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ISA 74615

The Uganda Human Rights Activists

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P. O. Box 8972, Phone 203156 KAMPALA, UGANDA.

OUR REF: HR/9

YOUR REF:

5th April, 1991.

PPC/CDIE/DI
ACQUISITION
Room 209, SA-18
Agency for International Development
Washington, D.C. 20523
U.S.A.

Subject: Grant No. 698-9801 17-90-02
Human Rights Fund-Uganda, Human Rights
Journal.

Project No. 698 - 9801 - 17

Project Title: Publication of the Quarterly Human
Rights Journal in Uganda.

A.I.D. Project Office: RFMC, Nairobi

Date of Project: 25th June, 1990.

Dear Sir,

RE: FINAL REPORT ON A.I.D. GRANT NO. 698-9801
17 - 90 - 02, HUMAN RIGHTS FUND - UGANDA
HUMAN RIGHTS JOURNAL

In compliance with Article F of the schedule to the Grant Agreement which states that "the only report required is a final report. The final report should describe the activities carried out under this grant, both qualitatively and quantitative accomplishments problems encountered and recommendations for future action....." this report is being submitted in fulfillment of the above provision.

The report will give an account of what has been accomplished through the use of the grant, outline the major problems and underline major recommendation.

A. STATEMENT OF COMPLIANCE

We wish to assure the Agency for International Development (A.I.D) that Uganda Human Rights Activists has implemented the project under review in strict conformity and adherence to the terms and conditions of the Grant Agreement. In particular, the Grant has been used to publish the Quarterly Human Rights Journal (the ACTIVIST) and the Quarterly Human Rights Report. At no time during the program implementation has there been a diversion, addition or subtraction to the intended activities of the program.

We wish to reiterate here that during the programme implementation, the Activists have maintained political, religions, ethnic impartiality. The Activists continue to record major successes and break throughs and todate there is an increasing acceptance of our activities. We shall continue to follow this trend in future.

B. THE PROGRAMME

The programme was intended to promote understanding of the basic principles of human rights through:-

- (a) the production of the Quarterly magazine the Activist.
- (b) research and documentation of human rights violations in Uganda.
- (c) the publication of the Human Rights Report on the human rights situation in Uganda and
- (d) the distribution of both the Activist Magazine and the Human Rights Report to members, government officials international agencies and embassies.

In Quantitative terms, Uganda Human Rights Activists had under the project to:

- (a) publish Eight issues of the Quarterly Journal with a total out put of 4,000 copies and
- (b) publish Eight issues of the Human Rights Report with a total output of Eight hundred copies.

Under the project, Uganda Human Rights Activists received 24 pockets containing 25 reams of duplicating paper, 20 reams of newsprint and 25 reams of typing paper.

During the tenure of the programme, we have been able to:

- (a) continue publishing the Activist Magazine. So far two issues of the Activist Magazine dated April-September 1990 and October - December 1990 have been successfully published and distributed. The third issue under the project will shortly be out. A record of so far 1000 copies have been issued and 500 more will soon be out.
- (b) Continue publishing the Human Rights Report. So far three issues of the report are out dated April-June 1990, July-September 1990, October-December 1990. A fourth issue of the report is in the pipeline. A record of 300 copies of the report have been distributed so far.

C. EVALUATION

The Uganda Human Rights Activists consider the A.I.D. program a major success so far. If we refer to the project objectives we can rightly state that:

- (a) A good number of the Ugandan population have been able to read the Activist Magazine and daily get to grips with human rights concerns, trends and patterns both nationally and Internationally through a wide coverage of these issues in our Magazine - the ACTIVIST.
- (b) Our members have been able to raise their news and concerns on human rights through their contribution to the Activist. This is well reflected in the coverage of topics in the magazine.

- (c) We have been able to reach out to many Ugandans the International Community, generally articulating our activities and problems to them.
- (d) We have been able to sensitize the community on pressing areas of human rights violations mainly torture, arbitrary arrests, cruel, inhuman and degrading treatment, detention without trial, press freedoms economic and social deprivation and civil strife.
This report has continued to be the basis of dialogue between UHRA and the government.
- (e) We have successfully kept the international community and the general public a breast of major developments in the area of human rights abuse through the human rights report.

D. PROBLEMS

Despite the positive trend noted in the foregoing paragraphs. Uganda Human Rights Activists continues to face major constraints in the smooth production of the above. In particular the following can be noted:

- (a) A smooth and continuous production of the Magazine requires not only stationery but also staff who continually undertake fact-finding missions to establish and gather relevant data. These need professional allowances to do the job. UHRA has no funds to employ and monitor the deployment of such staff. If this is done, then we could record a more qualitative improvement of our publications.
- (b) A critical and credible human rights report requires concise research. This entails study missions and visits to scenes of incident. UHRA cannot adequately undertake such missions due to lack of funds for the purpose. The report though generally accurate is not necessary very up to date and concise at the time of its publication.
- (c) A regular and systematic publication of periodicals requires printing services whether in-house or otherwise which are of very relatively good quality. Today, UHRA cannot afford to make use of good printing services due to the high costs of printing obtaining in Kampala. If we obtained more qualitative printing services, we would be assured of better, uptodate and regular publications.

E. RECOMMENDATIONS

Following the few observations made about the constraints we face, we wish to suggest to A.I.D. to consider:

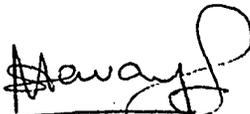
- (a) financial assistance to UHRA to undertake study and fact-finding mission with a view to gathering relevant and uptodate data on human rights in Uganda.
- (b) availing UHR with printing services to alleviate the heavy printing costs that hamper regular and qualitative production of our magazine and the Human Rights Report.

F. A WORD OF APPRECIATION

We unreservedly express our sincere thanks to the Agency for International Development (A.I.D) and the American Embassy in Kampala for the timely grant extended to UHRA. We salute you for your relentless efforts towards democracy, and the observance of human rights in this region we look forward to greater co-operation and strength in the years ahead.

Thank you for your timely and continuous support.

Sincerely,



Livingstone Sewanyana,
DEPUTY EXECUTIVE SECRETARY,
PROJECTS AND DEVELOPMENT.

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ACTIVIST

OCTOBER - DECEMBER 1990

SHS.500 \$3

Makerere Police brutality condemned



Rwanda: Refugees take up arms



Elements of an ideal constitution

Fight AIDS not AIDS victims-UN

Children: victims of killings



THE ACTIVIST

THE ACTIVIST

PUBLISHED BY:

THE UGANDA HUMAN
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Ethnicity and human rights

The past year has highlighted in at least two African States the chaos that can be brought about by ethnicity. In Liberia a full scale civil war fought over a year culminated in the grisly murder of President Samuel Doe in September and has created thousands of refugees while leaving an unspecified number of people dead. In Rwanda refugees who had been forced out of the country because of ethnic conflict thirty years ago made an armed attempt to go back thus threatening the delicate human rights situation in that country.

Liberia and Rwanda are not the only countries with the ethnicity problem in Africa. Countries like Uganda, Kenya, Mali, Nigeria, Sudan, Ethiopia, Zimbabwe to mention but a few have at one point or another experienced the evils of the negative side of ethnicity. This problem is so

grave that in many countries it has prevented meaningful political development thus sowing seeds of future chaos and conflicts. For instance, at independence the major party in Rwanda called itself Parti du Mouvement de l'émancipation Hutu thus emphasizing its major aim as excluding other nationalities from the political process. Elsewhere in Nigeria the antagonism between the Igbo and the Northerners unleashed the cascade of ethnic conflicts that finally triggered off the civil war that was fought between 1967-1970.

The root cause of conflict between different ethnic groups seems to stem from competition for political and economic power. Where there are hardly any respected rules for fair play this soon explodes into massacres and denial of other human rights to the ethnic group

that for different reasons at different times may happen to be the underdogs.

It is a tragedy that under the circumstances even democracy if taken to mean the rule by the majority may fail to redress the problem. This is because of the low level of political education which implies that concentration of political and economic power will be placed in the hands of the dominant ethnic group or groups. This in turn leads to economic advantages being bestowed on people of such dominant group or groups. Jobs, political appointments and patronages become the function of this ethnic group.

Looked at from this angle the problem becomes almost too big to be resolved. However one way of finding a solution is to create a climate of equal opportunity, strengthening the democratic foundation and embarking on an integrated programme that will provide the material conditions for the elimination of ethnic conflicts.

Legal safeguards may lessen ethnic conflicts but are not entirely enough on their own. But such provisions like requiring political parties to conform to some broadly based criteria, the president to have a national base, and appointments to political and public offices to conform to the identity of the entire nation may be a starting point. In short there should be conscious efforts to divorce the politics and the economy from anyone ethnic entity in any given African country. This may not provide all the answers but at least it will be a starting point.

SUBSCRIBE TO



THE ACTIVIST

LETTERS TO THE EDITOR

Freedom of worship

Dear Editor,

Thank you for the Human Rights education you provide us free through this magazine, The Activist. This magazine has enabled me to know more about my rights.

However as I was reading about the Universal Declaration of Human Rights, I came across Art 18 which

says that "everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief or teaching practise, worship and observance.

Key to success

Dear Editor,

I have been a regular reader of the Activists for over two years. I would like to thank the staff from the bottom of my heart for their humanitarian work. Since I started reading your magazine, I have not been able to find enough powerful words to express how much I have profited from it.

There are very few magazines like the Activist which tells us what is happening within the country and the world at large at a cheap price.

It was gratifying to me to read about your progress in educating the masses because through education, people will learn more about their rights of which they have been deprived of for so long. I was very pleased to learn that you handle legal cases free of charge, organise para-legal courses and Seminars which make us learn quite a lot.

Thank you for your efforts to keep Ugandans aware of their rights. You are a key to success.

By Diana Kibuuka

However, manifestations of intolerance and existence of discrimination in matters of religion or belief is still evident in some institutions. For example in St. Joseph Nsamuwa, about 50 students were suspended in October 1990 because of their faith; 50 of these were expected to sit Senior four. However, they were told to come back with their parents after two days. According to sources these students who call themselves saved, practise a kind of religion which according to the headmistress would distract other students.

When they reported back all were accepted and allowed to continue their studies except one. This one was told by her mother, to denounce her faith, that she is not saved but the girl refused and the mother denounced her as her daughter. She no longer belonged to her.

The right of these students to change religion and worship as they desire was violated by the school administration. And as I know these students were not out to spoil the manners of fellow students but to be an example.

The administration should know their rights and the rights of the students they teach. If the students do not violate the rules of the school why should they be persecuted because of their faith?

Religion or belief, for anyone who professes either, is one of the fundamental elements in his conception of life and that freedom of religion or belief should be fully respected and guaranteed by institutions of education, public places and individuals.

Concerned citizen.

Concerned citizen.

THE ACTIVIST

The Uganda Human Rights Activists (UHRA) is an independent non-profit organisation working to advance human rights and non-violence. It is not affiliated with any political party religious organisation or ethnic group. UHRA supports all governmental and private efforts to protect and promote human rights. UHRA condemns all violations of human rights by whoever may be guilty of such offences.

EDITORIAL OFFICES
SITUATED ON PLOT
NO.10B BUGANDA
ROAD.

Rwanda: Refugees take up arms

Whatever happens Rwanda will never be the same again. At the end of September 1990 refugees from three neighbouring countries made a lightning incursion into Rwanda. The objectives of these refugees who have been living in Uganda, Zaire and Tanzania according to a statement was to topple President Habyalimana whose 'acts of economic piracy and iron handed political persecution are an open secret'.

