

EDITORIAL MESSAGE

This is the 7th issue of the HRAPF quarterly newsletter, which is released every 3 months. This issue of the newsletter looks at the organisation's highlights in the months of April, May and June 2015. The second quarter of the year is normally a busy quarter as beginning of year targets and work plans start materialising. It also closes the first half of the year and is therefore a period of implementation and evaluation on progress of set plans.

One of the things that stood out in these months for not only HRAPF but for the whole civil society sector was the proposed NGO Bill 2015. The Bill became very controversial because of its provisions that seek to narrow civic space in Uganda. Various organisations have embarked on efforts to advocate against its enacting. HRAPF advocated against the bill with a specific focus on its implications for organisations working with marginalised persons. Consultations were made with leaders of these organisations to strategise on the Bill. We collected their issues and presented them to the broader National NGO Forum that is taking lead for civil society advocacy on the Bill and also presented them in different dialogues where members of parliament were involved, and other stakeholders including embassies and the Office of the High Commissioner for Human Rights'.

In this quarter, many activities have been carried out in the different departments at the organisation. Through these, the organisation registered many highlights in the period.

We continued to provide legal aid services to marginalised groups in Uganda particular LGBTI persons, Sex workers, women and girls living with HIV/AIDS and indigent women and the elderly facing land injustices. In the months April - June 2015, the legal aid clinic handled a total number of 69 cases. Of the 69 cases, 31 concerned LGBTI persons, 21 were for women and elderly facing land injustice and 17 concerned sex workers. A total of 141 individuals directly benefited from our legal service provision during the second quarter of 2015.

Another highlight, HRAPF got a rare visit from Mr. Nate Freeman, who rode a bicycle from Cairo to CapeTown to raise awareness and funds for LGBTI rights organisations in Africa including HRAPF. He visited the HRAPF offices and shared his inspiring journey with the staff. The donation received from him is to be used to build the legal capacity of organisations whose



registration was facilitated by HRAPF and which work on LGBTI issues.

HRAPF successfully trained Local Council leaders in Nakasongola district in order to respond to the rampant land issues affecting women and the elderly in that area, we participated in the annual Civil Society Fair, joined the LGBTI community in celebrating the International Day against Homophobia and Transphobia among other highlights.

The case of Jjuuko Adrian v Attorney General was once again not heard by court, which continues to delay justice for marginalised persons in Uganda. We however have hope that since it has been revived, it will be handled by court.

These and many other highlights of the quarter are discussed in this issue which I hope you find enriching and informative regarding our work.

Adrian Jjuuko

Editor

UPDATES FROM THE ACCESS TO JUSTICE DEPARTMENT

Legal aid provision during the quarter

HRAPF

continued to provide legal aid services to the marginalised persons in Uganda during the second quarter of 2015. A total of 69 cases were handled. Of the 69 cases, 31 cases concerned LGBTI persons, 21 involved women and elderly persons facing land injustice and 17 cases involved sex workers.

Of the 31 cases that concerned LGBTI persons, 23 cases were fully investigated, intervention made and files closed while 9 are pending. These directly benefited 7 Lesbians 16 gay persons, 4 Bisexuals 3 Transgender persons and 4 organisations. A number of remedies were also sought for the clients. These included: court representations including bail applications in different courts; intervention at the police station to get police bond, mediations, referrals

and provision of legal advice.

Out of the 17 cases for sex workers received in the quarter, 12 were completed and 4 are pending. A total number of 46 persons benefited from the interventions. A number of remedies were also sought out for the sex worker clients. These include: Police interventions at the different police stations. 29 sex workers were released with caution without charges, 3 police bonds were obtained for 3 sex workers and 4 mediations were held for sex workers who had issues of were charged with affray, child abuse and malicious damage to property. A case of custody of children was also handled. Court representation was made in 5 cases. In 2 of the cases, bail application was made and 3 sex workers were granted bail. In 3 of the cases, the sex workers failed to get any persons to stand surety for them and upon giving them the different

options, they decided to plead guilty to the charges. In all the cases mitigation was made on their behalf and they were sentenced to a lighter sentence of community service. In one case however, sex workers were convicted of 'frequenting a place used for smoking opium' and sentenced to either 30 days imprisonment or payment of a fine of 100,000shs.

Of the 21 cases for women and elderly facing land injustice and women and girls living with HIV/AIDS received in the quarter, 8 were for unlawful eviction, 5 for trespass, 4 succession disputes, 1 family dispute, 1 refusal to grant a lease, 1 on contract, and 1 on employment. 13 of the cases were from Wakiso, 3 from Mubende, 2 from Kampala, 2 from Nakasongola and 1 from Kayunga districts.

