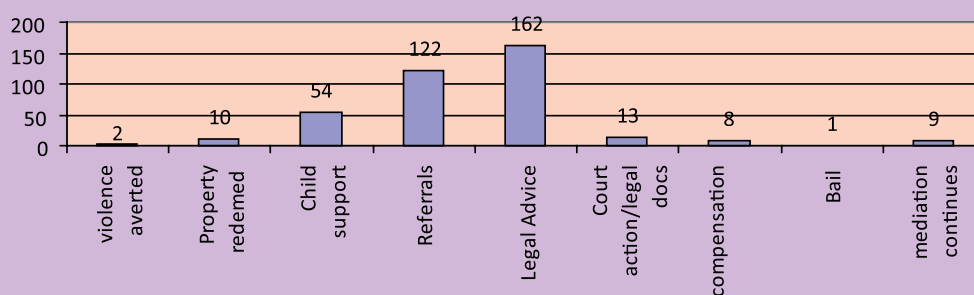


Interaction with the community during the baseline survey, Kalangala district

were able to receive free legal aid services. The number of people reached has surpassed the planned 360 demonstrating the relevance of the action.

Secondly, a number of remedies have been received by the victims of Gender Based Violence and human rights abuse as a result of the camps as illustrated in figure 7 below:

Fig 7: Nature of remedies received



As indicated in figure 7 above, the majority of the cases (144) sought legal advice on a number of issues related to GBV and human rights abuse. 122 victims of Gender based violence and human rights abuse were appropriately referred to key JLOS institutions like the Police (Child and Family Protection Unit), Local Councils, community based paralegals and community based human rights groups, district based civil society groups specialized in Land matters and domestic violence, Chief Administrative Officer/ Administrator General, the District Probation Officer, the Paralegal Advisory Services Program (PAS) and Courts of law are being closely monitored and supported.

■ PROGRAM ACTIVITIES

54 cases received child support and maintenance from their parents/relatives, while 11 cases were taken up for court action and assisted with drafting of legal documents. 10 had their property redeemed; mainly widows and orphans while 8 received compensation for damages suffered. 2 cases, one woman and child who sought support and protection from an abusive husband and parent were assisted when the paralegals intervened and the violence averted while 1 case was assisted with obtaining Court Bail. 9 cases are still being mediated by the legal officers and paralegals under the project.

The advocacy for a National Legal Aid Policy has been stepped up within the framework of the Legal Aid Service Provider's network. The Network constantly engages with Ministry of Justice and Constitutional Affairs on the subject.

The campaign against torture has metamorphosed into an important stage. The petition for enforcement of awards in respect of victims of torture from the Uganda Human Rights Commission has enriched the advocacy around the right to reparations for victims of torture; a number of victims increasingly seek redress and while others have had their awards honored. The mandamus application has further set a precedent in as far as it has emphasized Government's obligation to honor awards made by Court/Tribunals in respect of torture victims.

Therefore the role played by FHRI and REDRESS TRUST in providing legal support to victims of torture who may otherwise never have been able to seek redress for violations suffered is commendable. The assistance in registering complaints, gathering evidentiary materials, the support provided to obtain medical treatment and records, the efforts undertaken to move the UHRC and the Office of the Attorney General to determine complaints and awards expeditiously and the support provided towards securing actual payment of awards to survivors of torture, all put together have provided a useful link and bridge between the victims of torture and the institutions mandated to ensure that these victims access some form of redress.

The Supreme Court ruling on death penalty is a major step in the campaign against the imposition of the death penalty in Uganda. Following the ruling, 152 prisoners had their sentences commuted to life imprisonment without remission and 5 prisoners released. The very first mitigation hearing in Uganda Vs Bwenge Patrick HCT-03-CR-SC 190/1996 has set precedent and has generated debate within the Judiciary on the subject of the death penalty and sentencing in capital cases. While delivering the ruling on the 9th of November, 09, her Lordship Anna Magezi recalled the sacrosanct nature of life which can only be taken away in the extreme of cases and in effect overturned the death sentence substituting it with two years imprisonment. This ruling has shone a ray of hope in the lives of inmates on death row reducing the prospects of executions being carried out.

The out come of the campaign has stimulated dialogue on the suitability of the death penalty within the public, the Justice Law and Order Sector and policy makers who now discuss the merits and demerits of the punishment and its implications on the enjoyment of human rights of both the victim and the perpetrator.

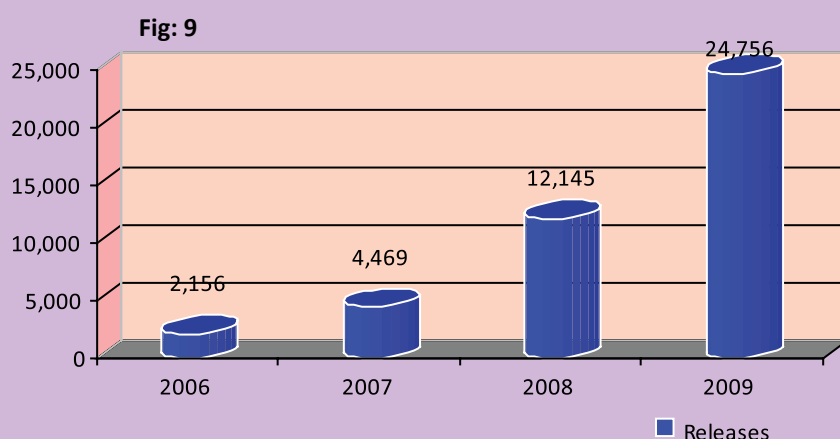
The print and electronic media have perhaps been one of the biggest consumers of the Supreme Court ruling arising out of the appeal as it has continuously stimulated debate on the utility of the death penalty and given an opportunity to various stakeholders such as policy makers, the judiciary and the general public to generate a considered opinion on capital punishment. In 2009, 13 articles were published on the Supreme Court judgment as shown in figure 8 below:

Fig: 8 Articles on the death penalty in Uganda

No.	Title of the Article	Source
1.	<i>Death Sentence judgment puzzles lawyers</i>	<i>New Vision Friday January 23rd ,2009</i>
2.	<i>Death Penalty is still alive in Uganda</i>	<i>Sunday Monitor, January 25th ,2009</i>
3.	<i>Death penalty has no place in a democracy</i>	<i>Daily Monitor, Monday January 26th ,2009</i>
4.	<i>Museveni backs Court on Death Penalty</i>	<i>http/deathpenaltynews.blogspot.com/2009/10, posted on Monday January 26th 2009</i>
5.	<i>MPs should revise the death penalty</i>	<i>New Vision, Monday January 26th 2009</i>
6.	<i>The Death Penalty should stay</i>	<i>New Vision, Monday January 26th 2009</i>
7.	<i>Implications of the Death Penalty Ruling</i>	<i>Daily Monitor, Wednesday January 28th 2009</i>
8.	<i>Uganda must shun the Death Penalty</i>	<i>New Vision, Friday January 30th 2009</i>
9.	<i>35 convicts escape hanging</i>	<i>New Vision, Tuesday April 7th 2009</i>
10.	<i>Five Prisoners on death row set to be released</i>	<i>Sunday Monitor, August 9th 2009</i>
11.	<i>Woman gets lifeline after 10 years in prison</i>	<i>Daily Monitor, Friday August 28th 2009</i>
12.	<i>HIV Positive persons should not be sentenced to death</i>	<i>New Vision, Wednesday November 11th 2009</i>
13.	<i>Five Death row inmates pardoned</i>	<i>New Vision, Monday November 16th 2009</i>

It is also worth noting yet again that the Judiciary in their judgment has called upon the Parliament of Uganda to initiate and open debate on the desirability of the sentence of death in Uganda.

Since PAS inception in October 2005, the total number of inmates released through PAS interventions has steadily increased as shown in figure 9 below:



From 2,156 in 2006 to 24, 756 in 2009, the roll out to 2 new sites in Kitgum and Bushenyi, the district launches which have increased awareness of the services of PAS and the continued recognition of PAS as an important stake holder in the administration of justice in Uganda has led to the increased success of the program.

The gap that PAS has attempted to fill by linking the demand and supply side of the criminal justice system has placed the program in the premier position and as such makes it an important actor in national programs and processes like the JLOS Criminal Justice Working Group, the JLOS Annual Government of Uganda – Donor reviews, the SAJEA program and the Justice Centers project hosted by the Judiciary.

The Legislative advocacy component has had useful outcomes. Following the ruling of the Constitutional Court which held the Police Act , that extended the length of time before which an accused must be produced in court as unconstitutional, the Professional Standards Unit of the Uganda Police Force issued a directive on 29th December 2009 authorizing arrest of any Police Officer who detains a suspect beyond the mandatory forty eight (48) hours. This directive if implemented will see a number of pre-trial detainees accessing justice expeditiously through the system. On the other hand, parliamentary debates on the Regulation of the Interception of Communication Bill 2007 has been suspended subject to further scrutiny of the bill due to the pressure from the sector.

Challenges

The lack of a National Legal Aid Policy remains one major challenge within the sector. With only a handful of citizens able to access and use legal services and the system, there is still little hope that thousands of Ugandans are able to genuinely enjoy their constitutional rights.