The move seems to have taken all the parties concerned by surprise. However a policy statement by President Habyalimana some years back barring refugees from returning home may have precipitated this dramatic turn of events. As early as July 1987 President Museveni warned that no country should be allowed to deny the universally recognised

right of a refugee to return home.

Despite this the daring move of the refugees most

By Joseph Kiggundu

of whom had been in the National Resistance Army (NRA) of Uganda according to official sources took Uganda's leader by surprise. President Museveni cut short his visit to Europe and returned home. In a series of diplomatic offensives which culminated in a mini summit in Zaire that was attended by President Mobutu of Zaire, Museveni of Uganda, Habyalimana of Rwanda and Buyoya of Burundi. The summit arranged for a tenacious cease fire which by the look of things can only take a miracle to bring about desirable results. From most indication the simmering refugee problem

was to end in a bloody confrontation that would produce more refugees. By the end of October some sources were saying that at least 15,000 new refugees had entered Uganda.

REFUGEE PROBLEM

Rwanda of course is not the only country with a refugee problem in Africa. In fact conservative estimates suggest that Africa has had the largest number of refugees for more than one decade compared with other continents. According to the United Nations High Commissioner for Refugees by early 1985, Africa had over five million refugees, totalling nearly to one half of the world's refugee population.

What made the Rwandese refugees a special case was that in most of the countries, where they had fled they had been allowed to participate in the national affairs of their host countries. For instance in Uganda they actively participated in the army. Indeed those who turned out to command the refugee force which calls itself the Rwandese Patriotic Front had been senior NRA officers. Thus these refugees were in a better position to mobilise themselves and to attempt a forceful return home.

ETHNICITY

The Rwandese population estimated to be 6,700,000 in 1988 is made of three ethnic groups: the Hutus (85%) the Tutsi (14%) the Twas and Pygmy hunters (1%). Prior to independence the minority Tutsi dominated society while the Hutus served as their serfs. The Tutsi hegemony over the



Hutus was established in the fifteenth Century after the invasion and subjugation of the Hutus. The differences between the two ethnic groups were so sharp that members of the two groups could not drink from the same cup because the Tutsi looked at the Hutus to be inferior by nature. Three decades ago the tables were turned in a bloody uprising that left many Tutsi dead while most of those who remained had to flee, thus creating a big refugee population in neighbouring countries. By 1986 there were at least 27,000 Rwandese refugees in Burundi, 15,000 in Zaire, 2,000 in Kenya and 100,000 in Uganda.

STEREOTYPE

Rwanda was not a special case of a refugee creating state in Africa; rather it was the stereotype and the causes were virtually the same like those that create refugees in other countries on the African continent. The basic causes were political intolerance and civil strife.

Following the ouster of Gregoire Kayibanda, his successor Juvenal Habyarimana started looking for political legitimacy. In December 1975 the regime proposed a new constitution for adoption by means of a referendum. It was subsequently endorsed by 90% of the voters (which effectively meant the entrenchment of Hutu rule). According to this constitution Rwanda is a Republic with a president elected for five years and a national assembly composed of 70 deputies elected for the same period. In addition to guaranteeing the fundamental rights contained in the constitution



it guarantees the equality of all citizens. However only one party, the National Movement for Development is allowed to function.

Despite the constitutional safeguards there have been continued reports of violation of human rights especially of the minority Tutsi nationality. Such violations include long term imprisonment without trial and restrictions on the freedom of religion, expression, association and the right of the citizens to elect their leaders in a pluralistic frame. Some religions like Jehovahs witness are discriminated against.

Theoretically, freedom of expression and the press

are guaranteed by law but these legal provisions are rarely respected. Criticism of the government is rare and candidates to the legislature are obliged to express opinions of, and defend the government.

The government controls radio broadcasting and produces a daily bulletin and a weekly newspaper. The authorities have called on the press to avoid what they consider to be harmful criticism of the country's leaders and instead concentrate on what is vaguely termed as promotion of development.

REPRESSION

Those who dare depart
THE ACTIVIST DECEMBER 1990 PAGE 5

COVER STORY

from these dictates are dealt with severely. For instance in July Amnesty International reported that during March and April 1990 about 20 people including journalists were brought to trial in Kigali. Virtually all of them appeared to have been prosecuted for exercising their rights to freedom of expression and association.

Francois Xavier Hangimana, a journalist with Kanguka newspaper was tried and sentenced to two months imprisonment for an article that appeared in the newspaper. Valens Kajeguhaka, a businessman in Gisenyi was restricted to his house in June for expressing his views in Kanguka. He had said in an interview with the newspaper, that he supported the return of Tutsi refugees and blamed an earlier shooting incident at his home on members of security forces. He was sentenced to three years suspended imprisonment for maligning the army. Four Jehovahs witness were sentenced by the state security court in April to 10 years imprisonment on charges of disturbing public order and organising illegal gatherings. Innocent Ndayambaje was sentenced by the same court in March to 5 years imprisonment for forming a political party of which he was the only member. He had been detained without trial since 1986.

This political intolerance was aggravated by a mismanaged economy in a country where the population was growing at an astronomical speed compared to the resources available. With a population of close to 7,000,000 it covers an area of just 26,300 km squared. Most of this is mountaneous leaving just

42.5% for agriculture. Yet 92% of the total labour force is engaged in agriculture. Even then this big percentage produces just 37% of the GDP.

Faced with these problems perhaps it made some sense for president Habyimana to deny the Rwandese refugees the right to return home. But even at best this was an extremely narrow solution if it was a solution at all.

LASTING SOLUTION

The Rwandese people have no way to escape from looking for a lasting solution to the refugee problem. the country may be too small for its population but locking out one section of the population is not a solution. At best what this will ultimately mean is that the two groups, the Hutu and the Tutsi will just periodically change places of being in exile while the other is at home.

In July 1987 while addressing the 23rd Session of

the organisation of African Unity Summit meeting of Heads of State and governments, President Museveni of Uganda called for a solution to Africa's refugee problem.

Mr. Museveni reminded his fellow leaders of a OAU resolution on refugees that calls on member states most affected by the refugee problems to hold regular regional meetings to discuss problems relating to refugees and work towards the most durable solution. As far as this goes the ball has already been set rolling in Rwanda.

The president also called on all countries of origin to create the necessary political climate to facilitate voluntary repatriation of refugees. African countries should stabilise conditions so that there is no need for anybody to be a refugee on account of politics. Rwanda might eventually find out that there is no solution to the problem other than adopting this approach.

IN LOVING MEMORY



STELLA RUTSINDE

DIED 19 DECEMBER 1990

STELLA, your untimely departure left a wound that all your relatives and friends do not expect to heal save for the grace of the Almighty. You are particularly missed by your relatives and friends, notably those you resided with in Kanyanya. You are exceptionally missed by your son Arnold who wishes that you rest in peace in heaven

MAY YOUR SOUL REST IN PEACE

Makerere Police brutality condemned

On December 10, 1990, two Makerere University students were shot dead apparently in cold blood by members of the Uganda Police Force.

By Joseph Kiganda

Two other students were critically injured while a fifth was grievously assaulted by the same force. The dead were named as Tom Onyango, a BA student and Tom Okema residing in Mitchell Hall. The speaker of the students Guild Mr. Olanya Okalany was seriously assaulted by members of the police force. Another student Francis Omodoi was shot in the stomach while a University worker Mr. S. Nuwagira was shot on the ear.

The Uganda Human Rights Activists in a statement issued in Kampala condemned the killings and called for a peaceful resolution of the Makerere crisis. The statement signed by the Executive Secretary Mr. Kasibante said in part:

'The fact that the Makerere shooting took place on an international Human Rights day puts a big blot on the governments record on rights. Uganda Human Rights Activists would like to make it categorically clear that it unreservedly condemns the brutal killings and would like to point out that the students were agitating for a legitimate cause and the manner in which they chose to express their feelings were within their constitutional rights.

Uganda Human Rights Activists appreciates government efforts to clear the air at Makerere by instituting

a commission of inquiry and a visitation committee. However, UHRA feels that for these committees to be meaningful they should be impartial and

BACKGROUND

The shooting incident on December 10, 1990, was the culmination of more than one year of



It was a peaceful demonstration like this one that resulted into the killing of students

should submit their finding to the general public at the earliest possible time. Government should also ensure that the culprits are brought to book under the laws of this country.

Uganda Human Rights Activists condemns the act of taking armed personnel to the campus and calls for the immediate withdraw of any servicemen from the campus. We condemn the use of lethal weapons against defenceless persons. At the same time Uganda Human Rights Activists call for a quickest solution to the Makerere impasse through a dialogue between the students, the government and other relevant authorities.'

unrest at Makerere University. In August 1989 the government decided to scrap most of the allowances accruing to students. These included pocket money (boom), text books allowance, stationery allowance, one way transport allowance and living out allowance for non residential students. In late October 1989 Makerere students went on strike that lasted two weeks, at the end of which no solution was found. Instead government decided to close the university on November 10. The University was re-opened in January 1990 after all students were ordered to fill verification forms from their Resistance Council (RC) I, II, III and which had to be

Special Report

approved by the respective District Administrators (DA's). The students were also forced to sign that they would never engage in any activities similar to those that had led to the closure of the university on November 10, 1989.

By the time the students were called back government had tried to look for some solutions to their problems. For instance instead of providing text book allowance, it was decided that a book bank be established for each faculty. By the time the students arrived there was hardly any book or any book bank in any faculty and the few that had been opened either had no books or were stocked with irrelevant textbooks.

In Uganda, University education is supposed to be free and students are supposed to be provided with all relevant scholastic material. This is the case because were it to be otherwise very few would afford the high cost of education.

IMMEDIATE CAUSES

Since their reinstatement Makerere students have been calling upon government for a dialogue on these teething problems. In particular the students wanted the basic requirements for their education like stationery and textbooks to be restored. To this end they sought audience with various authorities starting with the university administrators to the highest office of the presidency in the country. But students claim that they were ignored or at best misrepresented. In particular the relationship between the students and the Vice Chancellor Prof. Senteza Kajubi seemed to be extremely bad. The students claim that the Vice Chancellor was all

out for a total 'victory' over students in the struggle for their inalienable education rights.

Preliminary investigations suggest that despite this apparent impasse a dialogue between the students and government officials continued. Mid last year for instance, the students through their Guild wrote to the Minister of Education Major Amanyu Mushega requesting that some of their allowances be restored. In November, 1990 the Permanent Secretary, Ministry of Education Rev. Fr. Pius Tibanyendera wrote to the Vice Chancellor Prof. Senteza Kajubi insisting that the decision about the allowances could and would not be reversed.

Following this response the events of 10th December, 1990, began to unfold. To begin with the students called a general assembly on December, 1, to which they invited the Vice Chancellor Prof. Senteza Kajubi. For some unknown reasons the Vice Chancellor did not turn up. Student sources said that this was not the first time the Vice Chancellor had disappointed them. Earlier on he was scheduled to meet with the 1st Deputy Prime Minister Mr. Eria Kategaya together with student representatives. Instead the Vice Chancellor evaded the students and met with the Minister of Education Amanyu Mushega alone. Following this apparent dead-lock the students decided to address their grievances to President Yoweri Museveni who is also the chancellor of the university.

THE SHOOTING INCIDENT

On 3rd December, 1990 students declared that following what appeared to be a dead end in a dialogue

between them and the government they had decided to boycott lectures. account of their long standing grievances over basic allowances. Even at this late hour student sources claimed that they were still ready for formal and informal talks between them and the government. It would appear that from 3rd December, 1990, up to the time of the shooting incident the students were still pursuing this line since despite the presence of armed policemen on the campus the students remained generally calm.

