

PART II

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HUMAN RIGHTS REPORT: UGANDA

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This article seeks to clarify the situation of human rights in Uganda. There have been no major steps forward in the period between October 1999 and August 2000, but all is moving in the right direction and the pertinent issues are outlined in the paragraphs that follow.

Uganda has ratified a number of International Human Rights instruments. The list is in no way exhaustive but some are indicated in the table below.

No.	Instrument	Year of Ratification
1.	International Convention on the Elimination of all Forms of Discrimination Against Women	1985
2.	The African Charter on Human and Peoples' Rights	1986
3.	Convention Against Torture and other cruel, inhuman and degrading Treatment or Punishment	1987
4.	International Covenant on Economic Social and Cultural rights	1987
5.	Convention on the Rights of the Child	1990
6.	International Covenant on Civil and Political Rights	1995
7.	Optional Protocol to the International Covenant on Civil and Political Rights	1995

It is also worth noting that Uganda's current Constitution was promulgated in 1995 and contains a Bill of Rights in Chapter Four. This report will therefore give a brief comment on some of the areas or category of rights that are embedded in the above instruments, and whether the government of Uganda is observing and abiding by the international human rights instruments it is a signatory to, as well as ensuring that through domestic laws the rights of all Ugandans are respected and upheld.

From the onset, it is worth noting that tremendous and commendable progress has been made in protecting and promoting human rights in Uganda both by the Government and by Non-Governmental Organisations. However, more still remains to be done.

RIGHT TO LIBERTY

For the purpose of this report, Right to Liberty will entail conditions that people experience when incarcerated, either in Police detention cells or in the local or central government prisons, and their experience of the due process of law. Although this sector has seen considerable reform, the pace must be quickened and not slackened. There have been some remarkable achievements by Government in trying to bring these institutions in line with national and international laws and norms. The judicial Commission of inquiry into corruption in the Police Force, the enactment of the Law on Community Service and the reforms in the Prison service have all led to greater respect for human rights. The input of NGOs cannot be over emphasised.

However, the duration of detention and remand experienced by suspects continues to exceed its legally stated requirements, and the number of people on remand awaiting trial still makes up the majority of the prison population. Many suspects are held in police cells longer than the 48 hours stipulated in Article 23(4) of the Uganda Constitution. Conditions in Prisons continue to be bad as overcrowded, inhumane, unsanitary and often cruel conditions are characteristic of most prisons in Uganda. FHRI continues to visit prisons to monitor progress. For example as per the FHRI 1999 country human rights report, it was noted that for a prison meant to house 480 inmates, the number totalled

1,483. 1,125 were on remand while the remaining 358 had been convicted. There continue to be problems accessing justice, especially for the poor. Lack of resources and the failure of court sessions to sit frequently combine to deny prisoners their rights to a fair and speedy trial.

RIGHT TO LIFE

Extra-judicial killings resulting from abuse or excessive use of force by the police or the army contravene national and international law. Respect for the integrity of the person continues to be violated and abused, not only by government security forces but also by civilians. The incidence of mob violence has continued to increase. It is however worth noting that the Government is spearheading a campaign to clamp down on mob violence and to bring its perpetrators before the courts of law.

Article 22 of the Constitution of Uganda places the right to life within the provisions of the death penalty. The most recent death penalty was carried on 29th April 1999 when 28 men were killed by hanging. The conditions for prisoners on death row remain appalling. Proponents of the abolition of the death penalty, (for which FHRI is an active campaigner) believe that it cannot be condoned as justifiable for any crime committed, nor does it act as a deterrent.

Reports received by FHRI in 1999, claim that the Army has continued to commit extra judicial killings against citizens, especially in Northern Uganda. The Police and fellow citizens are also guilty. The 14 year conflict in Northern Uganda and recent invasions by rebels in Western Uganda continue to violate the right to life of the citizens of Uganda.

FREEDOM OF ASSOCIATION

Generally speaking, Ugandans continue to enjoy this right. However, political rights to associate have continued to be subordinated by certain provisions of the Constitution to deny full political participation to organisations. Despite the existence of parliamentary democracy, Uganda continues to be governed under the no-party Movement system. A number of demonstrations, meetings and public events have

been broken up under the guise of political activity by the local authorities. Intimidation and harassment of 'opposition' figure continued throughout the year 1999, and their meetings were dispersed.