The case disposal rate still remains a challenge within the criminal system. The problem of case adjournments, missing files, corruption within the system continues to contribute to delays and have in turn disillusioned victims of rights abuse lowering their motivation to pursue cases further. Relatedly, reducing the length of pre-trial detention and length of trial is a challenge that has to be quickly addressed by JLOS.

In order to respond to some of the above challenges, multiple strategies will have to be adopted and existing ones strengthened by FHRI. The advocacy for a national legal aid scheme within the framework of LASPNET and the JLOS should be priority for FHRI. Furthermore, the Pre-trial petition which is at the appeal level may provide some answers to the challenge of inordinate length of the pre-trial detention period.

III. CAPACITY DEVELOPMENT DIVISION

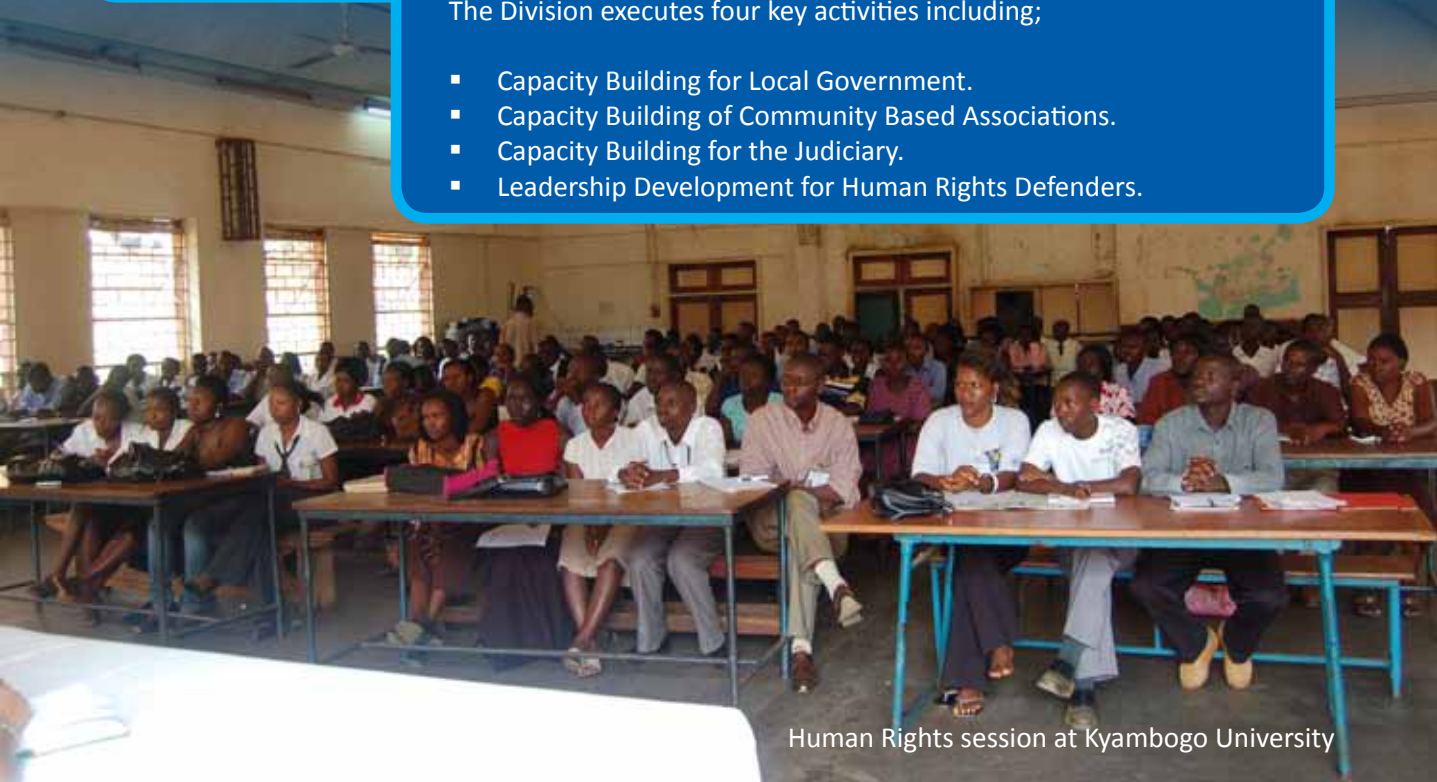
Objective

The overall objective of the Capacity Development Division is to build the civic competence of democratic structures for effective participation in governance.

The Division seeks to enhance decentralized governance through promoting participatory decision making processes, build the capacity of community based human rights associations to effectively monitor and report, advocate for best practices in the administration of justice and to build a cadre of human rights defenders who are passionate and knowledgeable about human rights.

The Division executes four key activities including;

- Capacity Building for Local Government.
- Capacity Building of Community Based Associations.
- Capacity Building for the Judiciary.
- Leadership Development for Human Rights Defenders.



Human Rights session at Kyambogo University

Implementation

Under the Capacity Development Division, FHRI conducts capacity building sessions for Local Government and Community Based Human Rights Associations, convenes annual judicial round-tables, convenes human rights sessions for University Human Rights Clubs and annual Inter- University human rights competitions and convenes Summer Courses for Human Rights Defenders in the Great Lakes region on an annual basis.

Planned Activities

The division planned to undertake the following activities in 2009: Baseline surveys and needs assessments amongst media groups and community based human rights groups in preparation of the regional capacity building courses on human rights monitoring and reporting, production of a country specific pocket guide on human rights monitoring and reporting, conduct a human rights monitoring and reporting course for Western Uganda, undertake a reprint of the Practice Guide on good practices in Local Government, conduct five, 7-day capacity building courses for Community based human rights groups on Organizational Development, handover equipment to the targeted Community based human rights groups, convene the 3-day Judicial Roundtable on Juvenile Justice in Uganda, conduct four, 1-day human rights sessions for human rights clubs within the University human rights network, support one Inter-University human rights competition and convene the in-augural summer course for 25 human rights defenders from the Great Lakes region.

Output

a) Capacity Building for Local Government.

In 2008, FHRI under the program titled; *‘Enhancing decentralized governance in Uganda with special reference to Wakiso, Tororo, Mukono and Nakasongola districts’*, undertook a Situation analysis in the above districts, authored a Practice Guide titled; *‘Good Practices in Local Governments’*, that was launched by the Minister for Local Government and conducted a 2-day Capacity Building Session for district leaders in the above districts on the 19th – 20th September 2008, at Ridar Hotel, Seeta-Mukono.

As a replication of the same program in four other districts in Uganda, FHRI in 2009 reprinted 250 copies of the Practice Guide on good practices in local government and conducted a 2-day capacity building workshop for Kamuli district leaders from the 12th -13th November 2009 at Malamu Centre, Kamuli district. The course was jointly organized with Kamuli Network of NGOs (KANENGO) and co-facilitated by an expert group comprising of Members of Parliament including Hon. William Okecho, Hon. James Kubekeya, Hon. Norman Muwulize and FHRI Executive Director, Mr. Livingstone Sewanyana.

The course which was attended by 50 participants including (37 male and 13 female) district political leaders, technical heads and staff of the district, district councilors and representatives of civil society organizations was officially opened by the LCV Chairperson of Kamuli District Mr. Stephen Mubiru who overwhelmingly supported the timing of the course and the content. The opportunity for the district leadership to interact with Members of Parliament on issues of participatory budgeting, policy formulation, human rights and state obligations among others was appreciated and would add a lot of value to the work of the district officials.

Using the Practice Guide as a reference tool, the course facilitators interrogated and provoked discussions on *participatory Policy formulation in Local Government, formulation of legislation in local councils, Local Government in a multiparty setting, governance and public accountability, participatory budgeting in local government and respect for human rights and state compliance within the local government context.*

The sessions stirred debate amongst the participants who pointed out a number of practical day to day challenges and impediments to nurturing responsive governance models that would enhance people's participation and effective service delivery. Some of these are: weak planning and budgeting processes due to limited knowledge on the same among district leaders in Kamuli district, very limited civil society involvement and oversight in local government processes, weak accountability mechanisms within the district and at national level, corruption and abuse of office by leaders and very limited technical knowledge in policy and legislative formulation.

Capacity building sessions such as these conducted periodically were recommended while the partnership with Parliament to encourage engagement on key issues and challenges affecting effective implementation of Local Government programs was applauded and recommended.

b) Capacity Building of Community Based Associations.

This component seeks to strengthen community based human rights groups in human rights monitoring, reporting and advocacy as well as their organizational management for effective human rights advocacy in Uganda.

In 2009, FHRI conducted 6 capacity building courses on organizational management and human rights for community based human rights groups in northern and central regions of Uganda including; Human Rights Monitoring Organization (HURAMO) in Amuru district on 2nd - 3rd February 2009 for 45 participants (20 men and 25 women), Gulu Youth Forum Association (GYFA) in Gulu from the 18th -19th February 2009 for 45 participants (20 men and 25 women) in Northern Uganda. In the central part, 4 organizations including; Youth Revival Association from 5th – 8th May 2009, Kasubi Community Development Association from the 19th -22nd May 2009, Human Rights Target from 14th -17th July 2009 and Bukoggolwa Widows and Orphans Care Centre from the 27th – 30th October 2009 were reached. A total of 186 participants (78 women and 108 men) including staff, volunteers and members of groups as well as local leaders attended the sessions

The sessions were preceded by consultative and needs assessment missions to assess current group needs with regard to the content of the courses.