The Equal Opportunities Commission (EOC) case stall again!

The case of Jjuuko Adrian v Attorney General has been before the Constitutional Court since 2009 without much progress! The case challenges section 15(6)(d) of the Equal Opportunities Act which stops the Equal Opportunities Commission from investigating matters that are deemed immoral or unacceptable. The case was heard but judgement was never delivered because the judges that heard the case became indisposed before they could deliver it. The case has been pending since then. However in the last quarter, the court finally allocated the case a hearing date which was 1st June. Submissions were prepared and stakeholders invited for the hearing but the case was not heard because 2 of the judges were unable to attend court. The case was then adjourned to September on an undisclosed date. This delay in hearing the case delays accessibility to justice by marginalised groups. There is however hope that since court has finally revived it, it will be heard.

Following the failure of the court to hear the case, HRAPF organised and held a meeting for different stakeholders to strategise on the way forward on the case. The meeting attracted different people including leading activists, lawyers, academicians, organisation leaders among others who discussed the possible strategies that could be taken to ensure that the case is heard and justice served. The meeting was highly successful as different strategies were proposed and are being implemented.



Update on the Anti-Homosexuality case at the East African Court of Justice fixed

The case at the East African Court of Justice in which HRAPF is an applicant against the Attorney General of Uganda continued to progress in the quarter. In that case, HRAPF argues that the passing and subsequent enforcement of the Anti-Homosexuality Act 2014 violated provisions of the East African Community Treaty to which Uganda is a party. Different institutions and individuals sought to be part of the case as amici curiae. These included UNAIDS, the University of Pretoria and Dr Ally Possi, a Tanzanian lawyer. They filed their amici applications with the court and in this quarter, the court set the hearing date of the applications for July 29th.

Supplementary affidavits in support of HRAPF's reference were collected from Tanzania and Rwanda in this quarter and filed in court. These affidavits, in addition to the one filed from Kenya, are intended to show court the effect that the Act had on not just Uganda, but the whole East African region.

HRAPF reaches out to 250 persons through awareness sessions

One of the ways in which HRAPF continues to empower marginalised communities is through teaching them about the different laws that affect them and their human rights. This is especially important considering the different laws that are being passed that have great implications on the rights of these communities. These laws include the Registration of Persons Act 2015, and the HIV/AIDS Prevention and Control Act

2014. In the quarter, the Access to Justice Department organised and participated in 3 outreach sessions and 4 awareness sessions. The outreach sessions were held with the transgender community, members of Freedom and Roam Uganda (FARUG) and Sexual Minorities Uganda (SMUG). One awareness session was held in Mpigi for HIV/AIDS clients and HRAPF participated in 3 awareness sessions organised by a partner for sex workers in

Bwaise, Nakulabye and Kireka. These awareness sessions and outreaches are used to discuss issues arising in the community, laws affecting the target communities, teach community members about their human rights and re-introduce HRAPF services to the communities. A total of 251 community members were reached out to in these sessions.



Participants during the awareness session in Mpigi district

HRAPF maps LGBTI organisations in Uganda

In a bid to improve its services to the LGBTI community in Uganda, HRAPF carried out a mapping exercise in which it mapped LGBTI organisations in the country to assess their needs and how HRAPF could respond to their needs better. It was also intended to touch base with different LGBTI organisations and connect with different LGBTI communities, especially those in rural Uganda which seemed to be on the periphery of service provision. The exercise was also intended to identify the different

needs of the LGBTI community in order to inform HRAPF policies. A team from the Access to Justice Department embarked on identifying different LGBTI organisations and seeking out those that were not known to HRAPF before. A total of 28 organisations were identified during the exercise and all these were visited by the team. They were asked about the different legal and human rights needs of their respective communities, introduced to HRAPF services among other things. Various

needs were identified including lack of registration by some of the organisations and failure of the registered organisations to fulfil their legal obligations for lack of knowledge about what to do. The exercise was used as a needs assessment process, which is being used by HRAPF to tailor its services to suit the needs of the LGBTI community.

Local council leaders empowered to resolve land injustice in Nakasongola

Nakasongola district is one of the districts covered by the land project at HRAPF. The project offers legal aid services to indigent women and elderly persons with land problems. In the course of the legal aid provision, it was discovered that many of the land disputes can be solved through Alternative Dispute Resolution other than involving lawyers and going to courts of law. This could be through mediations, arbitrations among others. Such dispute resolution can be handled by the Local Council leaders as it is within their mandate. There was however a lack of knowledge by these leaders about the laws

concerning land rights in Uganda and how they could apply them to different land disputes in their areas. These leaders are also involved in very many land transactions and many of them did not know the laws applicable and ended up engaging in illegal transactions. As a way of empowering them and ensuring the sustainability of the impacts of the project in the area, HRAPF organised to train them.