Several petitions lodged in the Constitutional Court questioned the legality of the passage of the Referendum Act. It was declared null and void by the Constitutional Court. The Act did not, among other issues, level the playing field, and ensured that political parties are not able to campaign effectively on the referendum. It is of concern that the Political Organisations Bill has still not been passed and that certain provisions of the Bill still effectively limit political party activity. The Political Organisations Bill would go in some way to levelling the playing field for political organisations in order for them to canvass for votes on deciding the system of electing the new government in the year 2001.

FREEDOM OF SPEECH AND EXPRESSION

All people have the right to their own opinion and to express themselves freely without interference. Article 29 of the Constitution of Uganda attests to the right to have freedom of speech, opinion and expression. The media in Uganda is very vibrant and is able to comment and express itself on a wide range of diverse topics. There is usually very little government interference with or harassment of the media, especially on subjects to do with cultural and economic rights. In some instances, however, the Government has continued to clamp down on the media on the use of the Law of Sedition and the publication of false news. The *Monitor Newspaper* for example has been taken to court several times by the Government using these laws.

THE RIGHTS OF THE CHILD

Article 34 of the Constitution of Uganda and the Children's Statute (1996) enshrine children's rights. There has been some success in this area. In the area of education and the implementation of Universal Primary Education, more children have been afforded the opportunity to go to school. However, the lack of resources and money has put a severe strain on the quality of the education received. The Government's contribution in the area of child health is very

commendable. Children's rights are being promoted more in society by Government and Civil Society. Relevant Government institutions have been set up and are continuously highlighting issues that affect children's lives.

However, the overall situation is not bright. Children continue to be physically, emotionally and sexually abused and often have no recourse to adequate courts of law. The family and children's courts were set up by the Children's Statute of 1996, and yet of the more than 300 courts gazetted very few are functioning due to lack of resources. An increase in instability in conflict areas, limited access to education, and increased parental pressure to earn a living, have all ensured that children are deprived of their childhood. Juveniles also continue to be affected by the criminal judicial system and although the enactment of the Children's Statute seeks to improve the way children are treated in all aspects of their lives, the slow implementation of the Statute continues to affect those juveniles incarcerated and on remand.

The Lord's Resistance Army in Northern Uganda commits the worst atrocities on children. Those who have escaped from abduction by the LRA have given horrific accounts of abuse, killings and rape by the rebels. These abuses are ongoing and are well documented. The rebels continue to raid villages for food and supplies and to abduct children, for recruitment as soldiers and to become their slaves. Authorities in the North have also alleged that the rebels sell off children as slaves.

THE RIGHTS OF WOMEN

Through articles 32 and 33 of the Constitution, which promote gender balance and fair representation of marginalised groups in political, social, and economic activities, the government has legalised the status of women and has enabled the gender imbalance in society to be corrected. With the implementation of the Constitution, government policy has consistently aimed at improving the status of women. However, as Uganda's Third Country Status Report on the Convention on the Elimination of all forms of Discrimination Against Women emphasises, 'the provisions of the constitution still have to be translated into laws that can be actively utilised to protect women from discrimination'. Uganda has

prioritised, according to the report of the Post Beijing National Action Plan on Women, six areas of concern, which have been merged into four areas that impact on all aspects of women's and girls' lives. Of these, the legal framework and decision making and the girl child and education are looked at closely in the report.

However, there is still little opportunity for women, and especially those from the rural areas, to gain access to education or to own land. Over 97% of women have access to or use land and receive their income directly from it, yet only 30% of women control proceeds from land and only 7% own land. The Land Act (1998), amongst its many controversies, takes an extremely exclusionary manner towards women. A number of clauses for review by the Ministry of Lands included the clause of co-ownership of family land, which was omitted when the Act was passed by Parliament. Awareness of the 'lost clause' of the co-ownership of land has increased. It has now been pushed to the Domestic Relations Bill.

The passage of the Domestic Relations Bill, which brings land issues to the forefront, would revolutionise the way matrimonial property is handled and would provide legitimacy to the woman in her claim over the land. The Bill therefore ensures that women have the same rights as men with regards to matrimonial property and during divorce, and also takes care of the problem of Domestic Violence. Government, however, has made no major move to enact the Bill.

RECOMMENDATIONS BY FHRI

FHRI calls upon the government to do all in its powers to reform the legislature, executive and judiciary in order that government is held more accountable for its actions and that these are carried out in a fair, open and transparent way.

