

Introduction



HRAPF Executive Director Mr. Adrian Jjuuko and Chairperson Board of Directors, Ms. Shiela Muwanga, with HRAPF members, staff and Partners during the launch of the new HRAPF Logo on 27th July 2013 at HRAPF Secretariat

This is the second issue of the HRAPF Newsletter. This issue covers the period April -July 2013.

Human Rights Awareness and Promotion Forum (HRAPF) is still a non-governmental organisation whose mission is to promote respect and observance of human rights of marginalised groups through legal and legislative advocacy, research and documentation, legal and human rights awareness, capacity building and partnerships. HRAPF's work is directed towards achieving equality, non-discrimination, and access to justice for the most marginalised groups in Uganda.

April-July 2013 was the second quarter of the year 2013 and the second quarter in the implementation of HRAPF's new Strategic Plan 2013-2017. As such, a lot has happened as we transit from the old programming

structure of the 2010-2012 strategic plan to the new strategic plan. The new plan put in place three programs at HRAPF: The Access to Justice Program which houses all our legal aid services, legal research and documentation; the Legislative Advocacy and Networking Program that supports our advocacy strategies and networks, and finally the Organisational Development and Capacity Building Program which coordinates the monitoring and evaluation function of our financial, human, material and policy development.

The period April-July 2013 has marked a number of developments at HRAPF. We officially launched our new strategic plan 2013-2017 and rebranded with a new logo. Our annual report 2012 was also published. All these initiatives happened at the 4th Annual General Meeting that took

place on the 27th of July 2013 at the Secretariat.

I am also very pleased to report that our work of providing access to justice to the most marginalised Ugandans continued to thrive through this period. Our legal aid clinic handled many cases from the marginalised groups that we work with.

The Advocacy and Networking team has also thrived with continued efforts to have the case of *Jjuuko Adrian vs. Attorney General* decided, and with continued efforts to work with the Equal Opportunities Commission.

These updates and other information are contained in this newsletter. I wish you good reading.

Taking human rights to all

Adrian Jjuuko
Executive Director.

Highlights

Page 2: HRAPF launches a five year-strategic plan.

Page 3: HRAPF launches a new logo.

Page 5: HRAPF holds fourth AGM.

Page 6: HRAPF elected to the steering committee of the National Coalition of Human Rights Defenders.

Page 9: HRAPF trains paralegals to fight HIV stigma and discrimination.

Page 12: Civil society petitions the Constitutional Court over a ruling.

Page 13: The plight of children born intersex.

Page 16: HRAPF audit report 2012.

KEY INSTITUTIONAL DEVELOPMENTS

HRAPF Launches new strategic plan 2013 - 2017



HRAPF's Trustee Mr. Jacob Bukenya (center), and HRAPF Members Ms. Kiwanuka Noeline (left) and Mr. Oyet Moses (right) launches the new HRAPF strategic plan 2013-2017 as other members and partners look on during the Annual General Meeting at the Secretariat, July 27th 2013.

Human Rights Awareness and Promotion Forum (HRAPF) unveiled a new strategic plan that will guide the organisation's work for the next five years. The plan was unveiled at the 4th Annual General Meeting of HRAPF, which was held on 27th July 2013 at the HRAPF Offices.

The five year plan entitled '**Consolidating our Gains**', builds on the successes of HRAPF's strategic plan 2010-2012. It is based on the need to deepen HRAPF's engagement with policy makers and with the target groups it serves, as well as to set achievable targets and to achieve measurable impact.

The Strategic Plan was developed through a consultative process that involved the organisation's staff, members, Board of Directors, Trustees, Clients, partners and other stakeholders. Its development was informed by the evaluation of the HRAPF's First Strategic Plan 2010-2012 which was conducted at the end of 2012. The evaluation indicated that HRAPF had grown tremendously as an institu-

tion and had made a significant contribution to raising awareness about human rights, and provision of legal assistance to marginalised groups. It however also highlighted challenges around program design and implementation and recommended the following: scaling down, strengthening synergies, coherence and inter-linkages between program focus areas, strengthening the M & E framework and pitching the proposed program intervention within the bigger national priorities. At the Management level, it recommended the development of clear and manageable Management Priorities (MPs) that will drive the organisation to address the capacity needs, strengthen systems and policies, strengthen governing bodies including membership and to step up resource mobilisation to meet the increased needs through budget support.

Following up on the recommendations of the External Evaluation, the new strategic plan focuses on two themes: Access to Justice and Equality and Non- discrimination. Under

Access to Justice, the plan focuses on pro-bono legal services to marginalised groups in the areas of criminal justice, land justice and family justice. It defines a holistic approach to meet HRAPF's target of raising Ugandans' legal and human rights awareness and of effective legal aid advocacy.