However the university administration appears to have from the very outset decided to pursue a head on collision regarding the students' grievances. For instance, in addition to deploying numerous officers of the police force on the campus the university Vice Chancellor Prof. Senteza Kajubi unequivocally told students on the first day of the lecture boycott that they had either to attend lectures or 'be dealt with accordingly.' A senate meeting of 7th December 1990, also ordered that business go on as usual

and that any student who dared challenge this decision would face the consequences both academically and otherwise.

It appears that the students were prepared for a compromise for the general assembly called for on 10th December, 1990, was to decide whether to continue with the boycott or return to the lecture rooms. However before the meeting could even start members of the police force opened fire killing two students, wounding three others.

EYEWITNESSES REPORT

It is not clear how the

Special Report

shooting started and how the students were shot. Preliminary investigations suggests three versions.

The first version states that by around 8.30 a.m. close to 500 students had gathered at the Freedom Square (the meeting place of Makerere students) for a general assembly earlier announced. Then students who had been crowding the verandah of the Main Hall which is directly opposite the Freedom square started moving towards the main body of the students then in the Freedom Square. According to this version, the police who were heavily deployed in the square, thinking that they were going to be attacked, panicked and opened fire.

Some student sources however said that the shoot-out was a direct result of an order from the officer in charge of the police force deployed on Campus Mr. Nabudere. According to these sources Mr. Nabudere who at the time of the incident was speaking to the RC.III Chairperson Ms. Kakooza and the Guild speaker Mr. Olanya Okalany threw up his arms after which the policemen started shooting, while Mr. Nabudere simultaneously took cover. The RC.III Chairman Ms. Kakooza later told local journalists that Mr. Nabudere had been opposed to the convention of general assembly. But both the President of the students Guild Mr. Mao Norbert and his Vice Mr. Anthony Kiwanuka Wakabi said that even Mr. Nabudere was shocked. He reportedly exclaimed 'who ordered these people to shoot!'

A third version says that the students could have provoked the forces. According to one source

some students may have tried to disarm some of the policemen. The same source tried to show credibility for this version by claiming that some of the students had been trained in firearms and were capable of doing this, other sources said that the policemen could have been provoked by student insults. These sources said that the students were shouting; 'we want war, Go back to Gabiro, policemen zeeeeee!' Numerous sources suggest that the students could have said that. But they rule out the fact that such insults could have led to a shooting incident.

This is extremely an unlikely cause of the incident. To begin with, the reference to Gabiro seems to be a reference to the Rwandese refugees invention of Rwanda which some quarters still attribute to Uganda's armed forces. But the police was not involved in anyway in this melodrama. Common sense therefore suggests that the policemen could not have been angered by such student soap talk to the point of opening fire on unarmed student protestors. This version loses more credibility in view of the fact that policemen are well trained in the use of less sophisticated weapons like tear gas in the eventuality of such war emotions. The fact that the policemen who followed the students who were mourning the dead in Kampala carried mainly tear gas after the shooting at Makerere goes a long way to prove that what happened at Makerere was actually premeditated murder.

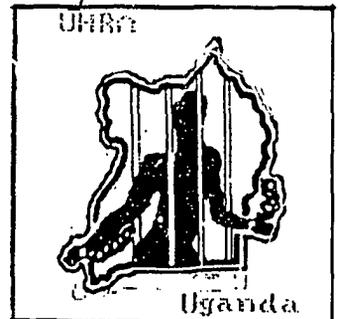
GOVERNMENT REACTION

Immediately after the

shooting incident the cabinet (Uganda government) met and condemned the incident as unwarranted and unauthorised. Official sources said that at least 40 policemen involved in the incident had been arrested. In addition the President of Uganda Mr. Yoweri Museveni suspended the Acting Inspector General of Police Mr. David Psomogen and his deputy Mr. K. Ojolo for what was described as police negligence at Makerere and other long standing shortcomings in the police force. They were replaced by Mr. A. Dyekwaso and Mr. Z. Etyang respectively.

The government also set up a commission of inquiry to inquire into the incident. The committee will comprise of five people who include a judge of the court of appeal. The government also directed the chancellor of the university to appoint a three man committee to inquire into the persistent unrest at Makerere campus. The committee will give in its report within three weeks.

Finally government gave two days to the Makerere students to mourn the dead after which they had to attend lectures or face immediate expulsion from Makerere and being barred from admission to any other institution of higher learning in the country.



Children: victims of killings

Torture is an everyday occurrence in Brazil and extra judicial execution is common. The targets increasingly have been poverty stricken children and adolescents in the big centres. The main perpetrators of abuses against them are death squads, often composed of or run by police officers.

According to Amnesty International reports of September, 1990, ill treatment, torture and killing of children and adolescents is alarming.

Many children are forced into the streets to help support their families or fend for themselves. They become increasingly vulnerable to abuse by law enforcement officials; many have been "eliminated" by death squads.

An estimated seven million children live and work on streets in Brazil. Some, by no means all, are drawn into a life of crime, acting as snatch thieves and ding. Couriers on behalf of criminal gangs; others make a meagre living from begging. Selling things on the street or scavenging on rubbish heaps.

The mere fact of being on the street, ill-clothed and ill fed, makes such children "suspected criminals" in the eyes of many civil and military police officers, and therefore vulnerable to arbitrary treatment.

Daily children are being ill-treated, tortured, utilized and killed.

DEATH SQUADS

Research in Brazil has shown that street children and adolescents are increasingly falling victim to death squads. In the

past five years there has been an alarming increase in activity by these squads in many Brazilian cities. This has included killings of suspected petty criminals who are often poor, destitute and young.

It has been acknowledged by police authorities that many of these death squads are run or made up of off-duty police.

In Rio at least 13 prosecu-



Sleeping Street children Source Amnesty International. tion witnesses to death squad killings have been murdered since 1983. The half of the city's identified death squad members are police officers.

Despite the clear risk to witnesses, judges in such cases continue to release prime suspects.

In 1989 a survey was conducted by the Brazilian institute for social and Economic Research, with the Assistance of the National street children's Move-

ment, on the violent deaths of children in Brazil. The report concluded that increasing numbers of children are dying violently. Eighty percent of the victims were male and aged between 15 and 18 and 62 percent of the victims were black or of mixed race.

The survey analysed press reports of 624 violent killings of children in 15 Brazilian states during the 18 months before July 1989. In 21 percent of these cases, some 130 children, the killings have been attributed to death squads.

Brazilian human rights organizations now believe that at least one child a day is killed by death squads.

The report concludes: "These facts are impressive in so far as they show the marked presence of organised actions for the elimination of people, here in the case of children and adolescents, whether with a view to "cleaning up the streets", removing witnesses or of guaranteeing the security" of given area. These groups violating the right to life are acting practically in the whole country without their activities being properly investigated or punished.

Some examples of children killed in death squads. Two young boys Favio, aged 17, and Dina aged 16 were dragged out of their homes in village Nova and were killed in front of witnesses and their bodies secretly dumped. Members of the vilid Nova believe their deaths were linked to interviews they gave to TV Global reporters at the beginning of June 1990.

Simon A.C. 17 years old girl with Dual Australian Brazilian Nationality was

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brutally killed. She was found with a 15 year old friend on a waste-tip on the outskirts of Nova Friburgo. Disney R. had denounced police officers in the duty for extortion in drug related cases.

These two girls were abducted by five men in plain clothes, four of whom were later identified as members of the military police.

The two bodies were found next morning bearing marks of torture. One of Simone's eye had been gouged out before she was shot in the head at close range. She had been raped. Disney's body was riddled with bullets.

In February 1986, teenage brothers, Aldeni C.M. and Magno F.M. were abducted at midnight from their homes by armed men claiming to be police men. The boys helped to support the family by washing cars. The men forced their way in, producing neither arrest warrant nor identification. They told the mother that they had to take her sons for questioning. Fearing that the men may be death squads, she immediately left the house to report the incident to the police. On the way she met a police patrol car and implored them to start looking for her sons. They refused on the grounds that they had no orders to do so. At the police station the chief told her she had to wait 24 hours before reporting the boys missing. Resuming her research at 6 a.m. the following morning, she overheard someone

in the local bakery saying that the bodies of two young men had been found near by riddled with bullets. She had found her sons dead.



Victim of death squad aged 9. A note tied around his neck read, "I killed you because you did not study and had no future"

The men who had abducted them were looking for another of her sons, 19 year old allegedly implicated in the shooting of a military police officer. He was shot and killed 11 months later in January 1989.

In April 1990 two brothers aged 17 and 18 were shot dead in Diadema by armed men in plain clothes who had asked to check the younger one's labour card to see if he was employed. Although he was working, the card was not signed by the employer.

A relative overheard the killer say, "a blank labour card is your death certificate". One hundred and forty four cases of death squad killing were recorded in the first three months of 1990 in the state capital.

Killings by Uniformed Police

Children and adolescents have also figured among the many people shot dead on the streets by Uniformed men. Witnesses often dispute police explanations that these killings occur in the course of "shoot-out" many of the victims have been unarmed.

Figures for Sao Paulo

show a marked increase in Uniformed police killings in 1987, 154 people were killed by police, 1988 the figure was 411, and it had risen to 585 in 1989. According to eye witness 17 year old Marcio who was out with a group of friends, was arrested by police on 25th May 1989 for carrying plastic toy gun. The police hand cuffed him and bundled him into a police wagon. He was later found dead in hospital with six bullets in the head, neck and chest. Police alleged that he had shot at them. His corpse which was covered with mud showed signs of bruising and his thumb had been broken.

Marcelos D. aged 19 was shot dead on 23rd November 1989. He was found singing "rap" music with a group of 11 other black boys. Two military police in Metro Carriage called other police to assist them with the noisy group after the boys had allegedly insulted female police officers. According to the boys, one of the military police entered the Carriage firing his revolver.

Marcelos was shot in the head. The police alleged that he had touched his

FOCUS

belt in a way that suggested he was reaching for a gun. None of the boys was armed.

On 25th March, 1990 Afriana aged 17 was shot dead by a police officer in Rio de Janeiro, while she was riding Pillion as a motor cycle.

When the driver did not stop when signalled to do so, the police officer drew his gun, took aim and fired hitting Adrian in the back.

The new state police secretary admitted in a press interview in April 1990 that police violence was his main concern in his new post. He said he prayed for the safety of his own children when they go out of sight.

Torture in Custody

Formal complaints against police for torture of minors have been lodged. It is not uncommon however for witnesses and complaints to withdraw their statements after receiving threats. In July 1989, 14 year old Marcelo M.P. was abducted and tortured by military police patrol while trying to report the kidnapping of a 13 year old friend.

Two boys had been playing the day before and had been assaulted by three men. Some tapes were stolen from Marcelo and he ran away. His friend Andre Leota tried to escape on a skate board, but did not return home.

Marcello went to his friend's home the following day to wait with the family for news. At about 6.40 p.m. a military police patrol came to the house and asked him to tour the area with them in the vehicle to look for Andre. He got into the vehicle with five military police. He was taken to various locat-

ions and the police reportedly began interrogating him as if they believed he had been responsible for his friend's kidnapping. He was taken to a hut in a shanty town where he was interrogated.

According to his testimony the police took out a machine like a transformer and applied electric wires to his fingers, anus and other parts of his body, giving him electric shocks.

During his ordeal, Marcelo was frequently held and cuffed with legs and feet tied together. For some time another military police vehicle drove in convoy with the original military police patrol and police from the second vehicle reportedly also participated in the torture.