A total of 40 Chairpersons and 3 Policemen were trained. They were told about HRAPF and its services, taught about land rights and the different laws that govern land transactions, the

Local Council Act that establishes their offices and talks about their mandates, how to make valid wills among other things. Every participant received a copy of the Local Council Act, the HRAPF Profile, ground rent instruments, and a copy of the 'Ekiraamo' booklet on how to make wills. These are to work as reference points in handling the different cases that may be brought to them. This training empowered the participants as regards handling land disputes in their areas and also ensured that the impact of HRAPF interventions in the district continue through them.



The group photograph for participants during the local council training in Nakasongola District.

UPDATES FROM THE LEGISLATIVE ADVOCACY AND NETWORKING DEPARTMENT

HRAPF analyses the NGO Bill's potential impact on organisations working for marginalised groups

The NGO Bill 2015 that was recently tabled in Parliament has turned out to be a very controversial Bill as civil society organisations argue that it is likely to be a tool of government control on Non-Governmental Organisations. The Bill seeks to narrow civic space by increasing government control over the operation and activities of these organisations. Very many analyses were made by different organisations and coalitions but all these analyses focused on the likely implications of this law on civil society as a whole if it passed.

HRAPF noted that while these implications were general for all civil society organisations, organisations working with marginalised groups like sexual minorities were likely to have different and worse implications. This is because most of their work could easily be deemed criminal as the lifestyles of the communities they target are criminalised under the laws of Uganda. These organisations also work in a society that does not necessarily approve of the work they engage in so it is easy for their work to be affected by

prejudices if the law does not provide enough safeguards for them. There was therefore need to analyse the Bill from the unique position of these organisations. HRAPF analysed the bill's implications for these groups and specifically focused on the powers of the NGO Board to refuse to register, deny a licence and close down organisations in 'public interest', or for 'any other reason that the board finds fit.' This is carte blanche for the NGO Bill to refuse to register, deny licences or close down organisations and yet the appeal procedure goes to the Minister, who also controls the Board and not the courts. The other disturbing provision is the one of special obligations of NGOs which requires them not to do anything which is 'prejudicial to the laws... of Uganda' and /prejudicial to the interests and dignity of the people of Uganda.' All these provisions have a thinly veiled message to LGBTI organisations and those working on sex worker issues because the communities they target are criminalised. The analysis was made and distributed to different stakeholders including leaders of different sexual minorities' organisations.

HRAPF consults on the NGO bill 2015 with leaders of sexual minorities

HRAPF organised and held meetings with leaders of sex workers and LGBTI communities to strategise around the NGO Bill. Two meetings were held. They were attended by a total of 58 leaders of sex workers' and LGBTI organisations who brainstormed on what best advocacy strategies could be adopted to advocate against the controversial provisions of the Bill. The leaders suggested different actions that should be taken collectively as civil society but emphasised the need for organisations working with sexual minorities to highlight their unique challenges and seek solutions for them. They agreed to work together and make their concerns heard regarding this proposed law.



Stratègic meetings with leaders of sexual minorities at Grand Global Hotel



HRAPF participates in the 5th Civil Society Organisations Fair, 2015

Every year, the National NGO Forum organises a Civil Society Fair where different Civil Society Organisations meet and share their work with other organisations through different activities like parallel sessions and exhibitions. Since 2013, HRAPF has always used these fairs as platforms to discuss its work and rights of marginalised groups. In this year's fair, HRAPF participated in the exhibition which lasted 2 days, with two objectives; to share information with the rest of the civil society sector on the rights of marginalised groups in Uganda and to showcase the contribution of HRAPF's work in the promotion, respect and enforcement of human rights of marginalised groups in Uganda.

Different HRAPF materials were exhibited including; the Human Rights Advocate magazines, simplified booklets on criminal law, guides on will making, HRAPF brochures, and HRAPF's annual reports. 273 participants visited HRAPF's booth and received the different HRAPF publications. They included members of different organisations, Missions, Commissions, Tertiary Institutions, Media houses, Donors, Ministries, the Guest of Honor and members of the general public. The fair contributed to the increased visibility of HRAPF and its work within civil society and the general population.