Under the theme of Equality and Non-discrimination, the new plan aims to deepen HRAPF's legislative reform efforts to encourage the adoption of policies and legislation that promote equality and non-discrimination. This will be done through: legislative advocacy and networking. The plan sets out five key strategies through which the program goal will be realized. They are:

1. Legal assistance to marginalised groups.
2. Policy and legislative advocacy in order to strengthen the constitutional, legal and policy framework for human rights.
3. Constitutional, legal and human rights education to enhance the

Continued to page 3

competence of marginalised groups.

4. Partnerships and coalition building in order to strengthen the voice of marginalised groups.

5. Effective research and careful, thorough documentation as a cross cutting strategy to support HRAPF's programs.

The new strategic plan will help focus HRAPF's work to contribute to higher level national objectives and outcomes. Among those objectives are the National Objectives and Prin-

ciples of State Policy in the Uganda Constitution, particularly objective V (fundamental and other human rights and freedoms), objective VI (gender balance and fair representation of marginalised groups) and objective XI (right to equal opportunities in development); the National Development Plan objective 7 which seeks to strengthen good governance; the Justice Law and Order Sector Strategic Investment Plan (SIP III) (2012/13-2016/17) of which Outcome 1 seeks to strengthen the policy, legislative and regulatory framework and Out-

come 2 seeks to enhance access to justice for vulnerable persons in Uganda. Finally, HRAPF's new plan and its five key strategies seek to contribute to Uganda's Vision 2040 that is premised on democracy and rule of law.

This is the document that is going to guide HRAPF in the next five years. We call upon partners, stakeholders and the general public to support HRAPF as it sets out to achieve its plans.

HRAPF Launches new Logo



Left to right: HRAPF members launching the new HRAPF logo, HRAPF Executive Director Mr. Adrian Ijuuko and the Chairperson Board of Directors Ms. Shiela Muwanga unveiling the new HRAPF Logo, below them is the new HRAPF Logo.

HRAPF unveiled a new logo. The logo replaces the old HRAPF logo that featured three human beings: a child, a man and a woman. It also had a book that symbolised awareness of human rights to all people.

The new logo was launched on the 27th of July 2013 during the 4th Annual General Meeting held at HRAPF Secretariat. The logo features a batik of a human figure in abstract form (representing all human beings in their diversity) raising its hands up in jubilation. The figure leans against the law scales signifying HRAPF's approach of using the law in promoting respect and observance of human rights.

The logo also features the HRAPF acronym in broad sky blue letters with the rest of the name and illustration in navy blue. The blue color was used to signify calmness,

peace, freedom, open space and the universality that comes with enjoyment of human rights.

The new logo was designed on recommendations of members, staff and other stakeholders during the strategic planning process to emphasise visibility of the organisation and align the logo to HRAPF's goal and objectives. It uses the scales of justice to bring out HRAPF's approach of promoting human rights through the law.

With the new logo, HRAPF will be more visible to the communities it serves. It also fits in very well with the 2013-2017 strategic plan that emphasises a broader and more visible impact of HRAPF's interventions.

The logo was designed by Mr. Edward Mwebaza, a Project officer with HRAPF.

HRAPF Publishes Annual Report 2012



HRAPF members receive the HRAPF Annual Report 2012. Right, the outlook of HRAPF Annual Report 2012 unveiled during the fourth HRAPF Annual General Meeting on 27th July 2013 at the Secretariat

HRAPF's Annual Report for the year 2012 has been published. The report was unveiled during the 4th Annual General Meeting held on 27th July 2013 at the organisation's secretariat.

The report showed that 2012 was a landmark year for HRAPF. It was the final year of implementation of HRAPF's first strategic plan 2010-2012 and a year within which the new strategic plan was developed. It was a period of self-evaluation and reflection on what had been achieved on the set targets for the three years of the strategic plan.

It highlighted activities done under the three programmatic areas of HRAPF's strategic plan 2010-2012. Under the Law Reform Program, the report showed that HRAPF focused on the provision of legal aid services to the most marginalised people in the country, advocacy against discriminatory laws and bills, research and documentation. Under the Human Rights Awareness Program, the report showed that HRAPF continued to spread awareness of

human rights among marginalised groups through legal aid camps, production and distribution of Information Education and Communication materials, radio talk shows, legal and human rights trainings and paralegal training.

Under the Organisational Development Program, the report showed that HRAPF continued to grow in terms of strengthening structures, size and capacities. HRAPF relocated from its old premises in Bukesa Hoima Road, to the new premises at Plot 390 Prof. Apolo Nsibambi Road, Namirembe for a more secure and bigger place. Staff continued to grow in terms of numbers and skills.