FHRI is particularly concerned that the due process of law is not being upheld and that many suspects are being held for longer periods in police detention cells and prisons than those stipulated in the Constitution. With careful regard to the law, the number of suspects held on remand could be reduced, and other options may be utilised. With the passing of the Community Service Bill into an

Act, the judiciary has the opportunity of alleviating overcrowding in prisons as well as rehabilitating prisoners back into society.

FHRI is concerned that the government, far from seeking to end the conflicts peacefully through dialogue, is pursuing more violent means. FHRI calls upon the government to continue its dialogue with all warring factions in the conflict areas in order that a peaceful settlement may be reached.

FHRI further calls upon government to increase the presence of UPDF in the areas of conflict and thus to ensure the security and adequate protection of the villages and displaced persons camps from rebels.

The conflict in the east of the country involving the Karimojong warriors will not be solved through the excessive use of arms and available weaponry. FHRI is concerned that efforts to disarm the Karimojong warriors, or to end the lawlessness through the peace initiatives which have already started, have not been taken seriously by the government.

FHRI applauds the government for ensuring that gender rights are now taking centre stage and are being formulated into the government's policy framework. However, FHRI is still concerned about the status of women in society and calls upon the government to pass the Domestic Relations Bill with all due speed. Antiquated laws that ensure women's subordinate position in society would then be removed, and in effect this would allow women to have the same status at all levels. The land issue is of serious concern to FHRI as the Land Act, like the Domestic Relations Bill, would help bring equality for women, specifically in regard to the issue of land ownership. FHRI calls upon the Government to amend the Land Act so that the co-ownership clause may be incorporated. This is particularly important for the majority of rural women who work and live on the land, but are not yet rewarded for their efforts.

Uganda by being party to a number of international instruments and peace accords is legally bound to respect their provisions. FHRI calls upon the government to observe these instruments so as to be a leading figure in the maintenance of peace within the region.

HUMAN RIGHTS IN RWANDA RECENT DEVELOPMENTS

PEACE UWINEZA

During the year under review there has been a peaceful change of leaders in Rwanda. The government has shown a will to improve human rights, and development can be reported in several areas.

New Laws and Government initiatives

- ◆ The Genocide law punishes rape with capital punishment;
- ◆ The Family law gives inheritance rights to women and to the girl child;
- ◆ A Poverty Eradication programme has been initiated by the President's office, under the Ministry of Finance.

The **National Unity and Reconciliation Commission** has sought to be a unifying element in Rwanda, influencing people's attitudes and outlooks, consulting at grassroots level and encouraging free debate. The **problems** identified include those of justice, poverty, governance and the understanding of history.

These problems were discussed at the National Summit on Unity and Reconciliation, which brought together national representatives, leaders and even Rwandans living outside the country (including those involved in politics). **Reports** are available on this summit (in English and French), as well as a report by the commission, a report on the grassroots consultations, and a report on *Urugwiro* (President's office).

A **National Human Rights Commission** has been formed based on the Arusha Peace Accord. Seven Commissioners have been appointed and a few staff members employed.

The **Constitutional Commission** is still at an early stage of formation.

Justice: The aftermath of the genocide prevents many prisoners being tried traditionally, and Gacaca¹ system of community tribunals is still

new. Corruption and ethnic biases continue to impede the carriage of justice. Relations between the Arusha Tribunal and the Rwanda Government are now good, but there was temporary break when a key prisoner was released by the tribunal for technical reasons. The tribunal has now set up an office in support of the national unity and reconciliation commission.

A fund has been established for **genocide survivors**, with some reparations made. Elderly and child prisoners have been released. Reintegration of refugees continues to be a challenge. Some property has been returned to its rightful owners, and there has been some voluntary sharing of land.

Democratisation and decentralisation has started at a local level, and is to be extended to a district level. People are not yet used to the system: It is being abused, and the elected leaders do not know what to do. Civil society continues to develop, assisted by NGOs, Liprodos, AVP and others and CLADHO is the umbrella.

Much has been done, and will continue to be done, to raise awareness of human rights and to foster a culture of respect for those rights. National debates, Peace and Leadership training (of students and leaders) and 'solidarity camps' have been held, and there is an ongoing programme of civic education in schools. Programmes have been conducted to educate women on the new laws, and teaching has been given in every prefecture on the new human rights commission.