He said he had been treated in such a way for 12 hours. His friend Andre was found shot dead with marks of beatings. Police have even been known to use torture to settle personal feuds.

TORTURE AND BEATINGS ON THE STREETS

Street children are regularly picked up by the police who often beat them and extort money from them by threatening to send them to state institutions. In September 1989, municipal social workers reported the existence of a house in a wealthy part of Rio de Janeiro where street children were allegedly taken and tortured.

A 13 year old boy had told them "there is a torture

room there. They take you upstairs punch and kick us, throw tar on our skin they make us undress and then drop tar on us there". A 12 year old boy stated, "most of the police take us there when they pick us up."

Fearing reprisals, including death, street children are often reluctant to identify themselves.

Despite of all this violation of children's rights in Brazil, Article 227 of Brazil's 1986 constitution, provides that children should be safeguarded from all forms of neglect, discrimination, exploitation, violence, cruelty and oppression. And in his address on 22 June 1990 President Collor de mello declared: "We cannot be and will **not again be a country** cited as violent in reports by AI. Our society will not tolerate violence and we disrespect for human rights". Despite the president's declaration children are still killed innocently. These children sniff glue for a so sporific high and glue has the effect of blunting hunger. The result of too much sniff causes vessels to break and block.

The currently grave situation of children, in which their rights are being violated in the world is likely to continue unless the public demand (that abuses stop, and the public will only demand this if it is made aware of the depth of the crisis our children face.

SAVE LIFE

RESPECT LIFE

BE A GOOD HUMAN RIGHTS

ACTIVIST. THANKS

Elements of an ideal constitution

By Haji Kakande Gava

In the process of drafting a new constitution for the people, it is important to design an ideal constitution founded on principles of liberal democracy which will elaborate Uganda's social, cultural and political structures. It should promote and protect Uganda's economic, administrative and legal systems.

An ideal constitution should clearly stipulate democratic principles so that it will be respected, by every Ugandan living here or elsewhere. The importance of all this, is to eradicate pseudo-kings or life presidents, dictatorship, military rule, political greed, exploitation, killings, corruption, injustice and uncontrolled powers.

After a critical study of the 1967 constitution, I would therefore propose five fundamental elements of an ideal constitution.

The New constitution should contain provisions to protect it from being violated and abrogated. In such provisions, art.1 of the 1967 constitution should be modified as follows:

The constitution as the SUPREME LAW OF UGANDA IS SACRED. Any attempt to abrogate the constitution or to violate it by an individual or group of persons, or organisation(s) is strictly prohibited. Any attempt to abrogate this constitution shall be treated as an attempt to wage war against the people and shall be a treasonable offence. Only parliament or the people through a referendum shall have the power to amend the constitution, provided

that parliament must have an absolute majority before any amendments can be carried out.

The constitution should also contain the declaration that Uganda shall be a Federal state and the declaration that for equality and justice, Liberal democracy and multi-party system shall constitute the base of Uganda's political and administrative systems. The constitution should emphasize that the primary duty of Government is to serve the people and their property and that civilian authority is supreme over the military and other security bodies.

The constitution should further state that the government in power shall ensure and promote the independence of the judiciary, protect and promote the rule of Law and social justice, recognize, respect and promote the individual liberties, rights and freedoms of the individual and that of society and should protect the less privileged members of society like the youth and women.

The new constitution should establish Uganda's bill of rights, Chap. (iii) of the 1967 constitution stipulates the fundamental Rights and which freedoms of the individual should be protected by the government. These are defined in Article 8-20. But it is stipulated in this chapter that the government is restricted from violating these rights, thus they are hardly promoted by the State.

There is no constitutional guarantee against violation of the rights provided for in this chapter. Thus the importance of the bill of rights would be to ensure

that the rights provided in the constitution are not violated and also to provide penalties for any person or group of persons who violate these rights. In addition to this, the constitution should establish:

- An Independent and permanent commission on human rights.

- A human rights court and a constitutional court.

In the New constitution, the legislative power should be vested in parliament only. Currently these powers have been shared between the President as stipulated in Article 63 and 64 of the 1967 constitution and the national assembly or the parliament according to Article 69. This practice should be discontinued and instead two houses, an upper House and Lower House be created. Legislative powers should be vested in the congress of the Federal Republic of Uganda.

The President should no longer be a member of parliament or congress. Thus article 62 (i) should be deleted. Presidential rights of "prerogative" and "Dissolution of Parliament" (or congress) are undemocratic. Therefore Article 62 (2) (5) should be nullified.

All members of parliament or the congress must be members of registered political parties established locally in Uganda.

They must be constitutionally and directly elected by 'SECRET BALLOT' by the people. There should be no nominated soldiers, presidential nominees and any other category of any unelected people in the House. Article 40 of the 1967 constitution should be deleted accordingly.

No member of parliament or senate should serve for two consecutive terms. The age of any parliamentarian should not be less than 35 years. In the new constitution, the powers of the executive should be limited. In addition to this, the President should have certain qualities, for instance:

The new constitution should therefore on top of other presidential elements, focus on qualifications, mode of election, term of office, accountability and removal from power.

1. The President/Vice President shall be a Ugandan with at least three generations in the country.

2. He must not be a soldier;

3. He must be over 45 years of age;

4. He must be a University graduate with a clean image.

5. He must have a permanent home of his own in

Uganda.

6. He must be in fair financial standing.

7. He must be a member of a recognized, and registered Political Party in Uganda; but NOT an M.P. for any specific constituency.

8. He must be elected by Direct Vote of the People, (and never by parliament) for a period of five years.

9. The president should not be eligible for any re-election.

10. No Vice president should serve for more than two successive terms.

11. The President/Vice president should be accountable to the people. He should not be above the laws of Uganda and may be removed from power by impeachment.

12. The President should appoint the cabinet from outside the Parliament. If an M.P. is appointed Minister, he should give up the parliamentary seat and give room for another

representative to be elected. 13. In order to avoid financial erosion and sycophancy, Presidential appointments of Minister, top Military and civil service posts should be made after thorough scrutiny of a parliamentary committee.

14. The president or Vice-president should not act as a Minister, or any officer in the top civil and Military services at any given time.

If we maintain that the new constitution is the supreme law of Ugandans, then it should serve as the framework of our Cultural heritage, politics, environmental and our human values. It should serve as a standard instrument

for evaluating our political stability, social, economic and scientific developments. It should establish freedom, justice and peace for mankind in Uganda.

It is important to realize that respecting, protecting and promoting the state constitution is for our own sake, and for the maintenance of public order, social welfare and security. Therefore its moral obligation of each and every individual person to observe this.

The views on the constitution are those of the author and do not necessarily reflect that of the organisation.

UHRA gets new chief



Uganda Human Rights Activists over the new year got a new executive secretary He is Mr. Kasaato Bukenya (above) replaces Mr. Kasibante who remain the Director of Finance.

UHRA goes to the Philippines

Last October, the Deputy Executive Secretary, Mr. Livingstone Sewanyana and the Legal Advisor Mrs. Naome Kabanda attended the fourth International Programme on Legal Aid and Human Rights in the Philippines. The training programme which lasted for the whole of October was organised by FLAG HUMAN RIGHTS FOUNDATION, INC.,

FLAG is the oldest human rights organisation in the Philippines. It was established in 1974, as an association of Lawyers from all over the Philippines to render free Legal Aid to the poor, the oppressed and the dispossessed. The foundation's major concerns are fostering respect for human and constitutional rights and the rule of law and the active defence of these rights, through improving the administration of Justice in the Philippines, promoting the practise of developmental Legal Aid, providing continuing Legal Education for the legal profession, promoting the teaching of human and constitutional rights for the people, providing legal education for the people, providing free legal assistance to the poor, the voiceless and the dispossessed who cannot find or afford competent, legal advice and representation and supporting legal aid and human rights organisations, lawyers, law students and para-legals engaged in the protection and promotion of human rights.

The group thus helps people arrested or accused of crimes who cannot find competent legal advise and representation and farmers, labourers, urban

poor, students and other disadvantaged Filipinos who are in danger of arrest for demanding respect for their rights, and who need competent legal services that are not offered by other Aid organisations.

Through its experience, FLAG now organises International programmes on Legal Aid and Human Rights. These International programmes are designed to train Asian and African Lawyers and Para-Legals to render effective legal Aid, using the Philippines as an example.

This year's Course attracted participants from Kenya, Pakistan, Nepal, Bangladesh and Uganda. It was a combination of lectures, workshops and two weeks of on-the-spot training exposure in various parts of the country. The course focused on methods and techniques of providing legal aid to victims of society, and by other persons. It provided a general working

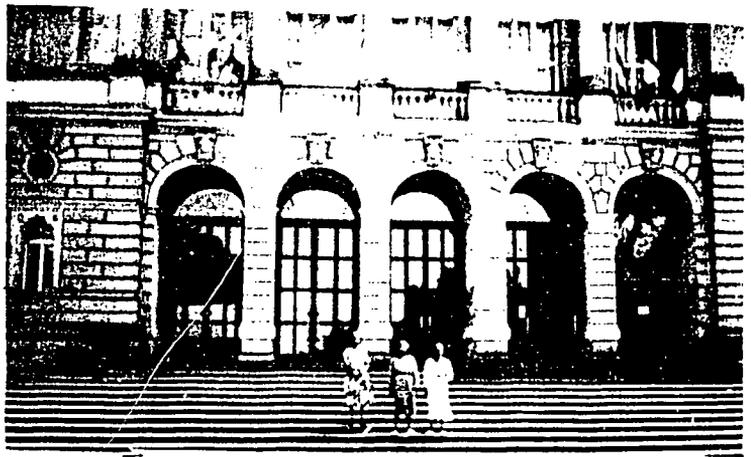
frame work of the problems of law in the Philippines which were considered to be similar in one way or another to the problems in Asia and African countries, and attempted to seek common solutions.

The programme was also intended to encourage these Asian and African Lawyers and Para-Legals to organise themselves into associations to render legal aid to the poor, deprived and dispossessed sectors of society.

The two UHRA participants had a lot to gain from the programme as it offered better skills and expertise in this area of legal aid. They hope to use these skills in their work of Legal Advice and counselling as this forms part of their their daily work. They also hope to use the knowledge and skills and expertise to organise better paralegal training courses for all their targeted groups.

UHRA attends Strasbourg Seminar

Every summer, the International Institute



Two Staff Members of UHRA attended a Human Rights Course in Strasbourg.

of Human Rights, Strasbourg, France organises a study session to train human rights workers, practitioners, lawyers and activists on international human rights issues.

This year was the 21st study session of the Institute and was held in Strasbourg, France from 29th June, to 27th July, 1990. The session was attended by 2 officials of the Uganda Human Activists, Mrs. Naome Kabanda Legal Advisor and Ms. Teddy Kabejja a documentalist and Personal Secretary.

The study session, drew two hundred and seventy participants from Europe, Africa, North and South America, Middle East, The Caribbean and Australia, whose experiences were quite different and important in the human rights work.

According to the objectives, the course was directed towards Advanced students in social sciences, university professors, researchers, members of the legal profession, national and international Civil servants, individuals holding positions of responsibility in governmental and non-governmental organisations.

The session aimed at promoting human rights awareness on the international scene by providing these advanced courses on the International and comparative law of human rights. The lectures given were both fundamental and supplementary based on International human rights protection systems and regional human rights protection systems.