The Capacity building sessions addressed group specific gaps, enhanced group members' understanding of human rights, state responsibility and individual obligations. Exciting debates on civil and political rights in the context of the current multi-party form of governance in Uganda during the sessions were common, group members focused more on the freedom of association and assembly, the right to participate in governance as well as the importance of human rights monitoring and documentation and the justification for the derogation of human rights. At the end of each of the sessions, each group identified key region-specific human rights issues that would inform choice of strategies in the next one year as well as key institutional/organizational issues that would be improved.

Sessions on various aspects of project management including: implementation and evaluation of projects were beneficial to the groups who were largely unaware of some of the existing project evaluation tools that could be employed in this regard. Partnership building was also underscored and a stake holder analysis was undertaken during the sessions for the groups to



Delegates of the summer course

identify their critical stake holders and the requisite expectations. At the end of each of the sessions, each group drew up action plans that would guide them in the implementation of their programs. The groups have highlighted the importance of strengthening collaboration with local leaders in their human rights work and government institutions for effective human rights protection work.

FHRI subscribes to the notion that the credibility and quality of the human rights reports largely depends on the source of information, the ability of the source to access information, ability of the source to interpret the information, ability to analyse and the ability to document, report and engage the relevant actor in order to foster change. In 2009, FHRI run the 1st Course on Human Rights Monitoring and Reporting in a series of 4 in Western Uganda for key human rights monitors from Community based human rights groups and media associations in the region.

Conducted from 6th -11th September 2009 at the Lake View Hotel in Mbarara, the course was attended by a total of 38 trainees (27 men, 11 women), drawn from, Ankole Journalists Association, Rwenzori Press Club, Kigezi Press Club, Kitara Union of Media Practitioners, Arigare Human Rights Voluntary Group, Rwenzori Peace Bridge for Reconciliation, Association for Human Rights Organizations, Kabarole Research Centre and Parents Concern Kamunge. The training course was officially opened by the LCV Chairperson of Mbarara district, Mr. Yaguma Tarushoka Wilberforce and the Executive Director of the Foundation for Human Rights Initiative Mr. Livingstone Sewanyana and closed by the Resident District Commissioner of Mbarara district Mr. Kandole Clement.

The training course which was the first in a series of 4 was facilitated by the FHRI resource team and practitioners from the Uganda Police, Uganda Prisons Service and Judicial Officers from the

region. The resource persons laid emphasis on contact building, monitoring, fact finding and interviewing, documenting and reporting and principles of human rights monitoring and reporting, gender and human rights monitoring.

The course was preceded by baseline surveys conducted in Northern, Eastern, Western and Central Uganda as preparatory and needs assessment tools for the conduct of the regional human rights courses.

In 2009, FHRI held a one day training session for 46 law enforcement officials at Katwe police station on the 26th July 2009 on rights of suspects and prevention of crime in the community.

In order to strengthen community initiatives, FHRI handed over two bicycles, one computer and motor cycle to Pastoral Women Alliance to Break Cultural Chains in Kiboga district on 3rd August 2009.

FHRI disseminated key human rights IEC materials on human rights and governance to 23 representatives of Apac NGO Link, in Apac, Koboko Civil Society Network in Koboko, DENIVA, Community Development Resource Network (CDRN), Association for World Education (AWE-Uganda) in Nakapiripirit, Human Rights Network, (HURINET), the International Anti Corruption Theatre Movement (IATM), Recreation for Development Program (RDP) in Masindi, Uganda National Students Association (UNSA), and Masindi NGO Forum in Masindi, all under the Building Local Democracy Program implemented in partnership with MS- Uganda in 2009 at a dissemination workshop convened on 28th July 2009 at Nob View Hotel Kampala. Technical support has also been provided for the recipient organizations.

c) **Leadership Development for Human Rights Defenders**

Building a sustainable human rights movement is key to the attainment of justice, stability and democracy in Uganda. Since 2006 FHRI has contributed to building a cadre of human rights defenders who are passionate and knowledgeable of human rights with the aim of nurturing a human rights culture and social justice movement.

In 2009, FHRI under the University education and training outreach program held 5, one-day human rights sessions for Human Rights Clubs and Law Societies of Universities. The learning institutions involved were; Uganda Christian University on 17th March 2009, Gulu University on 14th October 2009, Mbarara University of Science and Technology on 23rd October 2009, Makerere University on 29th October 2009 and Kyambogo University on 11th November 2009. A total of four hundred seventy two (472) students participated in the sessions.

At the regional level, FHRI convened the 1st five-day Human Rights Summer Course for Human Rights Defenders in the Great Lakes region from 4th – 9th October 2009 at Jinja Nile Resort Hotel, Uganda.

Under the theme, *'Building an effective Social Justice Movement in the East and Horn of Africa'*, the purpose of this in-augural course was to provide Human Rights Defenders with a platform to reflect on their human rights work and experiences as professionals and activists and enrich themselves with knowledge on the risks, opportunities and new tactics to advance human rights

PROGRAM ACTIVITIES

and democratic development in the region.

Addressing the 22 Human Rights Defenders from Uganda, Kenya, Tanzania, Burundi, Rwanda and the Democratic Republic of Congo, H.E Mr. Martin Shearman, British High Commissioner to Uganda who officiated at the opening of the Course urged the human rights defenders to be proactive and extensively draw lessons from the UK Human Rights Act, 2000.

The course was conducted by a Faculty of six well grounded and experienced human rights defenders including Mr. Martin Lwanga from CME Consults, Dr. Christopher Mbazira from Human Rights and Peace Centre, Prof. Joseph Kakooza, Uganda Law Reform Commission, Ms. Heather Kashner, National Democratic Institute, Ms. Elinor Chemonges, FHRI and Mr. Livingstone Sewanyana, FHRI, who interrogated key subjects including; Leadership development and constituency building, dealing with impunity, the legislative process and the criminal justice system, International Human Rights system and its relevance in the quest for respect of human rights, Electoral Democracy and Monitoring and Evaluation. Each delegate gave an account on specific country human rights situations.

As a way of future response to the emerging human rights trends in the region, the course participants flagged up key actions and strategies that could be undertaken to effectively deal with this situation, among others the development of a unified and coordinated system that would address and respond to challenges faced by human rights defenders in the region; lobby for the expansion of the jurisdiction of the East African Court of Justice to handle human rights issues.

Ms. Mugabe, exec Director PWABC speaks to participants at Kiboga paralegal training course



The meeting resolved to hold the course annually on a rotational basis with the proposal to convene the 2nd course in Nairobi, Kenya in 2010 under the auspices of the International Commission of Jurists (Kenya) Chapter.

The annual judicial roundtable on juvenile justice which was planned was not convened due to financial constraints.

Outcome

Overall, FHRI's Capacity building program continues to expand and strengthen the human rights movement in Uganda, reaching out to schools, universities and members of community based human rights groups in the country.

The enhancement of knowledge on human rights amongst members of the groups in the capacity building sessions has motivated and built the necessary inertia among these human rights defenders to continue to carry out human rights promotional activities. The linkages and collaboration with local authorities, Justice Law and Order institutions and the community human rights groups for a more coordinated and systematic exposure of human rights violations in the regions has been greatly enhanced by these capacity building sessions. The sessions have enlisted the participation of these key stake holders and have provided fora for engagement and reform on key human rights issues in these regions mainly relating to access to justice, service delivery, state obligations and individual responsibilities.

The groups engaged in helping the vulnerable to seek justice for the human rights violations committed against them in their communities; a number of referrals to various organizations and agencies have been noted.

Lastly, these interventions continue to expand and strengthen the human rights movement in Uganda. In 2009, a total of four hundred thirty three (433) human rights activists have been reached by the organization adding to the already existing network of human rights activists and monitors in the country.

The course on human rights monitoring and reporting, the course faculty and course materials have enhanced the skills and knowledge of the target group in human rights monitoring and reporting. From the evaluation undertaken after the course, 99% of the course participants expressed satisfaction at the way the course was conducted indicating that the knowledge and skills imparted in the area of human rights monitoring and reporting would aid their work as change agents. The fora which brought together key civil society human rights actors and monitors in the western region provided opportunity and platform for networking and contact building amongst journalists and community based human rights groups.

The group is now part of the country wide network of human rights monitors that are continuously feeding FHRI with information as a result of the monitoring and documentation course. Two thematic human rights reports have been produced on Juvenile Justice in Uganda (January – July 2009) and on Rights of Persons With Disability (July – December 2009) with input from these monitors who provided useful information and contacts during the research, monitoring and documentation processes.

The involvement of other stakeholders like the political leaders and representatives of the Justice Law and Order sector was applauded for contributing opportunities for partnership. The interaction between FHRI, the media groups and the community based human rights groups has resulted in an overwhelming number of groups and individuals joining the Citizens Coalition for Electoral Democracy in Uganda (CCEDU) in order to engage in election monitoring during the upcoming 2011 general elections.