The report also showed that in 2012 alone, the legal aid clinic handled a total of 287 cases for 366 individual clients, 22 organisational clients and over 500 direct beneficiaries. 17 individuals from marginalised communities were trained as community paralegals.

For further details, the 2012 report can be accessed on our website listed later in this newsletter.

HRAPF holds 4th Annual General Meeting



Group photo of participants during the 4th Annual General Meeting held on the 27th July 2013 at HRAPF Secretariat

Every year HRAPF holds an Annual General Meeting (AGM) of all members. The AGM is held to review progress of the organisation's work and give accountability to members by the Board of Directors. It is also a legal obligation as stipulated in Article 12(1) of HRAPF's Articles of Association.

This year's AGM was held on 27th July at HRAPF secretariat. The meeting received and noted the annual report 2012, audited accounts 2012 and appointed new auditors for the year 2013. It also launched the second HRAPF strategic plan and the new logo.

The AGM was attended by 60 participants and among them were HRAPF members and both national and international partners. They appreciated that, in just five years of its existence, HRAPF has earned wide respect as a key organisation in the protection of the rights of the most marginalised persons in Uganda. Participants commended staff and management for the job well-done and implored them to keep it up.



HRAPF Executive Director Mr. Adrian Jjuuko addressing the AGM and below are members of the Board of Directors and a cross section of participants during the AGM.



HRAPF elected to the steering committee of the National Coalition for Human Rights Defenders - Uganda.



HRAPF Deputy Executive Director (back row first right) joins other human rights activists in a group photo at Speke Resort Munyonyo during the launch of the National Coalition for Human Rights Defenders in Uganda.

Like many African countries, Uganda has been threatened by laws that attack the human rights of its citizens, especially the freedoms of assembly and expression. These laws have the effect of narrowing the space for operation of civil society, especially human rights activists and defenders.

In response to this environment, over 50 human rights organisations led by East and Horn of Africa Human Rights Defenders Project convened at Speke Resort Munyonyo on the 11th -14th May 2013 to initiate a National Coalition for Human Rights Defenders in Uganda.

HRAPF's Deputy Executive Director Mr. Anthony Mutimba was elected a member on the Steering Committee of the Coalition representing central region. The Coalition aims at strengthening the work of Human Rights Defenders in Uganda.

The launch of the Coalition was attended by key human

rights icons among others: H.E. Roberto Ridolfi, E.U Ambassador to Uganda; H.E. Stephano Dejak, Italian Ambassador to Uganda; Ms. Margaret Sekaggya, UN Special Rapporteur on the situation of Human Rights Defenders; Mr. Hassan Shire Sheikh, Chairperson of the Pan African Human Rights Defenders Network; Mr. Mohammed Ndifuna, CEO of HURINET; Ms. Patricia Nduru, representative of the acting Chairperson of the Uganda Human Rights Commission; Ms. Sheila Muwanga, the representative of Foundation for Human Rights Initiative and also Chairperson, Board of Directors, Human Rights Awareness and Promotion Forum; and Mr. Richard Sewakiryanga, Executive Director of the Uganda National NGO Forum.

HIGHLIGHTS OF THE WORK OF THE ACCESS TO JUSTICE DEPARTMENT

Overview

The last six months have seen a steady rise in the volume of the activities undertaken at HRAPF. As the cases and complaints received have increased, so have the number of beneficiaries. A total of 212 cases were recorded and handled from January to June. This is something unprecedented in the organisation's five year history. The Legal Aid clinic at HRAPF operates under four broad flagship projects covering sexual minorities, women and girls infected/affected by HIV/AIDS, indigent persons with land related legal problems, and paralegal training. Each project is geared towards addressing specific human rights violations among critical marginalised groups.

Although the issue of rights of sexual minorities continues to be extremely controversial in our society, the realization that sexual minorities are here and part of Ugandan humankind seems to be slowly sinking in the conscience of even the most ardent antagonists. Increased arrests of LGBTI persons and sex workers were reported in the first quarter of the year in the wake of renewed efforts to pass the Anti-Homosexuality Bill. However, as the year progressed into the second quarter, fewer arrests have been reported. Instead, HRAPF finds that security threats to and evictions of LGBTI persons became more prevalent. Thus, while the first three months of 2013 were characterised by violation of the right to personal liberty, the next three months saw challenges to personal dignity and instances of discrimination. Nonetheless, no matter the rights violated, HRAPF interventions were timely and effective.

The struggle for property rights of vulnerable women, especially HIV/AIDS infected and affected women and girls in the four districts of Kiboga, Luwero, Mityana and Mpigi, is one of the top items on our 2013 agenda. Through both legal awareness sessions and legal aid "camps", information on how to apply for letters of ad-

ministration, and how to assure lawful succession to property and protection of widows/orphans interests in the estates of their deceased husbands/fathers was disseminated. In order to achieve effective remedies in some cases, HRAPF lawyers appeared in courts of law on behalf of clients.