The Guest of Hon Minister Hillary Onek and the Executive Director of the NGO Forum at the HRAPF Booth



The Lawyer who cycled across Africa to fundraise for LGBTI rights visits HRAPF

On 9 January 2015, Nate Freeman started his inspiring journey to cycle 12,000 kilometres from Cairo to Cape Town to raise awareness and support for minority rights in Africa. Nate's bicycle ride was part of the Out in Africa Ride project, a larger initiative formed to promote rights of marginalised groups that was created by a group of former law clerks from the Constitutional Court of South Africa. The goal of the project was to identify and support a number of local non-profit organisations across the continent that are fighting discrimination and advocating for the protection of rights of marginalised groups, including HRAPF. Nate's four-month cycle was the initial fundraising springboard for the project, and the group raised money from donors across the world for HRAPF.

secretariat to share his story and the proceeds of this project. He informed HRAPF staff that the ride took him through ten countries of Africa at a pace of about 120 Kilometres per day. The route traversed the Eastern part of the continent before heading west to Windhoek and then South to Cape Town, where Nate arrived in May, 2015. He said that among all the international cyclists who had various causes, Nate was the only one riding for the cause of sexual minorities. He shared the proceeds of the ride with the staff members who were joyous for the contribution he had made. HRAPF staff appreciated Nate for making such a contribution to the promotion and protection of the rights of marginalised persons in Uganda.

After his journey, Nate Freeman visited the HRAPF



HRAPF Staff in a group photograph with Nate Freeman (third left) during his visit at the Secretariat

Using radio talk shows to create awareness on human rights and policies

During the quarter, HRAPF continued to hold radio talk shows to reach out to masses on human rights and policy matters. Three radio talk shows were held on Kingdom FM in Kampala Capital City and Buwama FM in Mpigi district. The issues discussed included HRAPF's work, the NGO Bill 2015, HIV/AIDS patients' Rights and guide on making a valid Will.

HRAPF staff interacted with the different audiences through live call-ins. Some of the questions were addressed instantly and those that needed further legal attention were referred to the legal aid clinic. A total of 12 people called in from whom 4 had legal issues and their files are being handled by the legal aid clinic at the Secretariat.



HRAPF staff and a representative from a partner organisation (HESI) during the radio talk show on Buwama FM in Mpigi District.

Celebrating the international day against homophobia and transphobia 2015

Every 17th of May, the world comes together to celebrate the International Day Against Homophobia and Transphobia. This day commemorates the 17th of May 1990, the day the World Health Assembly of the World Health Organisation approved the International Statistical Classification of Diseases and Related Health Problems which no longer listed homosexuality as a diagnosis. In Uganda, the LGBTI community celebrated it in various ways. Different organisations held IDAHOT celebrations at their offices to commemorate the day. HRAPF was invited to participate in the celebrations held at

Freedom and Roam Uganda. The day was used to talk to the participants about rights of LGBTI persons, the work HRAPF has done and still does among LGBTI communities in Uganda, the new laws that have been passed that affect these communities and the already existing laws that affect them. The participants used the event to get more clarification about how to live within Uganda's existing legal framework and all these concerns were addressed.

UPDATES FROM THE FINANCE AND ADMINISTRATION DEPARTMENT

More interns admitted at HRAPF

HRAPF runs an internship program, which aims at building capacity of young students interested in the field of human rights. The program in the second quarter admitted two students from the Public Interest Law Clinic of the Makerere University School of Law. These are Allan Daniel Bunyenyezi and Natasha Agatha Ahimbisibwe who are both students of law and are interested in promoting the rights of indigent and marginalized groups of people. Allan was assigned to the Legislative Advocacy & Networking Department while Natasha was assigned to the Access to Justice.

The interns will be around for 2 months and so far they have been very instrumental in the organisation's work like drafting of organisation documents, handling clients, carrying out research among other activities. They have exhibited a willingness to learn and continue to bring new perspective to the work done by the organisation. The officers at HRAPF are providing a lot of learning experiences for the interns and are dedicated to ensuring that they make their stay at the organisation an enjoyable learning experience. We hope that the time they spend with HRAPF helps them learn more about human rights of marginalised persons.

HRAPF staff bidding farewell to the two interns: Ms. Natasha Ahimbisibwe and Mr. Allan Bunyenyezi who are in the first photo above



HRAPF gets audited

In the quarter, the accounts and financial statements of HRAPF were audited by BIZ & CO Certified Public Accountants. The Finance department prepared and organised the financial statements ready for the auditor's work. The department also facilitated the process and ensured that the auditors' questions are answered.

The auditors carried out the exercise, which lasted 2 weeks. At the end of the process, the auditors gave an unqualified opinion of the accounts and confirmed that the financial statements provided gave a true and fair view of the financial position of HRAPF as at 31st December 2014.

For more information, contact us:

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