The University Human Rights Network continues to expand. In 2009, FHRI launched three (3) human rights clubs in Kyambogo University, Gulu University and Mbarara University of Science and Technology that registered over 300 members. A total of 12 human rights clubs and a membership of over 1,800 students have been registered within the university outreach program.

There is value in holding the regional summer course for human rights defenders in the Great Lakes region. The forum and the network of defenders created during the course has provided a framework to facilitate a system of networking, tracking human rights violations and provision of speedy response on key issues within the region such as the death penalty campaign, threats to judicial independence, electoral democracy issues, urgent appeals, among others. Course participants have taken a keener interest in Treaty reporting and spearheading collective initiatives in the preparation of stake holder reports before the Universal Periodic review mechanism. The Muslim Human Rights Forum in Kenya, which was represented at the course has taken on the issue of Countering terrorism and Human Rights and hosted a workshop during the year on the role of state and non state actors in upholding human rights in countering terrorism, an action that they promised to undertake during the course.

Challenges

Given the high poverty levels and social pressure that the population faces, there is a growing demand for knowledge, skills and capacity to respond to these challenges. Notwithstanding its success so far, FHRI will have to do more to reach out to millions of people to ensure a critical mass is in place for social change to be realized. Prohibitive as they may be, the costs of translation will have to be borne by FHRI in order to transform human rights materials into useful and usable resources for the masses. Use of local FM radio stations in different communities needs to be expanded in order to reach as many as possible.

IV. COMMUNICATION AND INFORMATION DIVISION

Objective

The Communication and Information Division promotes information flow and builds the corporate image of FHRI.

The Division has three components;

- The Information Centre.
- Public Affairs Unit.
- Documentation Unit.

Implementation

Under the Communication and Information Division, FHRI maintains an Information Centre that provides internet services and secretarial support to staff and resource centre users, regularly updates FHRI website; www.fhri.or.ug, issues quarterly E-Newsletters, hosts book exhibitions during the Human Rights Week in December and the National Book Week, conducts media briefings, issues press releases and oversees the publication of the '*Human Rights Defender*', '*Annual Report*' and reprint of the '*Brochure*' to keep the entire human rights community and stakeholders informed of progress and emerging issues.

Planned Activities

The planned activities for 2009 were; Issue 3 E-Newsletters, conduct 2 book exhibitions, update FHRI website and provide internet services to staff and users, organise media briefings, issue press releases, provide rapid response to human rights violations through urgent actions / appeals, reprint 10,000 Brochures, publish 2 editions of the *Defender*, and issue 500 copies of the Annual Report 2008.

Output

a) The Information Centre

The Information Centre is a reading and reference facility which seeks to promote access to and exchange of information internally, nationally and internationally. In 2009, FHRI under the Centre updated FHRI website, provided internet support, managed and disseminated FHRI E-Newsletter, acquired human rights materials, conducted book exhibitions and provided secretarial services/ support to users.

In 2009, the Information Centre issued two (2) FHRI E-Newsletters; *Volume 7 Issue No. 8*, January - June 2009 and *Volume 7 Issue No. 9*, July - November 2009.

The FHRI website: www.fhri.or.ug is up and running reflecting current programmatic and institutional developments as well as human rights trends in Uganda. The website was redesigned to

PROGRAM ACTIVITIES

include annual announcements, cases of human rights violations, recent human rights reports, press releases and a news room.

The internet and email facility are fully functional and continue to provide support to communication, information sharing and research functions of the organization.

In 2009, the Information Centre participated in three (3) major book exhibitions including; UN Torture day on 26th June 2009, National Book exhibition on 14th – 19th September 2009, and Human Rights Week on 5th – 10th December 2009. During the book exhibitions, 154 people of the general public visited FHRI stalls and over 244 copies of FHRI publications were sold/distributed.

The information centre also extended its services to four hundred thirty three (433) users including 183 women and 250 men. Like in previous years, academic institutions patronised the Information Centre with 95% while independent researchers, civil society users were 5%. Among the academic institutions Kampala International University (KIU) had the highest number of 380 users.

b) Public Affairs Unit

The Public Affairs Unit seeks to promote FHRI's profile and services rendered. The Unit reaches out to the greater public to explain FHRI's advocacy work.

FHRI together with East and Horn of Africa Human Rights Defenders Project (EAHRDP) convened a Human Rights Platform on "*Threats to Democracy Promotion in Developing Countries*", on the occasion of the visit of Mr. Carl Gershman, President of the National Endowment for Democracy (NED). The event held on 21st April 2009 at the Human Rights House drew over 80 human rights defenders, development partners, representatives of political parties and the media.

On 17th February 2009, FHRI held a media briefing opposing government proposal to detain suspects for 90 days before they are produced to court. The media briefing attended by over 50 journalists was held at Maria's Gallery, Kampala.

In 2009, 47 articles covering FHRI activities, positions and views featured in the print media. Both the print and electronic media at national and trans-national levels voiced findings and works of FHRI. Articles, press releases and features expressing issues such as *Death penalty judgment, Cheeye's conviction, government proposal for 90-day detention, reinstatement of sacked Mulago employee, appointment of Commissioners on the Equal Opportunities Commission, ruling of Magara's case, implementation of recommendations of Uganda Human Rights Commission, release of five death row prisoners, new electoral laws, juvenile justice in Uganda, domestic violence* were common.

In 2009, FHRI hosted over 100 visitors ranging from FHRI development partners, academia, representatives of political parties, professional bodies, civil society, human rights activists both at local and international levels who applauded FHRI for its work and expressed interest in collaborating with the organization.

c) Documentation Unit

The FHRI Documentation Unit seeks to inform the democratization process in Uganda. The Unit oversees the publication of the *'Human Rights Defender'*, *'Annual Report'* and the *'Brochure'*.

In 2009, FHRI published 700 copies of the Annual Report 2008 detailing the achievements and challenges both at programmatic and institutional levels. FHRI also published 500 copies of the Defender titled; *'Juvenile Justice in Uganda: Constraints and Opportunities'*, and 10,000 copies of the Brochure. Copies of the three publications were distributed to development partners, government institutions, civil society organizations, media, academia, FHRI members and the general public.

Outcome

The Communication and Information arm of the organization has effectively supported the advocacy function of FHRI through dissemination of the organizational products and other human rights related information to key stake holders and the general public. The net effect has been the enhanced understanding of human rights practices in the country, stepped up the demand for accountability from Government and demands to improve on its human rights record. A number of FHRI products and reports have been acknowledged and utilized by civil society, development partners, Parliamentarians, the Justice Law and Order Sector and the media while engaging Government and other institutions on key human rights issues such as prison conditions, the death penalty, access to justice, elections and electoral democracy, health rights, land rights and the general state of human rights in the country.

The Website remains a powerful tool in enhancing the organization's visibility around the globe. Visited by over 100,000 people in 2009, the tool has supported the FHRI internship and volunteer program as well as the membership drive of the organization. Academic researchers have also expressed desire to understudy the organizational strategies while the membership drive has been boosted. 50 individuals expressed interest in becoming members or associates of the organization.

'I googled and talked to a classmate who worked with human rights in Uganda and she highly recommended to me this organization': **Kenyan Student, LLM program in Indiana University, Human Rights Program**

The consistent release of the FHRI's Annual report has enhanced the organization's corporate image portraying it as an accountable organization to its members, beneficiaries, the general public, development partners.

There is also a wider understanding of human rights issues in Uganda prompted by the FHRI publications.

Challenges

The cost of maintaining an Information and Communication facility gets higher by the day raising the issue of sustainability. There is also a challenge of responding to the ever increasing applications for partnerships, internships and volunteer placements given that the organisational visibility is enormous.

V. PROGRAMME DEVELOPMENT DIVISION

Objective

The Programme Development Division seeks to design, supervise and ensure appropriate systems development for the effective and efficient program implementation.

The Program Development Division has four major activity areas:

- Periodic review of the Strategic Plan
- Alliance Building
- Fundraising
- Project reporting



Torture meeting at FHRI

Implementation

Under the Programme Development Division, FHRI develops Annual Workplans, holds quarterly program meetings, quarterly Board of Directors' meetings, End of year Staff/ Board Retreats and Annual Donor Round tables to ensure timely tracking of program activities, coordinates fundraising efforts, releases periodic reports to members and partners, enters into Cooperation arrangements, builds a Data-bank on partners and plans for joint campaigns with similar organizations.

Planned Activities

Proposed activities in 2009 were; to develop an updated Annual Workplan 2009, update a regular Events Diary, enter into cooperation agreements with partners, build a databank of partners, coordinate

fundraising efforts, adopt a donor reporting schedule and release periodic project progressive reports as per contract obligations.

Output

In 2009, FHRI held 4 Staff Program meetings and 4 Board of Directors' meetings to review implementation of the Strategic Plan (2009-2011). The Annual Workplan and Year Planner for 2009 were developed and adopted by staff and Board of Directors to ensure timely tracking of program activities.