The Land project provides legal aid to indigent persons with land related legal problems in Central Uganda. We have provided legal aid in 98 cases. The major human rights/legal issues addressed in this period have included illegal evictions of indigent bibanja holders by powerful landlords, trespass and encroachment on land, and the rising phenomenon of property developers acquiring large chunks of land in the lucrative areas of central Uganda. Our interventions have been key in creating awareness of property rights of bibanja holders and other vulnerable individuals facing land problems. Provision of legal representation has been equally crucial in safeguarding the rights of our indigent land clients.

Alternative Dispute Resolution (ADRs) mechanisms, mainly mediation and negotiation, have been employed in resolving some of the disputes. ADR has been adopted to encourage the spirit of reconciliation and harmony among conflicting parties and has yielded tremendous results.

As we focus on the second half of the year, it is satisfying to look back on the first and realize that an individual, a family or a community has had rights restored, recognised or enforced through provision of legal aid.

Taking Human Rights to All

Francis Tumwesige

Ag. HOD Access to Justice

HRAPF uses mediation as a mode of handling its clients' cases.



HRAPF's Legal Officer Ms. Fariidah Ikyimaana mediating over a land issue between a poor elderly woman Ms. Nakajubi Miriam and Luweero Town Council.

Mediation involves bringing both parties together (at a round table) to discuss the "issues" in contention, and if an agreed position is reached, a Memorandum of Understanding is signed by both sides. In some cases, no Memorandum of Understanding is drafted.

Mediation is the quickest way for one to resolve a thorny legal problem. It takes less time, friendship and family ties are mended, and it's not costly in terms of finances.

In 2013's second quarter, HRAPF has carried out mediations in fifteen cases. All of them were resolved amicably. A client in Luweero had property which was being threatened to be demolished by the Luweero Town Council. The client's neighbour had encroached on her land. HRAPF wrote to the Town Council proposing mediation, and the Council agreed to mediate the issue. HRAPF conducted four meetings on the disputed land and the matter was resolved amicably. Our client is now in quiet possession of her property.

HRAPF Welcomes Appointment of Seven New Justices to the Constitutional Court and Expects Delivery of the Long Awaited Ruling in the Case of Jjuuko Adrian v. Attorney General.

The appointment in the second quarter of 2013 of seven new judges to the Constitutional Court by President Museveni is a welcome step. Among other things, the appointments have led to the expectation that the verdict on the Equal Opportunities Commission case will soon be handed down. The case was filed in 2009 by the Executive Director of HRAPF, Adrian Jjuuko, and challenges the constitutionality of Section 15(6)(d) of the Equal Opportunities Commission Act, 2007. This provision of the Act prevents the Equal Opportunities Commission from investigating matters that are deemed to be *"immoral and socially unacceptable by the majority of the cultural and social communities in Uganda."* Section 15(6)(d) thus undermines the mandate of the Commission, which was established to promote *"equal opportunities and affirmative action in favour of marginalized groups, which often are disapproved of and rejected by the majority of society"*.

The case was heard on 3rd October 2011 by a panel of 5 justices of the Constitutional Court led by Justice Amos Twinomujuni. As of today's date, the Court has not yet delivered its verdict. Meanwhile, the Equal Opportunities Commission was constituted and is currently functional. Through correspondences on 5th September 2012 and again on 22nd January 2013, HRAPF expressed concerns about the inordinate delay in delivering the Court's ruling. In response to the latter inquiry, the Registrar of the Court, His Worship Erias Kisawuzi, offered an explanation that the postponement was owing to *"the busy schedule of the court and acute human resource shortage,"* but that the verdict is *"expected soon."*

No doubt, the Registrar's reference to the *"busy schedule of the court and acute human resource shortage"* alludes to the fact that the Constitutional Court has not been fully constituted so as to raise quorum owing to retirements and promotions of a number of justices. The Court was therefore unable to discharge its duties because it lacked the proper quorum of justices.

In a statement from the Uganda Law Society (ULS) to the Parliamentary Committee on Legal and Parliamentary Affairs, the ULS asserted that the lack of quorum at the Constitutional Court has *"led to inordinate delays in hearing appeals, a matter which is a continuing violation of Article 28(1) of the Constitution."* Article 28(1) guarantees the right to a fair hearing and states that *"in the determination of civil rights and obligations or any criminal charge, a person shall be entitled to a fair, speedy and public hearing before an independent and impartial court or tribunal established by law."*

Arguably, the very prolonged delay in the delivery of the ruling in the Equal Opportunities Commission case is in violation of this article of the Constitution. HRAPF welcomes the recent appointment of seven new justices to the Constitutional Court, which HRAPF hopes will speed up delays in hearing cases and delivering verdicts, including the ruling in the Equal Opportunities Commission case.