For example, among the international human rights protection systems is the United Nations and all its specialised agencies such as the UN Human Rights Commission, ILO,

FAO, WHO, UNICEF, UNESCO. Focus was put on the UN Commission for Human Rights, the mechanisms it uses to enforce the UN General Assembly Resolutions, its drafting role and all its other subsidiary bodies like the commissions on various human rights plus the various working groups.

International instruments were studied and among these were:- the International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights; International Covenant against Racial Discrimination; International covenant against Apartheid; International Covenant on Discrimination against Women, International Covenant on Genocide and International covenant against Torture.

There was serious concern over state parties on various covenants to enforce their treaty obligations. States have a duty to enforce their treaty obligations among individuals and citizens as they arise out of various covenants. Ms. CERNA, a jurist at the Inter-American Commission on Human Rights, Oxford, gave preparatory sessions on International Human Rights Systems. Mr. Mortenson, the Under Secretary General for Human Rights, United Nations, Geneva gave lectures on the UN Human Rights Protection System.

On the Inter-American System, concern was raised over the Organisation of American States Charter and the American Declaration of Human Rights. The participants discussed how states parties to these conventions have strived to stick to treaty obligations by looking at practical

cases in America. Mr. Robert Norris, once a member of the Inter-American Human Rights court and now a legal practitioner in Texas covered the American protection system.

In the European protection system among the 21 countries which form the Council of Europe, 20 have ratified the convention with the exception of Turkey. The Strasbourg court of Human Rights, the International Court of Justice, the African Commission on Human Rights, and the Committee of Foreign Minister are always busy adjudicating on human rights issues.

The European system of Human Rights protection is a unique lesson in that states have strictly adhered to treaty obligations, although a lot still remains to be done. Concerning the African Human Rights protection system, little has been done. The OAU charter has only recently become operative. The African Commission on Human Rights is only just starting its work, and there is no African Human Rights court.

Supplementary lectures, were the topic and these included International Humanitarian Law, Human rights in Asia, Enforcement by state Action, Responses to international Human Rights violations & Domestic Law enforcement by state, and Human rights and the prevention and punishment of crime.

The officials had the opportunity to visit among other places, the Council of Europe, where the seat of the European Court of Human Rights is and to hold discussions on how effective the court has been.

Fight AIDS not AIDS victims-UN

Every one has the right to life, liberty and security. Yet this has become a fallacy especially for those children whose parents die from AIDS.

By Diana Kibuuka

Many children are born into poverty stricken families which cannot afford medical treatment; some are abandoned and are picked up by some institutions where they receive little love and attention. Most of their parents died of AIDS and because of this, they are deprived of their rights.

Those hospitalized are controlled and may not be able to play or walk like other children. They lack parental care. Some of the health workers often fear contact with aids stricken children. In California the Centre for Attitudinal Healing (CAH) produced a poster showing a child's drawing "I have AIDS" says the child, "please hug me, I cant make you sick." When they are at school they are not attended to. In Western Countries, there are cases of children being excluded from schools because of AIDS. Many of these children have damaged Central nervous systems; many of them die early while others survive for many years living under this stigma.

Under International Human Rights Law, governments are obliged to provide health care, education for children; and to protect them from discrimination, neglect and abuses. But governments are not ready to receive them and their needs. As the number of infected children increa-

ses so does the need for special medical care.

Here in Africa so many reject their families because they have been diagnosed with AIDS. Mothers leave their children in hospitals or orphanages. In Uganda 10% of AIDS cases are children between 0-4 years old. It is mostly wide spread in the Western part of Uganda where many people used to believe that it was only business men and women who will die because of their deeds among themselves in their businesses. By the time they came to learn about AIDS many of them were infected. According to WHO one half or two million of these infected with HIV world wide are under the age of 25. The virus is mostly spread in teenagers, preteens especially runaways, drug users, street children, male and female prostitutes. WHO together with UNESCO IS DEVELOPING A Guide for school Health Education in preventing AIDS and other sexually transmitted diseases.

By February 1990 215,144 AIDS cases were officially reported to the WHO. Another 6 million persons are believed to be HIV positive and therefore liable to develop fully blown symptoms of AIDS and it is believed the HIV infected persons will die if no treatment is found.

There is no hope that a cure or a vaccine is likely to become available for at least five years. Once AIDS develops the patient has no chance to survive. The virus disables the immune system leaving the body very vulnerable to almost any infection. Many people with AIDS also develop

certain cancers, suffer brain damage and malaria. No country of the world is free from HIV INFECTION AND AIDS.

AZT (Azidothymidine) is one of the drugs proven effective in extending the life span of certain categories of AIDS patients. It is so expensive that patients can't get it. A year's supply of AZT cost \$10,000 - 12,000. The recommended dose costs between \$6500 - 10000; it requires medical attention and monitoring. The result is that many who could benefit from the drug have no access to it. Another effective drug is pentamidine which is equally difficult to obtain and administer.

Since the mid 1980 AIDS became of increasing concern in the area of refugee assistance and protection. Human Rights

issues raised by measures taken to control the spread of AIDS vary. Some governments have considered the introduction of screening for international travellers such as refugees and immigrants. Others have gone as far as demanding AIDS free certificates from entrants, even returning nationals. Many governments hold that international travel including the entry of refugees, leads to the importation of the HIV virus.

Health workers are at risk; they are advised to use gloves masks and other protective measures to prevent contamination with infected blood. There are 27 cases of health workers becoming infected (19 in the US and 8 abroad).

Doctors have a responsibility to warn persons suspected of having the virus. Early detection might improve treatment and

ESSAY

help prevent people from spreading AIDS. All Doctors should warn sexual partners of AIDS infected patients. Although AIDS is not spread by shared use of the same washing basins, utensils, linens, towels or lavatory seats, deep seated fears and prejudices have resulted in wide spread house discrimination against AIDS victims. Many people with AIDS confront other problem in the housing area; their earnings capacity always decreases and they find it difficult to pay rent ending up homeless and being expelled from houses. Such discriminatory practices against persons with AIDS clearly violates Human Rights.

In Uganda in one way or the other, HIV affected people and people with AIDS suffer from discrimination in almost all fields of human activity. They are discriminated against in employment, at workplaces, in educational institutions and Care Centres.

In Uganda many are discriminated against because they are victims. People have refused to understand the ways through which one can be affected. In most cases people think that you have to have gone out with more than one person to be affected which is not the case.

It is widely believed that for someone to acquire AIDS he or she must have been unfaithful to his or her partner. This of course is not true, a wife may be faithful but catch the virus from her promiscuous husband and vice versa. Indeed the tragedy of the virus is that it makes the innocent suffer as much as the guilty ones.

In Uganda there are cases when a son or daughter picks the HIV, the parents

desert her. There is a family in Hoirna district which deserted a daughter with almost five children. They left her home and decided to go in another district to farm their land. They told the RCs that when she dies you bury her and never call us. This woman suffered without any help and to increase her misery the brothers drugged her out of the house. She managed to put up a hut with banana leaves in which she slept. You can see how the rights of this woman were accordingly violated. The woman was snubbed when she badly needed compassion. AIDS is a sickness which needs care and love. Another example is a girl about 17 years. The father had isolated her simply because of public opinion. He imagined what the flatmates would say, so he convinced himself that he hated her and decided to leave the ailing daughter at her grandmother's place where she had neither care nor treatment. It was only some humanitarian who picked and took her to TASO where she received proper care and counselling. This organisation gave her new hope and thanks to its work she is spending her last days on earth in relative

comfort.

Another instance of discrimination is at places of work whereby a victim loses friends and may even find himself or herself sacked by the Boss. Some victims are stopped from work immediately although they may still be strong enough to work and this continued activity may give them hope and may help them cope with the agonies of the virus.

It is a common practice these days to gossip and point at the victims especially when they have developed signs of the virus. This violates the rights of the sick person since he or she becomes conscious that she or he is being isolated and looked at as abnormal. Some victims may even try to hide from the unfriendly stares and words. Others avoid certain roads especially crowded roads.

What all people should know is that there is nothing specially shameful about AIDS. They should try to put themselves in the shoes of the victims. Perhaps then they would know that an Aids patient needs treatment. And as matters stand today, the most important treatment is to show them LOVE and UNDERSTANDING.

Join Uganda



Human Rights Activists

Talking out of turn

By Sarah Zawedde

Careless words said unintentionally do enormous damage to a listener. But you can root them out of your vocabulary. In such case you can easily avoid making enemies unintentionally. Such statements like.

"What is the matter with you?" "How many times do I have to tell you" "The trouble with you is"! "How dumb can you be? "Can't you ever do anything right?" "You always do that!" "You never" "Son of bitch" "Can't you look more smarter.....!"

How often do we hear persons demeaned or belittled by such careless and harmful statements? Or by these.

"If you are so smart..." "All you ever do is" "Why can't you be like"? "You look like a" "You do forget your" if it won't!" Although one has the right to freedom of opinion and expression, a some rights are used in a wrong way and rights are not absolute. These and many similar put downs seem automatically to pop out of many mouths perhaps yours included in some frustrating moment or difficulty with others.

Sarcasm, name calling, put downs, accusations, sweeping negative overstatements are all too common. Others do it. Perhaps we have learnt to do it also. May be they are such an impact.

What we are really

saying is "I don't respect you. I don't care for your feelings as a person. You are below me!" The attitude behind put down, belittling words is pride. Its human self-exaltation!

Belittling words and phrases are found in every society, offices, families, and public places. Such words are used by bosses referring to their subordinates, when two people disrespect each other or when one thinks he is more important than the other. Learned teachers also use them when referring to students and many other areas of life. But all human beings are born free and equal in dignity and rights.

Cutting belittling words and phrases need to be rooted out of our lives. Repeated often enough demeaning put downs get through the toughest sense of shame to blind rage, or mental depression, mental illness or suicide. When one of the above happens, one is violating the right to life, health and association.

Parents to children

children too frequently bear the brunt of put down statements or demeaning words from parents or others, whereas children should be educated in a way whereby education is directed to the full development of the human personality.

Therefore if such words are used they turn some youths into totally crushed, inward looking persons. They feel

worthless.

Other youths try to protect their tender egos from the hints of such statements by hardening attitudes of disrespect to adults or shooting more demeaning words to other children. The vicious cycle proliferates.

The habit of saying, "you always do something wrong!" or "You will never learn!" I regret the day I met your mother!. Why did I ever spend my money on you!" You are stupid!" All these statements can turn an able, talented youth into an adult of stunted intelligence and achievement; or individual with little confidence.

A child needs to feel parents disapproval at times, but if their reaction is of such strength that the child feels worthless and despised for his offence, parents have abused their powers as parents and have created the possibility that exaggerates guilt feelings and self-hatred will play a part in this child's personal development.

Husbands and Wives

Wives too frequently bear put down statements from husbands. Such words like:

"I regret the day I married you....!" You are terrible" stupid woman....!" "You are always like that ... My children have adopted your bad character" such words always demeans the woman. She feels unworthy, unrespected and undesired by the husband.

Sometimes husbands receive belittling words from their wives. Such statements like "I wish you die so that both of

us lose you" What a mean husband Empty headed All these do not need help.

Words that help

In your next aggravating situation, instead of spitting out a harsh, cutting or demeaning response to someone, put a governor on your mouth. Instead say: "Please ..." Please do like this....." Please be neater" Please be more careful" Please let me show you" Please we should settle the matter" Please I love you I don't want to annoy you" Please let us pray about it"

Please is a word that helps us show respect; it puts our minds in a more constructive frame. We deal with others in a more positive and beneficial way.