FHRI holds Annual General Meetings (AGM) to update members on the organization's developments, deliberate on challenges and determine future actions. In 2009, FHRI held its 13th Annual General Meeting on 15th August 2009 at the Human Rights House, Nsambya. During this meeting attended by 147 members and staff (82 men and 65 women) the reports by the Chairperson, Executive Director together with the Audited Report 2008 were discussed and endorsed. Members also adopted a Members' Register and elected the 7th Board of Directors at the expiry of three years term of service from 2006 – 2008.

Under the fundraising component, FHRI made submissions to various agencies to strengthen institutional capacity and sustainability. Submissions were made to ICJ-Kenya, NED, DANIDA-HUGGO, WFD, DANIDA-LABF, AUSAID – HRS GS and European Commission. By end of 2009, out of the 8 submissions 5 were approved while 3 were accepted for evaluation.

Under the project reporting function, FHRI adopted the reporting schedule 2009 and released over twenty six (26) periodic reports to development partners as per contract obligations. The Events Dairy and the databank of partners were updated as well.

Outcome

The fundraising and reporting functions have strengthened the FHRI's capacity, sustainability, and credibility to effectively implement the Strategic Plan (2009-2011). In 2009, FHRI renewed partnership agreements with eight (8) development partners including; NED, WFD, ICJ-Kenya, DANIDA-HUGGO, KIOS, DANIDA-LABF, SIDA and ICNL. The support received from the above partners has facilitated the execution of various program activities including; research and documentation of human rights violations, the Capacity Development and empowerment program, Local Government strengthening program, Leadership Development for human rights defenders, legal aid advocacy among others.

The adoption of the Annual Work-plan and Year Planner improves monitoring of programs and the current Strategic Plan: 2009 – 2011. Regular tracking of program activities facilitates identification of limitations and generation of prospects for realignment for better results. As earlier documented in the section of Program Activities, 80% of the planned activities in 2009 were successfully executed.

Challenges

Even though a number of fundraising opportunities have been explored including local fundraising, funding still remains an outstanding challenge. There are limited core funds to match the core budget. FHRI will continue to upscale its fundraising efforts through consultancies, investments and membership drive.

VI. NETWORKING AND COLLABORATION

Objective

FHRI closely works with different actors to build a sound, viable and credible human rights movement in Uganda in order to maximize voice, action and impact.



CCEDU Launch 2009

Implementation

FHRI has continued to enhance its strategic partnerships with a wide range of institutions and groups undertaking a similar or related agenda at the local, national and international levels. In 2009, FHRI's participation was registered in joint campaigns in coalitions and networks; internship and volunteer placements; participation and reports to regional and international treaty institutions like the African Commission on Human and Peoples' Rights and the African Union.

Output

Spearheaded by the Foundation for Human Rights Initiative, The Citizens Coalition for Electoral Democracy in Uganda (CCEDU) is a new non- partisan, non- profit broad civil society coalition that brings together and affords a platform for like minded civil society organizations and citizens to advocate for electoral democracy in Uganda. Launched on the 19th August 2009 by the

Hon. Speaker of Parliament, Hon. Edward Ssekandi at the Imperial Royale Hotel, Kampala, the Coalition seeks to advocate and promote integrity, transparency and active citizen participation in Uganda's electoral processes through mobilizing citizens for civic education, advocating for electoral reforms and election monitoring.

With a membership of 487 civil society groups and citizens of Uganda, CCEDU brings together various interest configurations including, women, youth, Persons with Disabilities (PWDs), farmers, students, the media, Persons Living With HIV/AIDS, faith based groups, development workers, the private sector, the elderly, workers and trade unions.

CCEDU has three Governing bodies; CCEDU Membership platform, the Advisory Board and Executive Committee. The Advisory Board which has been elected by the members and represents the different configurations comprises of: Mr. Peter Nyakatura (Elderly), Ms. Irene Mary Kabole (Workers' Union), Mr. Waiswa James (Farmers), Mr. Phillip Fred Kato (Faith based), Ms. Julian Amutuhairwe (media), Hon. David Pulkol (Development work), Mr. Peter Balongo (student/youth), Mr. Bazekuketa Simon (Persons with Disabilities), Prince Nyabwongo Apollo (private sector), Ms. Mary Natukunda (women), Mr. Makweta Yusuf (human rights) and Mr. Samuel Kibanga (Persons Living with HIV/AIDS in Uganda).

On the other hand, the Executive Committee which is charged with the day to day running of CCEDU comprises the following organizations including: Uganda Media Development Foundation (UMDF), Advocates Coalition on Development and Environment (ACODE), Development Network of Indigenous Voluntary Associations (DENIVA), Community Development Resource Network (CDRN), Human Rights Network for Journalists (HRNJ), Foundation for Human Rights Initiative (FHRI), Human Rights Network (HURINET), The Uganda National NGO Forum (NGO Forum), National Union of Disabled Persons in Uganda (NUDIPU), Uganda Parliamentary Press Association (UPPA), Uganda Women Network (UWONET), Federation of Women Lawyers in Uganda (FIDA-U) and the Democracy Monitoring Group (DEM Group).

In 2009, the coalition was able to convene joint Advisory and Executive Committee meetings, convened the membership platform on 13th October 2009 and has formed 4 task forces to oversee the development and roll out of program activities. CCEDU adopted a two-year business plan which covers the period 2010/2011. The plan constitutes of: Electoral Reform advocacy, civic education, a Legal Defense Fund for victims of electoral violence and establishing a platform for enhancing liaison and information sharing for Election Observers.

Like in the previous programme, FHRI continued active membership to the International Federation for Human Rights (FIDH), the World Coalition Against the Death Penalty. FHRI subscribed to 6 local networks including: East and Horn of Africa Human Rights Defenders Network, Human Rights Network - Uganda (HURINET-U), Development Network of Indigenous and Voluntary Associations (DENIVA), Legal Aid Service Providers Network (LASPNET), Uganda Child Rights NGO Network (UCRNN), and Uganda Land Alliance (ULA) as shown in Table 10 here below:

Table 10

Network/Umbrella	Position
<i>Citizen's Coalition for Electoral Democracy in Uganda (CCEDU)</i>	<i>Chairperson, Executive Committee,</i>
<i>Development Network of Indigenous Voluntary Associations (DENIVA)</i>	<i>Vice– Chairperson, Board of Directors</i>
<i>Human Rights Network (HURINET)</i>	<i>Treasurer, Board of Directors</i>
<i>Legal Aid Service Providers Network (LASPNET)</i>	<i>Secretary General, Steering Committee</i>
<i>Uganda Child Rights NGO Network (UCRNN)</i>	<i>Member</i>
<i>Uganda Land Alliance</i>	<i>Member</i>
<i>Penal Reform International</i>	<i>Hon. Treasurer</i>
<i>East and Horn of Africa Human Rights Defenders Project</i>	<i>Chairperson/Focal Point</i>
<i>NGO coalition on the African Court</i>	<i>Focal Point (East Africa)</i>

FHRI also subscribes to three coalitions including: the Citizen's Coalition for Electoral democracy in Uganda, the Coalition on the African Court, World Coalition Against the Death Penalty in Uganda

In 2009, FHRI enlisted new partners widening its partnership portfolio and deepened its effectiveness. These include: *TIRI – Making Integrity Work* which focuses on monitoring integrity of local council courts, *the International Commission of Jurists Kenya Chapter* on the East African International Criminal Justice Initiative and *the Westminster Consortium* on the Rule of Law and Human Rights program for Parliamentarians.

FHRI participated in a number of national and international activities organized by civil society including among others the following:

- Coalition Against Torture (CAT)
- African Centre for Torture Victims (ACTV)
- East African Law Society(EALS)
- Uganda National NGO Forum
- Uganda Governance Monitoring Platform (UGMP)
- Uganda Law Society (ULS)/SAJEA.
- Human Rights Network (HURINET)
- National Alliance on Volunteering Efforts in Uganda (NAVE-U)
- World Coalition against Death Penalty (WCADP)
- World Movement for Democracy (WMD)
- Human Rights and Peace Centre, Makerere University (HURIPEC)
- DENIVA
- NGO Coalition for the establishment of an effective African Court
- Save the Children
- MS-Action Aid- Denmark
- Uganda Debt Network (UDN)
- UN Office of the High Commissioner for Human Rights (UNOHCHR)
- Anti Corruption Coalition- Uganda (ACCU)
- Uganda Joint Christian Council (UJCC)

- Action Group for Health, Human Rights and HIV/AIDS –Uganda (AGHA-U)
- Human Rights Centre (HRC)
- East and Horn of Africa Human Rights Defenders Network (EHAHRDN)

The joint activities and discussions covered several key issues including the National Development Plan, the APRM process and the role of civil society, Land Policy in Uganda, Electoral democracy, access to justice, HIV/AIDS and human rights, the Universal Periodic Review mechanism, torture, media freedoms, the ICC, police accountability; the death penalty; women's rights and domestic relations, trafficking in children, treaty reporting, poverty, living conditions in places of detention, prohibition of torture; corruption; realization of the Millennium Development Goals, the East African Cooperation and the role of civil society, social security; climate change and environment conservation; security and protection of human rights defenders; the African Court on Human and Peoples' rights among others.