By Kathryn Hart, Legal Intern at HRAPF.

HRAPF trains community paralegals to enhance access to justice for women and girls infected and affected by HIV/AIDS.



Participants pose for a group photo outside New Highway Hotel Mityana after the first session of the training with the HRAPF trustee Ms. Fridah Kewodi on the left and Mr. Anthony Mutimba the Deputy Executive Director HRAPF in the centre.

As the incidence rate of HIV takes a turn for the worse in Uganda, it is worrying that effects of the scourge are bound to make the lives of those who live with the disease more challenging. Since it began to spread in the 1980s, the disease has left many widows and orphans behind. Its impact lives on today. Still, the most affected are girls and women. Widows are treated unfairly by the relatives of dead husbands; children are neglected by those closest to them. This leaves grieving families craving for help with nowhere to turn. Most of the organisations supporting them offer health services and other social services, but very few look at their rights and access to justice. Women and girls infected and affected with HIV/AIDS in Uganda are routinely subjected to discrimination, stigmatisation.

By intervening on behalf of people affected by the HIV/AIDS pandemic in Uganda, HRAPF promotes awareness on the rights of women and girls infected and affected with HIV/AIDS and offers legal aid to them through court representation, Alternative Dispute Resolution (ADR) and advocacy. The envisaged goal is to use the law to eliminate HIV/AIDS stigma and discrimination.

In support of this effort, HRAPF on 27th -31st May 2013, conducted the first paralegal training program for girls and women infected and affected by HIV/AIDS as a way to build their capacity to face their legal and human rights challenges. The training took place at New Highway Hotel Mityana District with participants from Luwero, Mpigi, Kiboga and Mityana Districts.

Through its HIV/AIDS partners from

the four districts, HRAPF identified 4 girls and 17 women living with HIV/AIDS and started training them to become paralegals for people living with HIV/AIDS in the districts of Luwero, Mpigi, Kiboga and Mityana.

This paralegal training is divided into two modules. In this first module, the trainees were trained on the concept of a paralegal and human rights, patients' rights, guardianship, custody, adoption, parentage and foster homes, rights upon marriage and divorce, law of succession, will making and land rights in Uganda. The second module will introduce them to criminal law and legal systems in Uganda and how to work with each of these mechanisms.

Addressing the participants in the training session, Deputy Executive Director of HRAPF, Mr. Anthony

Continued to page 10

Mutimba, reaffirmed HRAPF's commitment to facilitating the participants attain all the necessary skills to use the law to protect and promote the rights of People Living with HIV/AIDS.

The training equips participants with basic knowledge of the law and legal procedure. It is designed to enable them to offer legal "first aid" to their communities, as well as to mobilise their members for legal redress in case of human rights violations.



Above: Some of the Paralegal trainees from Luweero, Mpigi, Kiboga and Mityana Districts take notes during the training workshop and below, Trainees in a group photo with facilitators from HRAPF at New Highway Hotel Mityana Town.



Below: Participants attempting questions in an evaluation exercise during the paralegal training sessions of women and girls infected and affected by HIV/AIDS held at New Highway Hotel Mityana town.



HIGHLIGHTS FROM THE ADVOCACY AND NETWORKING DEPARTMENT

Overview

This issue of the newsletter marks seven months since the Legislative Advocacy and Networking Department came into being at HRAPF. The department was introduced under the new HRAPF strategic plan 2013-2017 that started its implementation at the beginning of this year.

The department directly implements two major projects: Beyond strategic litigation: Engagement with the Equal Opportunities Commission (EOC)- a project that is working with the EOC to avail access to justice to minorities and the advocacy project for human rights, legal and policy response to the HIV/AIDS pandemic in Uganda. This project accords legal aid to girls and women infected and affected by the HIV/AIDS pandemic in the Districts of Luweero, Mpigi, Mityana and Kiboga. These are implemented alongside many other activities that take place in the department.

During the seven months, a lot of water has gone under the bridge. We have streamlined our work to match the inter-linkages with the rest of the departments and run advocacy campaigns successfully. We have ensured that human rights awareness remains an integral part of HRAPF's work and we have taken it to the public through awareness sessions, radio talk shows and publications. We published our annual report 2012, a new HRAPF logo, launched the HRAPF Newsletter for the first time ever and analysed bills and laws highlighting the human rights implications to marginalised Ugandans.