¹GACACA is a traditional community court. These courts were re-established in Rwanda to speed up the delayed genocide trials as the courts and the whole legal system is overburdened with the many trials still pending. GACACA courts are only used for those accused of less serious crimes, categorised 2-4. The government established a categorisation system in order to ease pressure on the criminal justice system. Those accused of category 1 crimes are the planners, organisers, instigators, supervisors and leaders of genocide; 2-4 are the less serious acts, for example people who participated in criminal acts, who were conspirators or accomplices. Suspects in the latter bracket (2-4) are tried in the traditional courts (GACACA).

HUMAN RIGHTS IN ETHIOPIA NGO PERSPECTIVE

ANDARGATCHEW TESFAYE

A few concerned individuals established the Ethiopian Human Rights Council in September 1991, and to date the membership has grown to over 700. Though the Government refused to recognise and register the Council until 1998, the Council never failed to carry out, as far as funds and situations permitted, its objectives. These include:

- ◆ *to strive for the establishment of democratic rights;*
- ◆ *to promote the rule of law and due process;*
- ◆ *to encourage and monitor the respect for human rights in Ethiopia.*

Despite various constraints, the Council has been striving to carry out its objectives. (For example, the government blocked the Council's bank account for five years until it was released through a court order). In spite of such hurdles, the Council has tried to educate the public about democratic rights through various means. Since it has been denied access to the mass media, which are mostly owned by the state, it has been carrying out its educational activities through seminars, debates, workshops, the use of leaflets and newsletters and the limited private newspapers. Attempts are being made to reach the masses, but a lot more has to be done.

EHRCO, being the only human rights monitoring NGO, has concentrated on monitoring human rights violations, along with its educational programmes and to date, 16 regular reports and 35 special reports have been issued.¹ The number of violations from 1991 to 1999 as reported by EHRCO can be summarised as follows:

Extra judicial killings	281
Wounded	72
Forced disappearances	185
Torture	125
Arbitrary detention	8,590
Disobeying court orders	40
Violations of the right to work	16,935
Violation of pension rights	4,364
Violation of property rights	513

These are not by any means the only violations in the country, they are cases reported to and investigated by EHRCO. Due to limitations of resources, a large portion of the country could not be covered, but EHRCO is trying to reach outlying areas through the establishment of branch offices. In the last two years it has opened four branch offices, another will be opened soon and others will follow, conditions permitting.

Some governments in the developed world would like to convince us that human rights violations have been improving over the years in Ethiopia. We at EHRCO find this to be very much a wrong assumption. It is true that we do not observe as many people being killed on the streets of Addis Ababa as we used to a few years back, but to us the loss of a single individual or the detention of individuals without due process of law, etc. justifies the condemnation of such perpetrators and the criminal justice system that fails to take action against such perpetrators. Therefore, human rights violations are as rampant as ever in Ethiopia. This is why EHRCO keeps on coming up with reports of human rights violations, and this year alone has reported various acts of violations by the security forces and party cadres.

To cite a few examples:

- (1) The violent attack and detention of students in Western Ethiopia, who went on a demonstration to raise legitimate questions;
- (2) The brutal, ethnically motivated attack and destruction of the properties of Amhara settlers² by local people and party cadres, in the presence of local council members in Eastern Wolega while the security people were watching;
- (3) Cross border attacks and destruction of crops of disarmed Amhara farmers in Northern Shewa by armed Oromo ethnic groups;
- (4) The brutal ethnic conflict in the Southern Administrative Region among the Geri and Borena ethnic groups. The Borena violently attacked the Geri community at night killing 75 people and wounding 33. Houses were destroyed and several thousands of domestic animals, household property and cash worth hundreds of thousands of Ethiopian Birr were looted. Among the dead and wounded were found several children, women and the elderly. The conflict between the two ethnic groups was of long standing

but it had been aggravated by the subdivisions on ethnic lines of regional borderlines of districts in which the two groups live, by the government in power;

- (5) In the May 6th 2000 election for the Federal House of Representative (Parliament) and Regional Councils, which EHRCO monitored and reported, members of the opposition parties and their supporters were not only harassed, some were imprisoned, shot and wounded. A few were killed. The security forces and local government cadres committed all these atrocities.

Up to date no action has been taken against the perpetrators of these violations. Therefore, human rights violations have not shown any decline in the year 2000.

A lot of fanfare has been raised regarding the trial of the former officials of the Derg Government (Military Government) who have been in detention since 1991. Some died before even appearing before a court. But the perpetrators of human rights violations under the present government have been left scot-free. In a few cases perpetrators were arrested but did not appear before a court. A member of the Executive Committee of EHRCO was assassinated in 1997, by the police, under the pretext that he resisted arrest, in broad daylight in the streets of Addis Ababa while he was walking to work. His case has never been investigated. Therefore, we are not aware of any case where human rights violations over the last nine years have been investigated under the present government.