In 2009, FHRI participated in the following events:

- National Consultative meeting on *'Enhancing the role of civil society in the East African Community'* organized by Kitua Cha Katiba, 30th January 2009, Kampala, Uganda.
- National Forum under the theme, *"Celebrating Achievements on Women's Rights: Taking Stock"*, organized by UWONET, 10th March 2009, Kampala, Uganda.
- MS-Uganda's *Last Annual General Meeting* before merging with Action Aid Uganda, 19th - 21st March 2009, Mukono, Uganda.
- Workshop on *"Forge a way forward for the performance of NGOs"* organized by HURI-NET, 20th March 2009, Kampala, Uganda.
- The 3rd Annual East Africa Civil Society Organization Forum 2009, 20th - 21st March 2009.
- Conference on *fighting impunity and promoting international justice*, 24th-25th March 2009, South Africa.
- A Training of grantees on *the guidelines and procedures of EDF* organized by Human Rights and Good Governance Programme (HRGGP), 31st March 2009, Kampala, Uganda.
- The Civil Society consultative meeting on *the Counterfeit Bill* organized by HEPS-Uganda, 31st March 2009, Kampala, Uganda.
- Workshop on *the role of Civil Society Organizations in the East African Community Integration processes* organized by the East African Community Secretariat, 3rd April 2009, Kampala, Uganda.
- Workshop on *State Human Rights Reporting: Enhancing human rights protection in Uganda* organized by Uganda Human Rights Commission (UHRC) in cooperation with OHCHR, 4th - 5th April 2009, Kampala, Uganda.
- PRI Executive Board meeting, 22nd - 27th April 2009, London, United Kingdom.
- Workshop on *strengthening the working relationship with the Police Force in handling*

sexual violence organized by FIDA, 23rd -24th April 2009, Kampala, Uganda.

- Second Stake holder's workshop on *Land grabbing campaign* organized by LEMU and TROCAIRE, 5th May 2009, Kampala, Uganda.
- The 45th Session of the African Commission on Human and people's Rights, 9th -16th May 2009, Banjul, Gambia.
- Parliamentary Scorecard Launch and NGO's workshop organized by AFLI, 29th May 2009.
- Study on *Adoption and Trafficking of Children in Africa* Workshop organized by UCRNN, 13th May 2009 Kampala, Uganda.
- World Coalition against Death Penalty *Annual General Meeting*, 11th-13th June 2009, Rome, Italy.
- Meeting on *Human Rights Challenges for the 21st Century* organized by Akiba Uhaki Foundation (Nairobi) and Human Rights and Peace Centre, Makerere, 25th June 2009, Kampala, Uganda.
- Civil Society Organizations' meeting on the *Legal framework of Civil Society Organizations in Uganda* organized by NED/WMD, 25th -26th June 2009, Nairobi, Kenya.
- A workshop on midterm review of the project on "*Advocacy for the Rights to Social Security*" organized by Platform for Labour Action, 30th June 2009, Kampala, Uganda.
- "*Commercial pressure on Land grabbing*" workshop organized by Uganda Land Alliance, 30th June 2009, Kampala, Uganda.
- Launch of the Community Development Resource Network (CDRN) *2009-2013 Strategic Plan*, 6th July 2009, Kampala, Uganda.
- East African Criminal Justice Initiative; *Comprehensive Planning Workshop* organized by ICJ-Kenya, 7th -9th July 2009, Mombassa, Kenya.
- A briefing by representatives from the office of the UN Security General's Special Adviser on the prevention of Genocide, 17th July 2009, Kampala, Uganda.
- Penal Reform International meeting, 24th -28th July 2009, London, United Kingdom.
- Official launch of The Uganda Network on Law, Ethics and HIV/AIDS (UGANET) publication under the theme: "*Human rights and HIV/AIDS now more than ever*", 30th July 2009, Kampala, Uganda.
- Workshop on *Alternative Country reporting on the ICESCR* organized by Uganda Human Rights Commission, 1st - 2nd July 2009, Kampala, Uganda.
- Uganda Child Rights NGO Network *Annual General Meeting*, 2nd September 2009, Kampala, Uganda

■ TOGETHER WE CAN MAKE A DIFFERENCE

- Training workshop on *Safety and Security for HURINET –U Members*, 29th September – 1st October 2009, Kampala, Uganda
- Workshop on *Women Human Rights Defenders and Minority Rights Defenders* organised by East and Horn of Africa Human Rights Defenders Project, 12th – 14th October 2009, Kampala, Uganda.
- Conference on *Social Relations and After Care of Prisoners in Uganda* organised by Mission after Custody, 20th November 2009, Kampala, Uganda
- Programme and Terms of Reference for the Uganda Governance Monitoring Platform evaluation, 2nd December 2009, Kampala, Uganda.
- 3rd National Roundtable on *Institutional Response and Individual Responsibility in the Elimination of Torture in Uganda* organized by ADVOCATES SANS FRONTIERS, 3rd -4th December 2009, Kampala, Uganda
- Public dialogue on *climate change and environment conservation* on the International Volunteer Day, 4th December 2009, Kampala, Uganda
- International Anti-Corruption Day Public Dialogue on *The fight Against Corruption: Is Government starting to Bite?* organized by Uganda Debt Network, 9th December 2009, Kampala, Uganda

Outcome

Working through partnerships still remains one of FHRI's key strategies employed in the implementation of the current Strategic Plan 2009 – 2011.

The networking opportunities enumerated above right through the national, sub-regional and international levels has afforded FHRI a platform to contribute to the global human rights agenda, share contextual information on different human rights situations, best practices and initiate new partnerships with both technical and financial resource benefits.

Working together through common platforms and joint activities has enabled the organization augment its advocacy campaign on key human rights issues and provided opportunity for input into a number of national processes like the development of the National Development Plan, the APRM process, process of development of a National Legal Aid Policy, the National Police Review process, national electoral reform processes among others

Lastly our partnerships and work with particularly Government institutions and departments continues to enhance the organization's credibility and increasing recognition of FHRI as a key stake holder in issues of human rights and governance.

Challenge

The increased demand for FHRI's involvement in many initiatives calls for a careful analysis and alignment of the aims and objectives of the partnerships with those of FHRI to ensure unanimity in a common agenda or goal.

ORGANISATIONAL DEVELOPMENT



ORGANISATIONAL DEVELOPMENT

Objective

- To provide the necessary institutional framework suitable for the judicious execution of the program goals and activities. This frame work includes:

1. Staff training and Development:

FHRI is committed to strengthening its internal capacity to undertake effective implementation of its programs. It is therefore FHRI's policy to encourage staff to undertake relevant training and opportunities that exposes them to the necessary learning in order to keep up with the required standards and demands of the program and the organization's stakeholders.

The staff training and development program component in 2009 took the form of in-house training course, training exposure, on-job training, study opportunities and internship exchange program as outline here below:

- On 3rd July 2009, FHRI staff attended an in-house Staff Capacity Building Training on Human Rights Principles.
- Between 13th June and 5th July 2009, the Deputy Manager, Capacity Development Division attended the 30th Annual International Human Rights Training Program (IH RTP) at John Abott College in Montreal, Canada organized by Equitas. *The goal of the IH RTP is to strengthen the capacity of human rights organizations to undertake human rights education efforts aimed at building a global culture of human rights.*
- One of FHRI's Legal Assistants benefited from HURINET's Exchange Program facilitated by Fredskorpset (FK) International Exchange Program. *The FK International Exchange Program is a Norwegian sponsored program that targets organizations in the East and South Africa regions to exchange personnel with an aim of sharing good practice, building capacity and equip them with skills peculiar to the organizations involved. FHRI's Legal Assistant was attached to Zimbabwe Lawyers for Human Rights (ZLHR) between 15th January and 15th November 2009.*

2. Governing bodies:

FHRI is a membership organization with an organizational structure that comprises the General Assembly, Board of Trustees, Board of Directors and the Secretariat.

The **General Assembly** is the supreme governance organ of FHRI which meets once a year to approve work-plans, budgets and audited accounts while **the Board of Trustees** are the chief custodians of FHRI property and Constitution ensuring sound management and continuity of the organization. The **Board of Directors** is charged with providing strategic direction to the organization, overseeing the development and implementation of FHRI policies and programs while the **Secretariat** implements the decisions of the above organs.

FHRI holds annual general meetings for its membership to reflect, adopt and approve new strategic plans and initiatives, annual reports; and audit reports while the Board of Directors meets 4 times a year to appraise staff, discuss and approve activity reports, budgets and program work plans presented by the Secretariat.

In 2009, FHRI held its 13th Annual General Meeting on 15th August 2009 at the Human Rights House, Nsambya. During this meeting attended by 147 members and staff (82 men and 65 women), the reports by the Chairperson, Executive Director together with the Audited Report 2008 were discussed and approved. Members also approved and adopted a Members' Register and elected the 7th Board of Directors for the period 2009 – 2012.

FHRI's membership subscription grew from 39 members in 2008 to 109 members. FHRI's success was attributed to Board of Trustees, Board of Directors and a committed secretariat.