The Human Rights Advocate, a magazine dedicated to legislative and human rights advocacy has been developed during the period and will be published soon. The inaugural edition of the magazine is dedicated to Section 15(6)(d) of the Equal Opportunities Commission Act, 2007. That provision stops the Equal Opportunities Commission from investigating matters that are considered as 'immoral and socially harmful, or unacceptable by the majority of the cultural and social communities in Uganda.' Section 15(6)(d) in one stroke undermines the very essence of the Commission- to promote 'equal

opportunities and affirmative action in favour of groups marginalised 'on the basis of sex, race, colour, ethnic origin, tribe, creed, religion, social or economic standing, political opinion, disability, gender, age or any other reason created by history, tradition or custom.'

We have taken advocacy to the courts of law to support strategic litigation in favour of marginalised Ugandans. HRAPF led civil society to deliver a petition to the Constitutional Court complaining about the delayed ruling in the case of *Jjuuko Adrian vs. Attorney General* which was filed in 2009 to challenge section 15(6)(d) of the Equal Opportunities Commission Act 2007.

HRAPF joined new networks and coalitions and continued to be a member of the old ones. We subscribed to the National NGO Forum, a network that brings together all charity organisations in Uganda. We were admitted to the Uganda Human Rights Network (HURINET) and joined the Civil Society Coalition to Stop Maternal Mortality in Uganda hosted by the Center for Health, Human Rights and Development (CEHURD). HRAPF was also elected to the steering committee of the National Coalition of Human Rights Defenders in Uganda. These networks help HRAPF to synergise with civil society in order to promote human rights and share best practices and experiences.

As we begin the second half of the year, we hope to continue with our advocacy efforts to promote human rights, publicise, litigate and condemn all human rights abuses on marginalised Ugandans, for we gave ourselves this solemn call.

Taking Human Rights to All

Flavia Zalwango

Ag. HOD Legislative Advocacy and Networking

Civil society speaks out on the delayed ruling in the case of *Jjuuko Adrian vs. Attorney General*



Left to right: HRAPF's Project Officer Advocacy and Networking addressing the media while members of civil society organisations in waiting for the Registrar to deliver the complaint letter on the delayed ruling in the case of *Jjuuko Adrian vs. Attorney General* at the Constitutional Court on 23rd July 2013.

On the 23rd of July 2013, Human Rights Awareness and Promotion Forum-Uganda (HRAPF) led over 20 civil society organisations (both national and international) to deliver a petition to the Constitutional Court over delayed ruling in the case of *Jjuuko Adrian vs. Attorney General*. The petition asked the court to deliver the ruling in the long-delayed case. A ruling has been pending since 3rd October 2011, when the case was heard. Although the Registrar refused to receive the petition in person, the group filed the petition with the registry at the Court.

The petition was to the effect that that since the case concerns a broad spectrum of human rights of marginalised groups, the delay in ruling on this case is not only affecting the access of the petitioners and other citizens to the Equal Opportunities Commission, an institution created to serve them, but also denies them the enjoyment of many other rights that are entitled to by virtue of being human.

The case challenges section 15(6) (d) of the Equal Opportunities Commission Act 2007. That act established the constitutionally mandated Equal Opportunities Commission (EOC) after over ten years of lobbying by civil society organisations. The EOC is mandated to "eliminate discrimination and inequalities against any individual... and take affirmative action in favour of groups marginalised on the basis of sex, gender, age, disability or any other reason created by history, tradition or custom for the purpose of redressing imbalances which exist against them."

The civil society petitioners were dismayed by the fact that the Registrar did not give them a direct audience. The Registrar did not honor the appointment the petitioners had set with him some time back and had confirmed on the 22nd July 2013, the day prior to the appointed day. After waiting from 10:00am to 11:30am, the Registrar came and asked the group its 'agenda' and, then told the activists that he could

not set a precedent by giving them audience because the whole public would start coming to the court to complain about the same issue.

Mr. Edward Mwebaza, the Project Officer Advocacy and Networking of HRAPF addressed the media and emphasised that civil society is concerned about the delayed delivery of the ruling in the case since it is bound to affect the work of the EOC. As written, Section 15(6)(d) of the challenged Act promotes discrimination of minorities, yet the constitutional mandate for the establishment of the EOC is to take affirmative action in favour of marginalised groups.

HRAPF takes intersex issues to a public forum.

It's so unfortunate that generally in Uganda when an intersex child is born, the family treats the birth as a secret and will isolate the child from the general public. Usually, the mother of such a child will be frowned upon, the intersex child may be killed shortly after birth, and if the child survives more challenges awaits, intersex teenagers are often forced to drop out of school and live a disempowered and secret life. They are often subjected to sexual violence (in terms of "curiosity" rape) and other forms of sexual and physical harassment. Usually superstition looms large as families consult witchdoctors, mediums and traditional healers for a solution. Ugandan society has always responded with denial, hostility, and at best, silence, on these matters pertaining to sexual development and related health and human rights concerns. So intersex persons are marginalised and discriminated because of public ignorance and misconception about who they are.