May be a child accidentally knocks a glass of milk (and who has not) an uncaring person might respond. "You careless kid. Watch what you are doing!" What is so damaging about such a statement is that we are branding a child with a characteristic (carelessness) that may not be true at all. May be the parents have failed to set the table properly for children, or have failed to train the child from her tender age to be more careful.

How much more helpful to quietly say in such a situation. "Now get a sponge and clean it up. And please do be more careful." The child is not branded as totally inept; instead he expresses faith in the child's ability to solve the problem and be more careful. We are more apt to shout

out some demeaning or hurting words when we are tired or emotionally upset. The children run up and shout "Read us a story!" or a wife says, "I need your help." Instead of a harsh "No!" or "Do not bother me!" say "I am exhausted and upset. Please wait a while first, ok?"

This will create peace because you have explained your feelings without putting someone down in the process. And you have not closed the door to positive help later.

The right to a good living

Too much emphasis is put on human rights but almost every time the most fundamental human rights is forgotten.

By Julius Mukasa

this is the right to a good living. When a human being was created, also conditions for him to enjoy life, to live a full life without want were provided. An average person should have the right to Education, since education is the key to civilization, the same person should have the right to a decent meal, the right to travel to places and visit scenes, the right to leisure, the right to relax plus all those minor rights which make man happy.

However, what do we see particularly in the so called third world? All the above rights are non-existent, most people in these countries live only on the right to Marginal Survival. Their faces are always cramped and many go talking to themselves on the streets. In fact a proverb in one of the local languages was derived

Rather than responding to someone's mistake with a demeaning put down, we can show disapproval but still be respectable by saying, "I don't like what you did." But be specific about the situation. Do not label the person with damaging names or shoot out a clever put down. You only create or compound bad feelings, or another problem.

The key to saying helpful rather than harmful words to others is always to show respect.

from such awful situations which depicts a man who has been cheated in the market and instead of arguing with the seller in the market he goes out arguing with the road or path, he may have taken. Lunch in most third world countries is a forgotten luxury, children have limited chances of going to school and most of these kids grow up illiterate and die of immunisable diseases.

People in the 3rd world have to work so hard to enjoy a right to a meal which is a must or a necessity for the existence of man.

At times man in the third world wonders whether he was cursed or he is just an unlucky son of misfortunes. When he goes to work, he goes on an empty stomach without breakfast. he works all day and lunch for himself and the family he left at home is never assured. He is expected to be dressed decently at work if he is lucky to have a job since the right to work is transformed into the right to being lucky to have a job. Surely the same man gets a very small

salary to afford a shirt since every coin he earns has to meet the needs of his big family. I call it big because every year the same man gets a child. His wife is semi-illiterate hence she is not aware of family planning.

The puzzling question is, when will such a man and his huge family ever get the right to a good living? The man is busy solving one problem after the other. Infact the same man cannot even be called a gentleman because his problem cannot enable him to be one, he is simply called a Planless Man on earth waiting for his end.

Time comes when this man feels like committing suicide. He has no single basic need in his home, electricity in his home is a night mare, hence he has to enjoy lighting by paraffin from a ramshackled lantern, but with the high cost of oil products and the current gulf crisis, most nights he has to enjoy the right to adopting to stay - in darkness and praying for the Lunar light from the moon to be bright enough.

Water in the man's home is another big problem, his wife and his children have to trek long distances for a few litres of dirty water. This problem is further aggravated by the poor condition of the utensils they use to fetch the water. The man cannot afford jerrycans for collecting a reasonable amount of water.

Housing is bad and the house leaks when it rains not to mention its vulnerability to coldness at night and in other terrible conditions.

When it comes to sleeping, it is common practise that the family has to

collect dry grass and pack it in a cloth to make a relatively soft mattress. this often leads to ants from the grass biting the culprit throughout the night. In the end, the whole family sleeps very uncomfortably.

Meals are quite few for the family and very poor, a balanced diet has never been introduced into the man's vocabulary,

and his children are malnourished and weak. But on the contrary they have to do a lot of work to earn themselves a plate of food.

With this sort of vicious circles of a man in total poverty, the right to enjoy life or to a good living in the third world is still far in the distance meaning that for some rights to be observed a certain degree of wealth must be at hand.

UPDATE

UPDATE

UHRA visits school

The Uganda Human Rights Activists education department made visits to Human Rights Clubs opened up in colleges and schools. This is part of the department's periodic visits to find out the activities engaged in, and problems faced and to give them any necessary assistance. The schools and clubs which were visited by Julius Mukasa, UHRA's Education Assistant are: Mityana S.S., Bukomero S.S., Ggaba T.T.C., Luteete T.T.C., Wakatayi S.S., St. Henry's College Kitovu, Makerere College, Nakasero S.S. and Makerere University.

The department also in these visits launched a Human Rights Essay Competition. Club members are expected to write essays and Prizes will be given to the best members according to performance. These Essay competitions are intended to explore human rights issues thus broadening their knowledge about human rights.

In such essays students are expected to deeply research about human rights and in so doing their knowledge about human rights is broadened. This

is one of UHRA's methods of educating Ugandans about human rights.

However these clubs also engage in various activities among which are internal seminars, formation of drama groups, engaging in group discussions, debates and quizzes. A school like St. Henry's College Kitovu engaged in a Seminar which involved the whole School and staff, and papers were presented by para-legals.

Nevertheless Clubs find little time to engage in these activities and para-legals find it difficult to educate the juniors because of the advanced legal language used in law.

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ACTIVIST

INTERNATIONAL EVENTS

Simmering events in the world

By Mark A Bwengye

For the last three mounts, the world over, there have been struggles to better the human rights records and conditions. Below, Mark. A. Bwengye looks at various countries around the world:

CHINA/TIBET

For 40 years now the 6 million Tibetans have been undergoing the most painful period in their country's long history. During this period over 1,000,000 people have perished and more than 6,000 monasteries the nub of the Tibetan peaceful culture were destroyed. There is no single Tibetan family either remaining in Tibet or living in exile abroad which has gone unscathed. Yet the Tibetans' determination and commitment to their spiritual values and adherence to the practice of non violence remain unshaken.

The Chinese authority has responded with brutal suppression. While global attention has focussed on the tragic events, notably, the Tienanmen square massacre of pro democracy student demonstrators, in China, a systematic effort to crush the spirit and national identity of the Tibetan people is being pursued by the government of the Peoples' Republic of China.

The Government of the Peoples' Republic of China is practising a form of genocide by relocating millions of Chinese settlers into Tibet.

The Tibetans have been subjected to cruel and inhuman treatment and

denied their due right to self determination. Their Great spiritual leader, the Dalai Lama has been forced into exile contrary to Article 9 of the Universal Declaration of Human Rights.

In recognition of his great contribution to world peace through non-violence strategy, the Dalai Lama was awarded the 1989 Nobel peace prize by the Swedish Academy of Sciences.

IRAQ INVADED KUWAIT AND ANNEXED II AS ITS 19TH PROVINCE

On 2nd August, 1990, the International Community was shocked when the state of Iraq invaded the tiny kingdom of Kuwait with its mighty military hardwares. The invasion of the oil rich sheikdom by Iraqi forces was an act of aggression on the people of Kuwait denying their right to nationality and self determination in accordance with Article 15. of the Universal Declaration of Human Rights 1948. The invasion of Kuwait and its annexation by Iraq as the 19th Province is a profound threat to world peace and security and potential catalyst of a third world war.

The international community has condemned this gross violation of human rights and as a measure to restore to the people of Kuwait their sovereignty and nationality, the UN General Assembly has unanimously passed a resolution ordering Iraqi troops out of Kuwait.

In exercise of its inherent powers in the Charter, Articles 41, 42 and 94(2) The United Nations has

through the Security Council recommended the use of force against Iraq which does not show any sign of willingness to capitulate after annexation of Kuwait as its province violating its sovereign right to exist as a nation. the multi national peace keeping force is only exerting military pressure by its very presence in big numbers. From the human rights stand point, in a volatile situation like this, the international community may be advised to exercise maximum restraint against the use of force.

Already peace has been disputed in the Middle East with gross violations of human rights. Iraq has been carrying out executions of people opposed to invasion of Kuwait and has destroyed the economy of Kuwait depriving its nationals the right to earn a living.

Economic blockade and sanctions against Iraq began to be felt when the government started to introduce petrol rationing. Even Saddam Hussein dubbed the "Butcher of Baghdad" has agreed to free hostages from Britain, France, USA, Germany and other Nations whom he had kept as a human shield.

ISRAEL MASSACRES 21 PALESTINIAN DEMONSTRATORS

On October 2, 1990 Israel police massacred 21 Palestinians at the temple Mount in East Jerusalem's old city. This incident provoked wide condemnation throughout the world. The UN Security Council passed a resolution condemning the act and the Secretary General was directed to investigate the massacre.

Israel Government authorities vowed to refuse the UN mission entry into Israel to investigate the killings.

SOUTH AFRICA

since the release of Nelson Mandela on February 11, 1990 from long imprisonment since 1962, South African President F.W. de Klerk has agreed to effect a number of political reforms aimed at removing apartheid and increasing opportunities for the Black majority to full participation in the political affairs of the country. There has been some positive trend for cooperation between ANC and the government of the Republic of South Africa.

Nearly all anti apartheid movements are in support of a dialogue between the government and themselves to pave way for democracy in South Africa after abolition of the system of apartheid. Yet there are in South Africa a number of Black factions who advocate that the government maintain the status quo. The Zulu Inkatha Movement under the leadership Chief Buthelezi vehemently opposes political reforms in South Africa and want maintenance of the status quo for fear of losing their favoured position of a homeland independent state under the apartheid system. They fear the growing popularity of the ANC under the leadership of its Vice President Mr. Nelson Mandela and its allied movements such as P.A.C.

Since June this year violence has been erupting in Natal province and in cities of Pietmaritzburg, Cape Town, Pretoria and Johannesburg involving clashes between armed supporters of Inkatha Move-

ment and unarmed ANC supporters. It has been reported that over 4,000 may have died in this communal violence based on ethnic conflict.

Effectively, the government of South Africa has done nothing to control the situation against this communal violence apart from merely imposing curfew and emergency in those disturbed areas.

LIBERIAN CIVIL WAR

The Liberian political crisis emanates from ethnic conflict that had been smouldering over a number of years despite the seeming political and economic stability during the period dominated by the Americo-Liberian descendants of the American freed slave about 1800 - 1980.

The native Liberians who lived under feudalism and domination of a minority aristocracy revolted and overthrew the regime of late President William Tolbert in April 1990 in a bloody military coup d'etat led by Master Sergeant Samuel Doe (now late President Samuel Doe).

Since 1980 Liberia has been witnessing untold human suffering with hundreds of lives lost. Initially, the military coup itself claimed lives of unspecified number of people of the Americo - Liberians ethnic and all those others who were supporting or benefiting from the regime. Quite a number ran into exile abroad and in the neighbouring countries of West Africa.

It has been asserted that since the 1980 coup the regime of Late Samuel Doe has claimed more lives than probably those under Amin in Uganda, Bokassa in the Central African Republic, Marcias Nguema in Equatorial Guinea and

Mengistu in Ethiopia after the overthrow of Emperor Haile Selassie in 1974 and during his own struggle for power with other internal political and military elements.

The 1985 abortive coup against the government of Samuel Doe after he had massively rigged general elections provided an excuse to arm to the teeth his government apparatus and his clansmen who were mostly loyal to his regime to roam the countryside and rampage villages for suspected enemies from other tribes.

There grew internal conflict in Liberia between the regime and those opposed to it on ethnic lines. The government failed to protect the lives and property of its citizens by resorting to want on killing and robbery. There has been gross violations of human rights.