At the end of 2009, the FHRI's Board of Trustees stood as follows :

TRUSTEES

Name	Affiliation
<i>Mrs. Mary Sewamuwe</i>	<i>Minnesota Health International.</i>
<i>Ms. Sarah Mukiibi</i>	<i>Libra Consultants Ltd.</i>
<i>Mr. Albert Mukundane</i>	<i>Private consultant</i>
<i>Ms. Allen Nakiboneka</i>	<i>Department of Gender, Labour and Social Affairs – Mukono district Local government</i>
<i>Mr. Livingstone Sewanyana</i>	<i>Foundation for Human Rights Initiative (FHRI)</i>

In 2009 the FHRI Board of Directors met three times in addition to the end of year Staff and Board retreat to provide strategic guidance and support to the organization in policy development, recruitment, program monitoring and evaluation.

The Board of Directors for the period 2006 – 2009 stands as follows:



Mr. Wycliffe Birungi

Chairperson

Advocate of the High Court of Uganda, Birungi & Co. Advocates



Her Worship Justine Atukwasa,

Vice Chairperson

Chief Magistrate, Mityana.



Her Worship Stella Maris Amabilis,

Hon. Secretary

Magistrate Grade One, Nabweru, Kampala.



Mr. James Mayanja Kizito.

Hon. Treasurer

Senior Monitoring Officer, Uganda Coffee Development Authority. (UCDA)



Mr. Patrick Semwogerere

Member

Consultant, Professional Development Consultants International (PDCI)



Mr. Celestine O. Mugisha,

Member

Programme Officer- Development Network of Indigenous & Voluntary Associations (DENIVA)



Mr. Joseph Nkandu

Member

Executive Director, National Union of Coffee Agriculture Business and Farmers Enterprises (NUCAF)



Mr. Livingstone Sewanyana

Ex-Officio

Executive Director, Foundation for Human Rights Initiative (FHRI).

1. Staffing

FHRI's success and capacity to implement the 2009-2011 program depends on a reliable, knowledgeable and focused staff. The team comprises of professional and support staff that have the necessary and expertise to execute the program activities.

In 2009, FHRI had a staff of 77 (27 program staff, 16 administrative staff, 10 volunteers and 24 interns). The Secretariat organized four staff meetings to reflect on the progress of the program, the relevance of the program and future actions. Below is the list of staff that served FHRI during 2009:



Mr. Livingstone
Sewanyana
Executive Director



Sheila Muwanga
*Deputy Director –
Programs*



Elizabeth Nantamu
*Deputy Director
Administration*



Elinor Chemonges
*National Coordinator
Paralegal Advisory
Services Project, Legal
Services Division*



Carol Adoch Kashanku
*Manager - Research
Division*



Rose Kamuli Mwesigwa
Manager - Finance Division



Alice Nassaka
Lakwonyero
*Manager – Capacity
Development Division*



Doreen Namyalo
Kyazze
*Project Manager - Right
to Life Project, Legal
Services Division*



Josephine Ndagire
*Project Manager –
Reparations/EAICJI/TIRI
Projects, Legal Services
Division*



Josephine Kankunda
*Senior Researcher -
Research Division*



Esther Nankya
Bagoole
*Deputy Manager
Communication and
Information Division*



Bernadette Katongole
*Deputy Manager
Programmes
Development Division*



Haawa Birungi Nyenje
*Deputy Manager - Capacity
Development Division*



Cynthia Angela Mukasa
Legal Officer - Legal
Services Division



Barbara Kitui
Legal Officer - Paralegal
Advisory Services Project,
Legal Services Division



Sophie Dhatemwa
Legal Officer - Paralegal
Advisory Services Project,
Legal Services Division



**Rosette Arinaitwe
Baroraho**
Legal Officer - Promoting
Access to Justice Project,
Legal Services Division.



Isabella Mukankusi
Legal Officer - Promoting Ac-
cess to Justice Project, Legal
Services Division.



Patrick Lugunga
Accounts Officer, Finance
Division



Emily Ikiriza Nuwagaba
Executive Manager



Milly Nakakande
Executive Manager



Faith Mutumba
Administrative Assistant -
Paralegal Advisory Services,
Legal Services Division



Rose Nanyondo
Human Rights Expert
- Promoting Access to
Justice Project, Legal
Services Division



Christine Nakirya
Data Entry Clerk -
Promoting Access to
Justice Project, Legal
Services Division



Edmond Nkalubo
Research Associate
Research Division



Joy Evans Kasiko
Project Assistant - Right to
Life Project, Legal Services
Division



Faridah Lule
Public Affairs Officer
Communication and Infor-
mation Division



Daniel Ntambi
Marketing Officer
Communication and
Information Division



Lucy Peace Nantume
Legal Assistant
Reparations/EACJ/TIRI
Projects, Legal Services
Division



Harriet Bwayiga Nakku
Project Assistant - Admin-
istration



Elizabeth Nakato
Front Office Officer



**Stephen Sebaana
Segulanyi**
Senior Office Manager



Allan Semalulu
Senior Driver



Moses Kyazze
Senior Driver



Hannington Musisi
Driver, Paralegal Advisory
Services Project



Mathew Sekitto
Logistics Assistant



Olivia Kigozi
Welfare Assistant



Richard Okeya
Security Officer/ Gardener



Ali Nsubuga
Security Officer/ Gardener

Volunteers

Angela Mwanje	Legal Services Division
Lydia Namazzi	Legal Services Division (FK International Exchange Program)
Rashid Bunya	Research Division
Mike Kayiwa	Community Monitor, Research Division
Charles Olwenyi Mulozi	Community Monitor, Research Division
Vincent Nuwagaba	Community Monitor, Research Division
Jackie Nattabi	Communication and Information Division
Night Norah	Pre-Trial Project , Legal Services Division –
Loy Kyomuhendo	Legal Assistant - Legal Services Division
Carol Muchuma	Legal Assistant - Right to Life, Legal Services Division
Evelyn Namukasa	Reparations Project, Legal Services Division
Patricia Lumala Mawemuko	Administration

Interns

Name	Institution
Luwaya George	Makerere University, Uganda
Nabbanja Belinda	Makerere University, Uganda
Patricia Lumala Mawemuko	Makerere University, Uganda
Kisakye Lynne Eva	Makerere University, Uganda
Awino Winnie Obong	Makerere University, Uganda
Isaac Ssekuuma	Makerere University, Uganda
Alice Mayanja	Makerere University, Uganda
Irene Nambatya	Makerere University, Uganda
Olivia Nanseko	Makerere University, Uganda
Nakuya Juliet	Uganda Christian University, Mukono
Kayongo Barbara	Uganda Christian University, Mukono
Nalwanga Christine	Uganda Christian University, Mukono
Ayango Christine	Uganda Christian University, Mukono
Musisi George	Uganda Christian University, Mukono
Maria Helena	Kroc Institute, Notre Dame University, USA
Ashley Brooke Audet	Osgoode Hall Law School, Canada
Brooke Camlis	Osgoode Hall Law School, Canada
Ruth Namanya	University of Waterloo, Canada
Allison Chandler	Fordham University, USA
Dawn Margaret Hunter	Glasgow Caledonian University, UK
Taimour Lay	Centre for Capital Punishment, UK
Nyachieo Mary	Law Development Centre, Uganda
Bunya Rashid	Law Development Centre, Uganda
Violet Mugambwa	Cavendish University, Uganda

4. Office administration

Like in previous years, FHRI continued to service the wage and salary bill in addition to the traditional utility bills on a regular basis. The escalating rates for all the utilities and the rising cost of living remained a big challenge.

As an established practice FHRI commissioned external auditors Carr Stanyer Sims & Co. to carry out an External Audit of the 2009 organizational accounts. The 2008 Audit Report and 2008 FHRI's Annual Report were approved and adopted by the General Assembly held on 15th August 2009.

5. Investments

Office acquisitions in 2009 include: 1Four Wheel Drive Double Cabin Pick-up, 1Photocopier, 1 workstation with a desk, chair, 2 desk top computer units, 3 laptops, 1 filing cabinet, scanner 2 recorders, 2 digital cameras and 1 video camera, The organization duly insured, serviced and repaired its equipment including vehicles, photocopiers, generator, furniture, computers and their accessories. The Nissan Caravan got involved in an accident on 14th June 2009 and was disposed off in July 2009.



University students interact with Mr. Sewanyana at FHRI

FINANCIAL OVERVIEW



Carr Stanyer Sims & Co.

Certified Public Accountants

Ground Floor, Kisozi House

8 Kyaggwe Road

P.O. Box 6293, Kampala, Uganda

Phone: +256 (0)41 4258458/4236732

Fax: +256 (0)41 4236796

E-mail: carrstan@carrstanyersims.com

Page 12

Independent Auditor's Report

to the members of Foundation for Human Rights Initiative

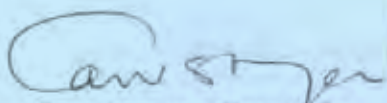
Opinion

In our opinion, the financial statements give a true and fair view of the financial position of the Company at 31 December 2009 and of the surplus and cash flows for the year then ended in accordance with International Financial Reporting Standards and comply with the Companies Act, CAP 110.