One of the key aspects of HRAPF's work is to uplift the plight and assert the rights of the most marginalised groups in Uganda. This time HRAPF decided to take issues of intersex children in the National CSO Fair 2013. The fair was organised by Uganda National NGO Forum on the 4th to 5th of July 2013 at Hotel African Kampala. This year's theme was "Our Country, Our Dignity, My Duty". The fair attracted civil society organisations from across the country. More than 100 attended. Government ministries and agencies also took part in the fair to exhibit their work and deliver services to the participants.

Alongside the exhibition, parallel sessions were run on different topics by different organisations. HRAPF's session was titled "*Implications of the Gender and Sex Development Dilemmas among Children in Uganda*". The session attracted over 70 participants.

In order to give true meaning to the session, HRAPF worked with its partner Support Initiative for People with Congenital Disorders (SIPD) to sensitise the people on issues of intersex and to advocate for and on behalf of this marginalised community. The major focus of the parallel session was to create awareness on the situation of children born with sex development disorders, of the existing legal framework supporting these children and of the social and economic challenges faced by these children and their parents.



Participants during HRAPF's parallel session on intersex at Hotel Africana 5th July 2013



The panel of discussants included: Mr. Anthony Mutimba the Deputy Executive Director HRAPF, Mr. Tom Makumbi who represented the Executive Director of SIPD Mr. Julius Kaggwa, Dr Reuben Kiggundu a Doctor from Makerere University Infectious Diseases Institute and Ms. Fridah Mutesi a Lawyer from HRAPF. It was modulated by Ms. Shiela Mwangi the Chairperson, Board of Directors, HRAPF.

The session included screening of a 15 minutes video showing the harsh realities of life for children born with sex development disorders. The video explained the plight of those children, and the special challenges they face as there is little recognition of their condition and almost no access to social,

Continued to page 14

legal, educational, and medical spaces as well. It also reminded viewers of the constitutional rights of all Ugandans including intersex persons. The video was followed by a presentation and discussion of sexual and reproductive health and rights issues for the intersex population. The discussion also highlighted successes in the work to create awareness and safe spaces for both these children and their parents, as well as objective information for practitioners who need to open more engagement and intervention spaces for this population.

Participants recognised that there is need for counseling to prepare mothers to expect giving birth to an intersex

child and to lobby the Ministry of Health to include intersex information in their health messages. Participants also urged civil society to come out boldly on the issue of intersex in terms of public awareness and advocacy just as civil society has done on HIV/AIDS, corruption and other issues. They also advised civil society to petition parliament to check all laws for inclusion of intersex people.

HRAPF conducts public awareness of the land law and rights in Mubende District.



A cross section of participants during the awareness session on land in Mubende District.



Mr. Daniel Walusimbi from Justice Law and Order Sector (JLOS) addressing participants during the awareness session on land in Mubende District.



On 15th May 2013, almost 300 residents of Kasana Musaba village in Mubende District benefited from a one day awareness workshop organised by Human Rights Awareness and Promotion Forum (HRAPF). The workshop was organised in the wake of increased land wrangles in the area which led to increased evictions and violations of people's land rights in Mubende District.

The workshop was attended by the area LC III Chairperson and other local leaders, a representative from the Justice Law and Order Sector, a representative from the Administrator General's Office, the District Land surveyor, and the District Land Registrar Mubende district. HRAPF was represented by the Deputy Executive Director and five lawyers from the Access to Justice Department. This gave the residents an opportunity to direct their questions and queries to relevant public officers, and to HRAPF's legal team.

Among the issues addressed were: who can own land in Uganda? What are the types of land ownership in Uganda? What is the definition and meaning of Mailo Land, freehold and customary types of tenure? What is the difference between a landlord and a tenant? What is the difference between a bonafide occupant and lawful occupant? What are the rights of tenants? And, how does the Land Act 2010 apply?

The area LC.III chairperson thanked HRAPF for bringing such awareness in his area and remarked that this came at a time when the residents of the area were facing a lot of challenges on their land.

Mr. Daniel Walusimbi, an Official from the Justice Law and Order Sector offices in Mityana District, urged residents to know their rights so that they can understand when they are violated. He commended HRAPF for carrying the banner of educating people on their rights and urged residents to seize this golden opportunity.

At the end of the workshop, 30 cases were registered by HRAPF and are being followed up by lawyers at the Legal Aid Clinic.