Though piecemeal and scattered, the various laws (including the Criminal Code of 1957 and the Civil Code of 1960 and other Ethiopian laws) have provisions that protect the rights of the child. The Ethiopian government has also ratified the UN Convention on the Rights of the Child and made it part of its existing laws. Therefore, lack of laws is not a major problem as far as the care and/or protection of children is concerned. However, the piecemeal attempts to assist and protect children, both by government and non-governmental agencies, could hardly scratch the surface of the problem. There are attempts to translate the Convention into action, particularly by NGOs, but the

immensity of the problem demands much more than current efforts can achieve to ameliorate the problem. Recently, the Ministry of Labour and Social Affairs, the government body responsible for implementing the Convention, reported that there are more than one hundred thousand children on the streets of urban centres and over five hundred thousand are at risk of being on the streets soon, unless some action is taken. That action come soon enough is highly doubtful because of the size of the problem and the diffidence of the government in facing up to such challenging problems.

Due to failure on the part of the government to take firm action, the issues of child molestation, abuse and exploitation are becoming very serious. The existing laws regarding these problems are claimed to be very weak, and the attempts to translate them into action even weaker. Some perpetrators produced before courts usually receive very light sentences, or are set free. For instance, in some cases rape is associated with abduction. If a person abducts a young girl and rapes her and eventually agrees to marry her, he suffers no penalty. But how about the girl's feelings? It just does not matter. She will have to be satisfied! After all marriages, particularly in rural areas are arranged and the girl has no say and marries a person she has never seen as long as her parents accept the would-be husband of their daughter.

Women rights have been gradually improving over the years, particularly in the urban areas and among educated women. But much has to be done to improve the lot in rural areas, particularly among certain ethnic and religious groups. For instance, among certain religious and/or ethnic groups women are excluded from inheritance even though the law entitles them to it. Communal laws prevail in certain areas, and although the government may not officially condone them, there is no control over such practices that disregard the provision of the law.

The problem of domestic violence is very serious, but law enforcement officers do not seem to take it seriously. In many cases, they seem to think that a husband should have total control over his wife, including the right to beat her. In fact most women, particularly the uneducated ones, seem to accept that a husband has the right to beat his wife as

part of his right of control over her. However, some piecemeal studies by social and behavioural science students are drawing the attention of the public, provoking much debate. Even stronger is the loud cry of women's groups that have been raising issues of women's rights with the government. During the past two and half decades much debate has been going on regarding the equality of women. More recently, the Women Lawyers' Association has been putting up a fight and giving a strong lead regarding the question of women's rights before the law, and it has succeeded in drawing the attention of the government. Various seminars, workshops, etc. have been going on and soon most of the unfavourable legal provisions are likely to be amended, since the government seems to support the questions being raised.

The problem of disability is very serious in Ethiopia. A very conservative estimate indicates that there are slightly over one million disabled people. According to the World Health Organisation's assumption, the disabled in any country of the developing world amount to about 10% of the total population. If we accept this assumption, there are more than five million disabled people. Disability due to various eye diseases, poliomyelitis and other infectious diseases, leprosy and various types of accidents and malnutrition is shockingly high. In the past, religious groups mainly took care of the disabled. Gradually the government also came into the picture beginning in the 1960s. In 1972, the then government established, under proclamation, a Rehabilitation Agency for the Disabled, to co-ordinate rehabilitation programs in the country. The Agency was doing well, but the present government, due to its policy of regionalising the administrative set up of the country based on ethnicity, broke up the Agency and some of the programmes under it were put under the control of the regional administrations. Therefore, there is no longer strong government co-ordination of the programme for the disabled.

There is an attempt by rehabilitation institutions run by NGOs and the government to provide food, shelter and some vocational training, but these programmes reach only a small fraction of the disabled. The rest are simply left to fend for themselves or are cared for by parents or relatives.

On the other hand, some of the disabled, particularly in the urban areas like Addis Ababa, have organised themselves into associations that try to assist their members. The blind and the deaf-mutes particularly have fairly strong associations.

The present government has issued a proclamation indicating that the physically handicapped have the right to employment like the able bodied, but no attempt has been made so far to implement the provision of the proclamation.