In spite of these gross violations of human rights US still continued to prop up the regime with economic aid instead of imposing sanctions for violations of human rights. The rest of the world community had been treating the crisis as internal affairs of a sovereign state which do not warrant any intervention.

It has been observed that the rebel forces under Charles Taylor which invaded Liberia from the Ivory coast around November 1989 was meant to put a halt on these senseless killings and loss of property through state inspired violence. By the time the forces of the National Patriotic Front of Liberia took over many innocent civilians had been killed by government troops. The massacres of 600 refugees in Monrovia Church compound by government troops is one of those shocking incidents. It has been

reported that very many people had died between the period when the rebel forces were in control of Monrovia and the arrival of the ECOWAS peace keeping force, ECOMOG and subsequent events that led to the capture and execution of President Samuel Doe by Soldiers loyal to Prince Johnson who had earlier on claimed to be Doe's ally against Charles Taylor and in support of the monitoring West African peace keeping force.

Since the death of Samuel Doe on the 10th September, 1990 Liberia remains without a government even though the ECOMOG peace keeping forces claim to have restored some form of peace in Monrovia after driving away rebel forces of the N.P.F.L led by Charles Taylor who vowed to fight what he considers foreign mercenary forces interfering in the domestic affairs of Liberia as a sovereign state.

Attempts have been made to bring together both rebel factions and the remnant forces of the Slain President to negotiate a political settlement under a cease-fire. The ceasefire has been violated by rebel forces especially those under Charles Taylor who insists on military victory rather than political settlement with someone else chosen under the tutelage of West African states as Liberian head of state. Charles Taylor has emphatically disagreed with the

way Liberian internal conflict has been handled by the ECOWAS. He wants the ECOMOG forces out of Liberia. The peace monitoring group insists that they have a mission to remain in Liberia until peace is restored with a democratic

government elected to rule the country.

KENYA

VIOLATION OF RIGHT TO FREEDOM OF OPINION AND EXPRESSION

- Article 19 -

Since Independence in 1963, Kenya government under the government of KANU the sole legal political party has had to hate opposition usually accommodated in a multi-party system of democracy.

Following the merger of KANU with KADU in 1965, KANU has since remained the sole political party. In 1966 Jaramogi Oginga then Vice President dissented to KANU policies and formed his own political party KPU to act as an official opposition. Daniel Arap Moi replaced him as Vice President. Then in August 1978 when President Kenyatta died, Vice President Moi took over as President and has since ran the presidential elections as a sole candidate.

Multi-Party democracy has been advocated by a wide cross section of Kenyans within and abroad who include trade unionists, religious groups and intellectuals. The University of Nairobi has been a bastion of liberal democracy. Since 1969 Kenyan police has had to occasionally confront University community in pro-democracy

demonstrations against certain violation of their academic freedom. Several University lecturers and students activists had been detained for advocating freedom of opinion and expression in Kenya.

Certain publications which cover issues of human rights had been banned. Recently the Kenya Law Monthly under the editorship of Mr. Gitobu Imanyara, a Kenyan Advocate was banned for covering topics on human rights situation in Kenya, violence against human rights and the Law, the release of Gibson Kamau Kuria, (now in exile for criticising the Kenya government). The controversy surrounding the elections of Kenya Law Society, a criticism of the death penalty and a summary of a testimony before the KANU Review Committee entitled "Kenyans want change" Gitobu Imanyara only released recently was again arrested and detained in Kamiti Maximum Security prison along with Charles Rubai, Kenneth Matiba, Raila Odinga and other pro-multi party democracy supporters.

The government of President Moi is cynical about multi-party democracy and insist on maintaining the political status quo regardless of international events especially in Africa which are leaning towards political change from one party state to multi party state.

THE ACTIVIST

What are Human Rights?

In our country and around the world today, we often hear and read about human rights. They are daily invoked and daily flouted. They are paid great attention to not only by individuals but also by most, if not all countries. Officially, all governments, are for human rights, including those which can be counted among its worst violators.

Despite all its talk of human rights, however, the concept remains vague and confusing. It is not clear even to many of its adherents what the expression really means. This situation is due to a combination of factors. It may be attributed to the fact that there is much development taking place in the field of human rights. But it is also a consequence of socio-economic and political circumstances which make human rights advocacy highly controversial and hazardous, particularly in areas of conflict.

However this essay will not attempt to outline these developments neither discuss the political and economic courses which make human rights advocacy confusing and difficult, it will in particular seek to define the concept of human rights in its general sense and outline its philosophical foundations.

Ordinary Rights and Human Rights

The idea of human rights is based on one very simple demand: the respect be shown for human charity. However, for our purposes, Human Rights can be better appreciated if we distinguish them from our other rights.

These other rights, which we shall call ordinary

or legal rights, are possessed by us not because of our humanity but by virtue of some transaction which we enter into or the happening of an event.

For instance, Mukasa's right to drive his motor cycle and to deny others or his friends its use is

based on his ownership of the car as a result of his having bought it. Without a sole or other prior transaction, for instance between the seller and the buyer or the donor and recipient, he would have no right to the use of the car at all. In the same manner, the right, for instance, to demand the payment of damages from another can arise only when the other has committed an offence for which he becomes liable to the damages. For example Mukasa to demand payment of damages on his motor cycle arise only when Sonko has damaged it otherwise Mukasa cannot claim payment.

As ordinary rights are acquired or created by some act or event, so can they be alienated or extinguished by other acts or events. A Motor cycle owner can sell or donate his Motor Cycle, lend it to a friend, dump it in a valley or burn it as he pleases. Likewise, a claimant for damages may lose his right if he fails to assert it within the period provided by law.

Nevertheless, individuals may have these rights in different measures. A person may own a bigger and more expensive car than another, or an accident victim who is wealthy may be entitled to bigger damages from the wrongdoer than a victim who is homeless

and unemployed.

Human Rights on the other hand, are rights which all human beings have by virtue of their humanity. Unlike ordinary rights, their existence or availability does not depend on the happening of any act or event or on the grant of any individual or government. They are inherent rights, that is, they belong to man simply because he is a human being.

As inherent rights, human rights, unlike ordinary rights, are in alienable and imprescriptible. They cannot be sold, mortgaged, donated, negotiated, forfeited or transferred by man or taken away by the state. Neither can they be lost through time by a person's failure to exercise or assert them.

Human Rights are also fundamental rights. They are entitled to special protection because many other human values depend on them. It does not follow, however, that all those rights are absolute. For instance, a person may be deprived of his right to life after due process of law. Like ordinary rights, reasonable limitations are permissible in the case of human rights.

Human rights are enjoyed by all human beings in the same measure regardless of sex, race, colour, creed, language, political opinion, national or social origin or status in life. While with ordinary rights it may often be legitimate to differentiate between individuals in different circumstances and for different reasons, no such discrimination is allowed with regard to human rights. All persons must be treated equally, whatever their features or characteristics may be, they must not

ESSAY

be killed arbitrarily, enslaved, tortured, detained without trial, denied employment or deprived of their basic needs.

These declarations focused on the individuals civil and political rights which the state cannot encroach upon, like freedom of speech and of the press, freedom of assembly, and the right to privacy.

There were those, however, who did not believe in any divinity or in a moral dimension that permits the natural world. For these people laws based on these behalfs were objectively unverifiable and as such did not carry much force. In their thinking, it is pointless to talk of good and bad laws; Laws are valid and meaningful only to the extent they can be enforced.

This theory, which was developed in the 19th Century and is known as positivisms, further assumes that there is no a prior, source of rights as in divine law or natural law. All authority emanates from the state; the law is what the state says it is. And the sources of rights can be found only in the laws promulgated and enforced by the state. Where no law provides for any particular right, such right does not exist.

Another reaction to the earlier theories came from Marxism. Marxism put the interests of society over individual interests.

In reflecting the notion of individual rights as bourgeois illusion. Marx believed individual freedom can come only after society has been completely informed. As against the socialist state, the individual ultimately has no rights, only duties.

Unlike the thinkers
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of the French and American revolutions, Marx emphasized economic advancement over civil and political rights. This led to the formation of social and economic rights the guarantee of which required active state intervention, like the rights to work for a just wage, to food and shelter, to education and to health.

All the above theories were eventually synthesized in the 20th Century formulation of human rights. The natural rights of man were converted into positive legal rights as embodied in national constitutions and international human rights instruments. The gap between emphasis on individual liberty and on the welfare of society was bridged by acceptance of the indivisibility of civil, political, social and economic rights. And in the protection of these rights, government's role came to be viewed as both passive and active, government must not unduly interfere in the exercise of civil and political rights but must take an activists position when it concerns the promotion of social and political rights.

sal inherence, cannot be confined to any given time and place. Western civilization may have recognised and defined their demand and started to give it form and substance. It would be wrong, however, to say that the west invented human rights.

The concept of human rights, as it is understood today, evolved through time, and its various elements have different origins and sources. Among the important sources of modern human rights theory are religious doctrines, natural law theory, and the principles

of positivism and Marxism.

While the term "human rights" may not be founded in the texts of traditional religions, they nevertheless speak of ideas and values which are central to human rights: right and wrong, good and evil, justice and fairness, equal and protection of the laws, and the essential dignity and equality of man.

The doctrine, for instance, that God is the father of humanity and that all men created in his image in effect makes all men brothers before god (equality) and bestows on man a high value of worth (dignity). These qualities give rise to certain universal rights which are inherent in man as a divine creation and are inalienable by him because they ultimately come from a divine source.

Modern human rights, however is more closely associated with the theory of natural rights flowing from natural law. Natural law embodies principles of justice which are in accordance with nature and which principles are discovered by man through the use of his reason alone. Under natural law, human actions judged based on whether or not they are agreeable to the nature of man.

Natural law principles led to the recognition of natural rights that is inherent, and therefore inalienable, rights of man in a state of nature, particularly the rights to life, liberty and property. Natural rights theory inspired the declarations on the rights of man of the American and French revolutions.

INTERNATIONAL EVENTS

Simmering events in the world

By M. A. Bwengye

It has been argued that human rights is not a phenomenon that derives its validity from an agreed foundation because every political system normally tries to define human rights from its own political perspective mainly in pursuit of its own interests. In that way the system will circumscribe human rights only to narrow them down to its own interests. Yet this narrow approach and treatment of this important aspect of man cannot endure the test of time. It is because of the inviolability of the human person and the universality of human rights that people will soon or later come to realise that in order to ensure the respect of their rights, a resort to a political action is the surest means of achieving their objectives.

This course of action, if taken, presupposes the absence or lack of a democratic forum in which people can articulate the demand of these rights. Throughout history, rights have always been promoted and protected through growing political action, sometimes bloody revolutions: such as the French Revolution 1789, the Russian Revolution 1949, the Cuban Revolution 1974, to name but a few.

It may however be noted that behind human rights issues there is always an overriding political imperative. Consideration is here given to the emergence of post war human rights movement which was motivated by Conscience as a result of World War atrocities. Accordingly the United Nations Organisation was formed in 1945 and this

was followed by the enactment of the Universal Declaration of Human rights 1948 by the same body in that spirit. Many nations of the world today subscribe to this organisation.

But as the memories of the world wars began to fade, human rights too began to play second place with politics taking over first place. In this situation, we see post war political movements emerging in developing countries of Asia and Africa to challenge the essence of colonialisation which eventually gave way to independence.