HIGHLIGHTS FROM THE FINANCE AND ADMINISTRATION DEPARTMENT

Overview

In the new strategic plan 2013-2017 the department falls under the Organisational Development and Capacity Building Program. Therefore we are concerned with policy development and implementation, human resource management and development, strengthening governance structures and building membership, strengthening HRAPF's monitoring and evaluation systems and mobilising resources for implementation of project activities.

This first half of the year has witnessed a lot of changes for the organisation. First, the beginning of implementation of the new HRAPF strategic plan, building capacity of new and old staff, conducting financial audit, implementation of the internship program and lastly, developing new policies and supervising their implementation.

I am glad to report that in the past seven months of the year, the organisation has secured enough financial resources to implement all project activities. Thanks to our local and international partners. The organisation has also been able to maintain a dedicated team of professional members of staff and implemented internal controls to monitor and evaluate all expenditures and implementation of project activities.

HRAPF conducted a successful financial audit of the books of accounts for the year 2012. Our auditors concluded that the financial statements given to them presented a true and fair view of the financial position of the organisation as at 31st December 2012 and of its financial performance and funds for the year then ended in accordance with Generally Accepted Accounting Principles.

The internship program continued to thrive at HRAPF. During the period April- July 2013, HRAPF hosted two interns from Makerere University Kampala and one intern from the University of Toronto, Canada.

As HRAPF enters into the second half of the year 2013, we look with great admiration at the new strategic plan 2013-2017. However, we call upon our partners, national and international community to support the new plan to thrive because the sky is the limit for what we intend to achieve.

Taking Human Rights to All.

Anthony Mutimba

Deputy Executive Director

The Internship program: Exchanging knowledge and learning by doing.

At or about the beginning of every year, HRAPF receives a number of requests for student internships both from our local universities as well as from international universities. Well, this year was no exception. Internship applications started flowing in right from January and all of these young people wished to be considered for this program.

Given such a challenge, the Finance and Administration department together with management had to come up with a fair criteria to pick the most suitable candidates. As it is, HRAPF is made up of three departments: (i) Access to Justice, (ii) Advocacy and Networking, and (iii) Finance and Administration. Interns are considered for each department based on



Left to right: Kathryn Hart, Veronica Kavunani, Joannine Nanyange and Hanifah Nakandi and below HRAPF staff during the Intern send off party.



Continued to page 16

their learning needs and courses.

Most of our activities as an organisation revolve around the Access to Justice department. It is primarily focused on work in Uganda's courts; therefore priority is given to law students. Since the opportunity to work with HRAPF lawyers has a lot to offer in terms of practical skills, law students are better placed there.

This quarter HRAPF has had three

interns. Ms. Joanne Nanyange is a third year law student from Makerere University, Public Interest Law Clinic (PILAC) and Ms. Kathryn Hart, who possesses both a Bachelor's and Master's degree in English literature and a law student at the University of Toronto were both attached to the Access to Justice Department. Ms. Hanifah Nakandi, a third year student pursuing her degree in Social Work and Social Administration from

Makerere University, was attached to Finance and Administration.

HRAPF believes that interns are a great resource. We learn from them and share our expertise and experience with them. At moments when literally every HRAPF staff member is busy, the interns help fill in. In addition, interns come with fresh thinking and often initiate new areas of work for an organisation.

HRAPF conducts a successful financial audit.

HRAPF conducted the fourth financial audit for the year ending 31st December 2012. The audit was done by BIZ & CO Certified Public Accountants. It was completed in May this 2013 and results were presented to the fourth Annual General Meeting held in July 2013.

Every organisation is mandated by law to conduct an annual audit of its books of accounts. Usually it is the responsibility of management to prepare and present financial statements to auditors in accordance with generally accepted accounting principles. This responsibility includes: designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements that are free from material misstatement by applying appropriate accounting policies

and making accounting estimates that are reasonable in the circumstances. It is on such financial statements that auditors base their opinion.

This year again, HRAPF's financial statements were 'unqualified' in the Auditors' opinion. This means that the financial statements presented a true and fair view of the financial position of the organisation as at 31st December 2012 and of its financial performance and funds for the year then ended in accordance with Generally Accepted Accounting Principles.

HRAPF shall always ensure proper use and allocation of resources by implementing the best accounting procedures and policies in order to promote the human rights of marginalised groups.



Mr. Stephen Isabirye an Auditor from BIZ & CO Certified Public Accountants presenting the HRAPF 2012 Audit Report to HRAPF members during the Annual General meeting at the Secretariat.

Contact us

Human Rights Awareness and Promotion Forum (HRAPF)
Plot 390 Prof. Apolo Nsibambi Rd , 20 metres off Balintuma Road Namirembe, Kampala.
P. O . Box 25603, Kampala.
Tel: +256-414-530683
Email: info@hrapf.org
Website: www.hrapf.org