As indicated in the foregoing pages, human rights in Ethiopia are merely talked about rather than practised. Many government supporters insist on quoting articles from the Constitutions and other laws, but laws cannot do much by themselves. The government must be willing and daring enough to implement them.

¹A regular report consists of a number of violations of human rights over a period of time. However, a special report deals with specific violations of the rights of individuals or groups in a specific area or community.

²The government settled a group of Amharas in Wollega, Western Ethiopia due to the recurrent drought that affected the Amhara region. Mostly the Oromo ethnic group live in the Wollega region.

HUMAN RIGHTS IN KENYA RECENT DEVELOPMENTS

MARTHA MUGAMBI

OVERVIEW

The situation of human rights in Kenya cannot be fully analysed without examining the actions, nature and extent of response by public agencies or officials of government to complaints of human rights violations and fundamental freedoms received or reported.

While commendable progress in general has been made in ensuring that there is an improvement in the protection and promotion of human rights of all Kenyans, there has been an alarming increase in the reported cases of human rights violations. The majority of these cases involved torture and brutality meted out to individuals mainly by law enforcement agencies and others whose primary duty should be to protect and defend those very rights. Cases of domestic violence, mob violence, child abuse and rape have been on the increase.

Although there exist no statistics or data on actual figures of reported cases, there has been a corresponding increase in the number of petitions received or taken up at the initiative of SCHR (K) especially relating to police excesses and/or abuse of office by public officials. Public outcry against such violations, increased prosecutions of wayward policemen and the involvement of a vibrant civil society is raising awareness among the people of their rights and freedoms.

Notwithstanding the foregoing concerns, the period under consideration witnessed measures that are evidence of the Kenya Government's response to the situation. This commitment to the protection and promotion of human rights has been exemplified by public statements and actions taken by government officials. In particular, the Committee welcomes the disclosure by the Attorney General that the Government will introduce amendments to the existing law of evidence, in order to address incidences of torture meted out to extract confessions from suspects and make it easier to prosecute those involved in violations of rights of suspects in custody.

ACHIEVEMENTS, CONSTRAINTS AND THE WAY FORWARD

Achievements

The SCHR(K) produced its Second Public Report, which was circulated to the media, public officials and NGOs (Non Governmental Organisations) involved in safeguarding human rights. The SCHR(K) has serialised the report in its next issue of its publication "HAKI ZETU" with the aim of reaching a wider audience. Specific cases contained in the report are:

Clearance to Leave the Country: A Human Rights Violation

This pertains to regulations in force since 1982 in which all cadres of public servants in Kenya have had to be cleared by the Office of the President to travel outside the country on both official and private business. The committee recommended that the procedure had taken the style and colour of an "exit permit" which contravenes the freedoms given to every citizen by the constitution. As a result of the recommendation, this regulation was done away with, with effect from 2000.

Corporal Punishment

Since 1972, Education Regulations (school discipline) under the Education Act permitted the imposition of Corporal punishment. This practice had generated confusion and had been misused by teachers and head-teachers. The Committee recommended that the Act and regulations pertaining to corporal punishment be reviewed. As a response to this recommendation, the government abolished corporal punishment in schools.

Action Taken on the Report of Sir Nigel Rodley Special Rapporteur on Torture dated March 2000 on his visit to Kenya

The Special Rapporteur on torture undertook a fact-finding mission to Kenya, within the framework of his mandate from 20th to 29th September 1999 at the invitation of the Kenya Government.

In his report dated 9th March 2000, the special Rapporteur recommended a number of measures to the Kenya Government to be

adopted in order to comply with commitment under the convention against torture and other cruel, inhuman or degrading treatment or punishment to which Kenya is a party.

The Committee made its recommendations on legislating for a National Human Rights Body and the situation of prisoners in Kenya Prisons. As a result of these recommendations, a Bill has been published in the Kenya Gazette, the Kenya National Commission on Human Rights Bill 2000.

To date the SCHR (K) has been given unfettered powers to visit prisons, police cells and all other detention centres at any time and at will, through a special identity card.

Constraints and Challenges

The biggest constraint is the erroneous thought by Kenyan citizens that the State will protect their rights and therefore they have no role to play. This misconception is the biggest challenge to the safeguarding of human rights.