In Africa the first generation of leaders led the struggle for independence on the platform of human rights, the right to self determination. Yet after achieving political power they discarded human rights and democratic principles which they had advocated for to achieve that power and imposed their own brand of democracies which they christinised all sorts of high sounding names. These idealistic names in the end turned out to be synonyms for dictatorship. This reversal of the positive trend in the struggle to achieve political rights brought untold miseries as it generated repressive regimes which have no place for human rights.

Human rights must always be perceived as natural rights which are inalienable to man and cannot be negotiable in any system on earth. In order that they may be effectively enjoyed, political systems have to undergo some radical transformation with much sacrifice, if need be. It may be observed that while a right may

seem to exist in the society its realisation will depend upon the political system prevailing at a particular time. For instance, in a one party state there may be constitutional guarantees for human rights yet the right to freedoms of opinion, expression, assembly and association are denied.

If we look around us there are many states dominated by governments under a monopoly of one political party. Although recent trends in Eastern Europe have influenced many political systems in Africa, a few countries particularly in Eastern Africa have tended to ignore the Universal cry for democracy and human rights.

On the determination of the issue of human rights and property ownership, most national constitutions guarantee individual rights to own property and adequate or reasonable compensation ought to be paid to the owner in case of exploitation of that property by the state. Individual rights to own property and claim compensation when that property is taken away are human rights. Yet the concept of ownership has been obscured to depend upon the ideology being pursued or advocated by the ruling class.

For example the western countries which pursue capitalism as a leading path to economic development will regard individual ownership of property as a human right which deserves protection to foster development. On the other hand Eastern countries which pursue socialism will oppose the

INTERNATIONAL EVENTS

concept of individual ownership as a human right on the ground that a right to ownership and protection of private property is only enjoyed by a few people at the expense of the masses and therefore cannot be a right capable of protection by the law.

Again on the enforcement of human rights or sanctions against violators, political consideration other than anything else takes precedence. In most cases we have been witnessing overt or covert actions by one state against another regardless of nasty consequences that will adversely affect human rights protection. E.g. an act of war, an aggression or invasion may be politically motivated merely to serve political interests.

Political consideration as a value judgement extends from municipal to international arena. Hence in international law no state will ever bring another to an international tribunal or court for violation of human rights. The concept of sovereignty of state exerts such political influence that it serves to protect every government to conduct its internal affairs without external interference. It is this concept of state sovereignty that has had negative effect on democracy and human rights protection. That is why it is common that we see a group of selfish people in one country dominating political power under one party ruling the masses through coercive force of arms by the use of the police, state security organs and the army. However much that group may continue to terrorise or massacre the people whom they tend to protect against violation of their rights, a neighbouring country under the doctrine of non

interference or territorial integrity or state sovereignty will not intervene to stop the killings. Political issues tend to dominate human rights issues with political consideration taking precedence.

If human rights issues had been taken into account, the Iraqi's invasion of Kuwait could have been avoided. Similarly the current invasion of Rwanda could have been averted. The escalating genocide in Liberia was

brought about by blind political management of the country through a dictator who trampled on people's right. All this unfortunate situation could have been avoided if human rights were taken into account. Today all the world's bloody conflicts have been brought about by political actions which ignore human rights issues. That too can be avoided if human rights considerations are given first place.

forum

THE INTERNATIONAL INSTITUTE OF HUMAN RIGHTS FORMS AN ALUMNI ASSOCIATION

Participants of the 21st study session of the institute of Human Rights Strasbourg - France formed an Association called "ALUMNI ASSOCIATION OF THE INTERNATIONAL INSTITUTE OF HUMAN RIGHTS" The word Alumni means a graduate or former student of a school, college or University.

Like the name suggests, this Association of the International Institute of Human rights was established at Strasbourg France, as a Non-Governmental Organisation, to protect and develop fundamental Human Rights respect, such rights being an indispensable condition of preservation of peace.

The association was to be governed by relevant French Legislation and by the Constitution.

There were many purposes and goals of the ALUMNI ASSOCIATION which inter alia included the promotion of international human rights through the exchange of information and cooperation among and between past, current, and prospective

attenders of the International Institute of Human Rights (IIHR) study sessions.

In furtherance of its purposes, the Association had undertaken to promote the exchange and disseminate information regarding member activities of the United Nations and other human rights organisations, publications and periodicals, upcoming meetings and conferences, activities of NGOs, Internships and Scholarships programmes and various funding opportunities through the publication of a periodic newsletter and annual membership directory.

The Association was also intended to promote increased education and awareness of human rights

issues from a cross-cultural perspective through convening annual round table discussions, Seminars, Symposia, or Workshops and the issuance of related reports, and finally to promote the continued activities of the IIHR through the annual awarding of Scholarship(s) with preference to individual(s) from developing countries not previously represented at the IIHR study sessions.

of the Associat-

ion is to be at Strasbourg. Members of the Association shall be former students of the International Institute of Human Rights, all other qualified natural or legal persons, who will be admitted by decision of the executive committee and states and inter-governmental organisations under conditions determined by the Executive Committee of the Association.

The organs of the Association are the General Assembly, Executive Committee and members. The Association is to be directed by an Executive Committee which consisted of 11 members to be elected from seven regions, Asia, North Africa and the Middle East, Africa South of the Sahara, North America and the Caribbean, Latin America, Western Europe and Central and Eastern Europe.

In addition a rapporteur was elected without restriction of nationality from the participants of the 21st study session and three other members of the Executive committee were elected at large without regard to nationality.

The Executive Committee was to be responsible for the overall coordination of the programme of the Association, ensuring respect for and consistency with the Constitution and by-laws of the Association, direction from the General Assembly. The members of the Executive Committee were to be individually and collectively responsible for promoting the Association and support each other in fulfilment of the obligation

as elected representatives. These members were also to serve as chairpersons of specific policy and programmatic Committees, Communications, Editors

of publications, legal Affairs, Budget, Programmes and Membership.

The Executive Committee consists of the President, 1st Vice President, 2nd Vice President, 1st Secretary, 2nd Secretary, Treasurer and Heads of the Specific Policy and Programmatic Committees.

This Executive Committee was to meet when circumstances require, upon convocation by the President, and at least once a year before the ordinary Session of the General Assembly.

The President of the Executive Committee was to serve as the Chairperson and coordinator of the Executive Committee as liaison with the international institute of Human Rights, as Association representatives to the

Executive Board of the Institute and as official public representative of the Alumni Association. He was also responsible for compiling reports of the Association for distribution, prepare and present the annual report to the Association and the General Assembly.

The President of the Association and the Vice-Presidents were elected by the Executive Committee for a period of two years and were subject to re-election.

Mrs. Kabanda, the Legal Advisor to the Uganda Human Rights Activists, was elected regional representative for Africa South of the Sahara and 1st Vice President of the Association. She was to serve for two years as stated in the Constitution of the Association.

MEMORIAM

BETTY DDUMBA

It is with deep regret that Human Rights Activist in Uganda mourn the death of their fellow member Betty Nabawesi Ddumba (MS) whose death occurred on 6th January 1991 at Mulago



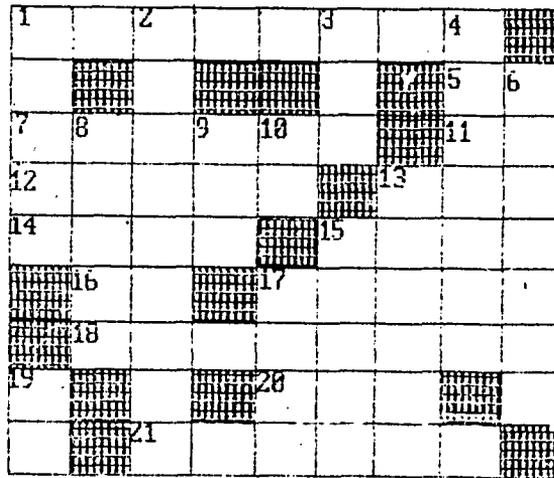
Hospital

Thanks to all those who helped in whatever way during this sad moment.

May Almighty God rest her soul in eternal peace.

*PUZZLE

crossword 2



ACROSS

1. An advocate of democracy.
5. Old boy of a school.
7. Part of the throat containing vocal cords.
11. Second Solfa Music notation.
12. Used in transmission or production of television Image
13. An economic body in Southern and Eastern Africa.
14. Garden in which Adam Eve were placed at creation.
15. Travelling around countries for leisure.
16. Chemical symbol of Erbium.
17. SI Unit of length
18. People who run away from service
20. Plural of the word "be".
21. Fixed regular payment to persons employed.

DOWN

1. Search intensively.
2. Those people who commit grave capital offences by depriving other people of their right to life.
3. A brand of cigarettes.
4. Infliction of severe pain.
6. People enduring something.
8. Helped.
9. Japanese currency.
10. Not any, not a; not at all.
13. Work, act in feeble, unsystematic way.
15. Latin word for firm Ground.
17. Occasion when food is served and eaten; the food.
19. Amnesty International.

SOLUTION NO.1

ACROSS

- (1) Prisoners
- (7) AERO
- (8) IMAM
- (9) RATE
- (10) THE
- (12) IE
- (14) U.T.V
- (15) OBESE
- (17) EDIT
- (20) ES
- (21) REGINA
- (23) ARGENTINA

DOWN

- (1) PAIR
- (2) REMAINDER
- (3) IRATE
- (4) SOME
- (5) NET
- (6) RIGHTS
- (10) TUES
- (11) EVEN
- (13) DO
- (17) ERA
- (18) IGG
- (19) TIE
- (22) NN

NEWS IN PICTURES

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I am ready to support the Uganda Human Rights Activists impartial campaign against violations of human rights whenever they occur in Uganda.

Therefore I add my name to the list of the people in support of the work undertaken by this young humanitarian organization.

I am also aware that the Uganda Human Rights Activists relies for its funding on donations from members, supporters and well wishers. This ensures its financial independence which is vital for its political impartiality.

I also wish to have more details of the Uganda Human Rights Activists publications. Please send me further details.

I wish to subscribe to THE ACTIVIST Monthly Magazine at a cost of US \$ 8 per copy or US \$ 94 per year for abroad subscribers. And Ugandan subscribers Shs. 200/- per copy of Shs. 2400/- per year.

I enclose a donation of Shs.....US \$£.....to help sustain the Uganda Human Rights Activists' continuing research and action in defence of human rights.

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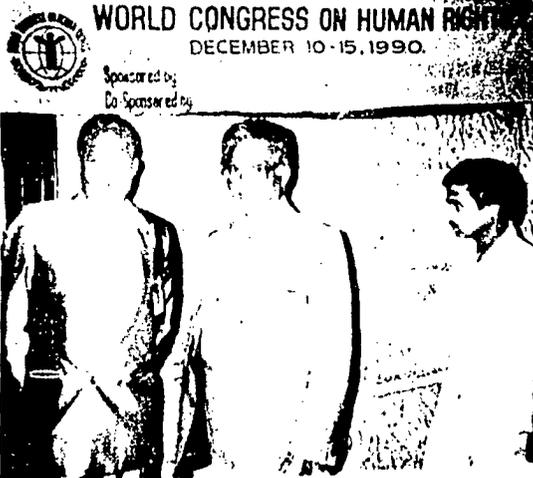
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NEWS IN PICTURES

Mr J.R. M. Kasibante

Executive Secretary

opening up Katikamu branch.



The Deputy Executive

Secretary, Mr. Mamuli Ssalongo

attended an International

Conference in New Delhi,

India in December.



The chairman of Katikamu branch Mr. Kasujja given Human Rights literature by Mr. J.R.M. Kasibante.



Katikamu Choir singing Human Rights Songs.