Reporting on Other Legal and Statutory Requirements

The Companies Act requires that in carrying out our audit we consider and report to you the following matters. We confirm that:

- (i) We have obtained all the information and explanations, which to the best of our knowledge and belief were necessary for the purposes of our audit.
- (ii) In our opinion, proper books of account have been kept by the Company, so far as appears from our examination of those books; and
- (iii) The Financial Statements are in agreement with the books of account.



Carr Stanyer Sims & Co.
Certified Public Accountants



30 APR 2010

Kampala, Uganda

FOUNDATION FOR HUMAN RIGHTS INITIATIVE (FHRI)

(A Company Limited by Guarantee, and not having a Share Capital)

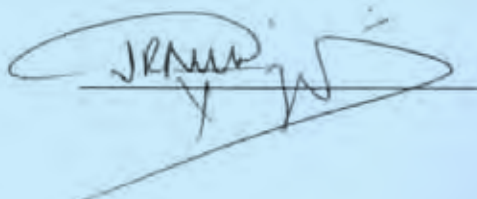
Statement of Financial Position at 31 December 2009

	Note	2009 Ushs.	2008 Ushs.
ASSETS			
NON-CURRENT ASSETS	3	310,475,253	247,237,148
CURRENT ASSETS			
Cash at Bank	4.1	605,681,203	443,956,910
Cash in Hand		6,322,852	8,712
		612,004,055	443,965,622
TOTAL ASSETS		922,479,308	691,202,770
EQUITY AND LIABILITIES			
CAPITAL FUND	5	310,475,253	247,237,148
RESTRICTED FUNDS	6	527,535,896	302,030,694
		838,011,149	549,267,842
CURRENT LIABILITIES			
Creditors and accruals	7	82,807,107	118,526,276
Overdraft	4.2	1,661,052	23,408,652
		84,468,159	141,934,928
TOTAL EQUITY AND LIABILITIES		922,479,308	691,202,770

These financial statements were approved by the Board on 30-04-2010 and were signed on its behalf by:



EXECUTIVE DIRECTOR



HONORARY TREASURER

FOUNDATION FOR HUMAN RIGHTS INITIATIVE (FHRI)

(A Company Limited by Guarantee, and not having a Share Capital)

Consolidated Statement of Comprehensive Income

for the year ended 31 December 2009

	Note	2009 Actual Ushs.	2009 Budget Ushs.	2008 Actual Ushs.
INCOME				
Grants Income	8	2,816,854,497	2,817,217,888	1,825,496,781
Other Grants	9	256,855,456	287,652,030	154,132,053
Bank Interest		46,629	-	35,079
TOTAL INCOME		3,173,756,582	3,104,869,918	1,979,663,913
Less: Capital Expenditure		(141,301,439)	(135,592,884)	(76,490,168)
Refund to PDG		-	-	(2,731,077)
Balance available for recurrent expenditure		3,032,455,143	2,969,277,032	1,900,442,668
RECURRENT EXPENDITURE				
PROGRAMMES				
RESEARCH				
Research and Documentation of Human Rights Violations		123,539,186	169,137,500	-
LEGAL SERVICES				
Access to Justice for Socially Deprived Women and Children		473,465,072	449,431,560	-
Reparation for Torture Survivors		58,626,667	57,235,920	-
Support to victims / pre-Trial detainees		-	20,545,000	-
Representation of Death Row inmates		193,665,389	105,546,217	-
Paralegal Advisory Services		656,243,424	283,885,820	-
Public Interest Litigation / Legislative Advocacy		44,426,191	98,000,000	-
Sub-total Legal Services		1,436,426,743	1,014,644,317	-
CAPACITY DEVELOPMENT				
Capacity Building for Local Government		51,832,526	67,831,252	-
Strengthening Grass root Associations		105,981,661	115,735,922	-
Human Rights Monitoring and Reporting		186,566,459	144,611,433	-
Leadership Development for Human Rights		62,458,548	41,300,000	-
Sub-total Capacity Development		406,839,194	389,478,607	-
COMMUNICATION AND INFORMATION				
Information Centre		6,045,852	40,810,000	-
Documentation		17,718,890	37,012,500	-
Public Affairs		15,427,321	17,500,000	-
Communication and Information team		42,004,868	94,500,000	-
Sub-total Communication and Information		81,196,841	189,822,500	-
PROGRAMME DEVELOPMENT				
Programme Development Team		-	94,500,000	-
Periodic Review and Alliance Building		85,461,412	57,277,500	-
Fundraising and reporting		3,124,750	7,087,500	-
Sub-total Programme Development		88,586,162	158,865,000	-
STAFF DEVELOPMENT				
Staff Training and Development		1,006,000	16,100,000	-
Round table		-	21,481,299	-
Sub-total Staff Development		1,006,000	37,581,299	-

FOUNDATION FOR HUMAN RIGHTS INITIATIVE (FHRI)

(A Company Limited by Guarantee, and not having a Share Capital)

Consolidated Statement of Comprehensive Income

for the year ended 31 December 2009

	2009 Actual Ushs.	2008 Budget Ushs.	2008 Actual Ushs.
EXPENDITURE-SPECIAL PROJECTS			
MS (Uganda) building local democracy	47,546,160	40,000,000	22,484,137
URAA	37,973,494	37,973,494	-
ICJ - Kenya Media	32,026,800	53,281,020	-
CCEDU	21,635,161	25,000,000	-
Diakonia	1,514,835	-	20,069,707
Paralegal Advisory Services (PAS)	-	-	512,224,887
EU/UG003H07	-	-	932,500
Basic Needs	-	5,433,000	3,069,000
HURINET (U) Limited	-	20,871,680	-
MISR	-	32,360,440	-
WFO Consultancy	-	2,578,448	-
DHIR	-	10,090,000	-
PRI	-	2,786,448	-
Sub-total	140,595,470	230,374,530	558,780,231
EDUCATION	-	-	347,863,022
ADVOCACY	-	-	417,950,078
PARTNERSHIPS			
Networking	-	-	59,047,565
Volunteer and Internship Fund	-	-	23,520,400
Sub-total Partnership	-	-	82,567,965
POLICY DEVELOPMENT	-	-	1,489,250
PLANNING, MONITORING AND EVALUATION	-	-	59,226,050
Total Programme Expenditure	2,278,428,294	2,169,903,753	1,467,885,696
ORGANISATIONAL DEVELOPMENT			
Staff salaries, benefits and taxes	545,307,034	588,039,673	457,507,581
Office administration	39,489,976	46,492,585	8,053,150
Communication and postage	2,676,565	20,519,940	5,025,182
Space and Utilities	12,670,550	36,719,970	12,432,558
Office supplies and stationery	3,299,000	12,477,360	3,094,000
Governing bodies	9,653,500	10,937,500	13,603,000
Transport and fuel	19,000,000	41,448,750	8,064,500
Audit	13,500,000	8,750,000	12,516,700
Furniture and equipment maintenance	17,091,106	17,227,505	11,737,664
Public relations	-	-	11,596,500
Insurance	7,218,070	16,759,696	15,310,611
Bank charges	10,169,578	-	6,649,637
Total Organisational Development	680,075,379	799,373,279	565,591,483
Total Recurrent Expenditure	2,958,265,025	2,969,277,032	2,033,477,079
Surplus / (Deficit) before exchange gain	74,190,118	-	(133,034,411)
Exchange gain / (loss)	151,315,034	-	3,320,564
SURPLUS / (DEFICIT) FOR THE YEAR	225,505,152	-	(129,713,847)
Balance brought forward at 1 January 2009	302,030,694	-	431,744,541
BALANCE AT 31 DECEMBER 2009	527,635,846	-	302,030,694



CONCLUSION

2009 provided a promising start for the FHRI strategic plan (2009 -2011). Despite the global financial recession, growing levels of political intolerance and narrowing space, FHRI rose to the occasion.

FHRI registered several mile stones among them the landmark ruling in the Suzan Kigula case, the growth of the university human rights network, assistance to victims of torture and the launch of the Citizens' Coalition for Electoral Democracy in Uganda (CCEDU)

The range of partnerships grew significantly as well as the capacity to engage at all levels- local, national and regional. The legal support extended to vulnerable groups (children, women, prisoners) were an important expression of solidarity, giving hope to the voiceless and down trodden to access justice.

We are however faced with daunting challenges in the quest for genuine democracy and respect for human rights; unresponsive state apparatus, declining standards (health, education, road infrastructure); rising levels of corruption and limited resources for charitable work. Concerted efforts will be therefore necessary to overcome these to ensure sustained growth and respect for all.

We owe our success to countless individuals, organizations but suffice to pay special tribute to our Development Partners, Board of Directors, Trustees, staff, membership and cooperating partners.

'TOGETHER WE CAN MAKE A DIFFERENCE'



Foundation for Human Rights
Initiative (FHRI)
Human Rights House,
Plot 4853, Block 15, Lulume Road,
Nsambya,
P.O. Box 11027, Kampala, Uganda
Tel: 256-41-510263/ 510276
Fax: 256-41-510498
Email: fhri@starcom.co.ug
fhri@spacenetuganda.com
Web site: www.fhri.or.ug