Way Forward

Several mechanisms are being put in place to enhance the protection and promotion of human rights, for example:

- ◆ The standing Committee on Human Rights (K) has embarked on a programme to inspect all prisons in the country and other detention centres which have reportedly been places of violations of human rights. Three maximum security prisons have been visited and special reports made.
- ◆ A process of initiating collaborative arrangements between SCHR (K) and other stakeholders involved in the protection and promotion of human rights has been put in place.
- ◆ A recommendation was made that a national code of conduct for all public officials is urgently needed, as it would go a long way to instill some decorum to the Public Sector and provide standards to be met.

- ◆ A recommendation was also made that the civil society, a free press and a consumer watchdog be allowed space to grow if good governance is to be a reality in Kenya.
- ◆ It has been recommended that the state as the Protector of Human Rights should domesticate International Human Rights instruments they have ratified and acceded to, and to ascribe to others, since human rights are universal, indivisible and inalienable.
- ◆ The SCHR (K) for the first time travelled to Geneva and participated in the 57th Session of the UN Commission on Human Rights. The Committee also participated in a number of International Conferences and Seminars including the 5th International Workshop for Human Rights Institutions held in Rubai, Morocco.
- ◆ In August 1999 the Kenya Government signed the Statute of the International Criminal Court, which is the most recent Human Rights Instrument to be adopted by the international Community. This was the most commendable decision, as the court will be vested with jurisdiction over most serious crimes of international concern involving human rights violations once the statute comes into force.
- ◆ To fulfil one of the Terms of Reference for the Standing Committee on Human Rights (K), namely to educate Kenyans on their human rights as enshrined on the Kenya Constitution, the Committee visited 14 districts to collect views from the Wananchi (common man) in order to compile and initiate a curriculum for teaching Human Rights in all Kenyan institutions of learning.

On the development and strengthening of national integrity, systems to promote good governance have been put in place. The Kenya Government has created institutions like the Kenya Anti-Corruption Authority and the SCHR(K) who are charged with the responsibility to bring transparency, accountability and respect of Human Rights to acceptable levels. Cases of corruption are now in the Kenyan Courts.

It is the hope of the Standing Committee on Human Rights (Kenya) that once Kenyans continue to embrace and respect the rights of one another, peace and integrity will prevail.

HUMAN RIGHTS IN TANZANIA RECENT DEVELOPMENTS

HAMIDA HASSAN SHEIKH

No new laws have been passed in Tanzania. In addition, the new Constitution of the Republic and the new Land Law are still kept in abeyance by the authorities.

As for the proposed Human Rights Commission, the country is still debating on what type of institution is needed in Tanzania

The 40 oppressive laws such as the Presidential Detention Act, Disorderly Persons Act. Etc., continue to exist and apply.

The year 2000, was the election year, so such matters were not considered a matter of priority by the government.

There have been problems created by new amendments to old legislations. For example court fees have been raised, so that they now hinder free access to the courts.

Basic Rights Cases

Sections 11 and 12 of the Citizenship Act. No. 6 of 1995 provide that a Tanzanian husband with an alien wife can naturalise his wife, while a Tanzania woman with an alien husband cannot confer the same privileges of naturalisation to her husband (or to the issues of such a marriage)

That particular anomaly in law has created a lot of problems for mixed marriage families and some very awkward situations where a Tanzania citizen woman may find herself ordered to join her alien husband in a refugee camp. More basic rights cases have been filed in the year 2000 than ever before. [I have filed 5 such cases under Legal Aid which were assigned to me by TAWLA].

Unfortunately the High Court of Tanzania has not been able to hear the cases so far because:

- a) There is an acute shortage of Judges in the High Court and the Basic Rights Act No. 33/94 requires 3 High Court Judges, to form the court.
- b) In dealing with the preliminary objections the High Court Judges have displayed that:

While there are no serious human rights violations as such, there are still many complaints of institutionalised corruption and incidents of police brutality such as unnecessary harassment in the course of investigations.

The good news is that the police force, while not welcoming complaints, does take some heed of public complaints if made through NGOs or the PCE (Ombudsman).

The privatisation process has also caused undue hardship to many. The country has been acting under the shackles of the World Bank and IMF policies, which has meant that many employees of the public sector and civil servants have had to be retrenched. The process continues to take place, although no alternative transitional system has been laid in place to help the thousands of the newly unemployed find alternative means of earning a living.

The situation is exacerbated by the fact that the termination benefits of such retrenched people are usually very delayed and neither adequate nor fair. The result is a multiplicity of employment cases in the courts.

ANNEX I
List of Participants

- ◆ Martha Mugambi, Member Standing Committee on Human Rights-Kenya
- ◆ Dr. Willy Mutunga, Executive Director Kenya Human Rights Commission
- ◆ Kennedy Mkutu, Lecturer/Researcher Kenya Institute of Administration
- ◆ Okech-Owiti, Joint Coordinator CLEAN, (Centre for Legal Education&Aid Networks)-Kenya
- ◆ Betty Murungi, Council Member FIDA-Kenya
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- ◆ Florein Ukizemwabo, Executive Secretary LIPRODHOR - Rwanda
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- ◆ Lydia Bakaki, Ag. Legal Officer/Chairperson Legal Action for Development (ACFODE) - Uganda
- ◆ Hon. Manuel Pinto, Member of Parliament, Uganda Chairman, The Great Lakes Region Parliamentary Committee on Peace (AMANI) Uganda Chapter
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- ◆ Patricia Kahigi, Ministry of Justice Kampala, Uganda
- ◆ Lucian Tibaruha, Ministry of Justice Kampala, Uganda
- ◆ Viktoria Walter, Consultant in Development Cooperation, Friedrich Ebert Stiftung (FES) Uganda
- ◆ Emily Reed, Intern FoundatioJn for Human Rights Initiative (FHRI) Uganda
- ◆ Mary Kabogoza, Administrative Officer, Foundation for Human Rights Initiative (FHRI) Uganda
- ◆ Sheila Muwanga, Legal Resources Assistant, Foundation for Human Rights Initiative (FHRI) Uganda
- ◆ Ms. Juliet Amutojo, Lawyer - Uganda
- ◆ Ms. Stella Agunyo, Social Worker - Uganda
- ◆ Milly Nakakande, Senior Secretary, Foundation for Human Rights Initiative (FHRI) Uganda
- ◆ B. K. Byenkya, Chief Investigations Officer, Uganda Human Rights Commission

ANNEX II**THE CONSTITUTION OF THE EASTERN AFRICA HUMAN RIGHTS NETWORK****ARTICLE 1: NAME**

The name of the organisation shall be the **EASTERN AFRICA HUMAN RIGHTS NETWORK** (hereinafter referred to as **EAHRNET**).

ARTICLE 2: INTERPRETATIONS

In the context of this constitution, the words listed in the first column shall have the meaning indicated against them in the second column hereof, unless the context demands otherwise.

'Non- Political' not allied to any specific political ideology.

'Non- Partisan'- Not allied to any specific political party.

'Organisation' - Any entity body or institution, private or public, formed by two or more persons or by a governmental agency which deals with human rights issues or protection as defined in international human rights instruments or municipal laws and legally constituted.

ARTICLE 3: REGISTRATION

- 1) The EAHRNET shall be registered in each of the member countries in accordance with their respective laws.
- 2) The secretariat of EAHRNET will rotate among the network countries on a three-year basis.

ARTICLE 4: NATURE OF ORGANISATION

- 1) EAHRNET shall be an independent, non-political, non-partisan, non-governmental and not-for-profit organisation.
- 2) EAHRNET is a network of human rights organisations, bodies and national institutions, whether governmental or non-governmental, and individuals involved in human rights work in Eastern Africa.

ARTICLE 5: VISION

The vision of EAHRNET is a region in which human rights, good governance and democracy are understood, respected and observed.

ARTICLE 6: MISSION STATEMENT

The mission of EARHNET is to promote, co- ordinate and support human rights initiatives within the region.

ARTICLE 7: OBJECTIVES

The objectives of EAHRNET shall be:

- 1) To provide a forum in which regional human rights, good governance and democratic development priorities are identified and plans for acting on them developed;
- 2) To establish, encourage and promote close collaboration among human rights organisations, bodies and national institutions, both governmental and non-governmental, and individuals involved in human rights work at national and regional levels;
- 3) To continually assess the collective impact of the programme of human rights organisations, bodies, national institutions and individuals on the people of the region;
- 4) To encourage the building of professional and institutional capacity of human rights organisations, bodies, national institutions and individuals in the region;
- 5) To respond promptly and appropriately to violations of human rights in accordance with human rights instruments and the laws of the respective countries;
- 6) To promote the compliance of governments and civil society with regional and international human rights instruments;
- 7) To promote research on human rights issues and best practices, and to utilise the outcomes in the promotion of human rights;
- 8) To promote human rights and peace education at all levels in the region;
- 9) To promote positive partnerships between civil society and government agencies engaged in the promotion of human rights;
- 10) To promote the culture of respect for human rights and democracy in the region, and
- 11) To collaborate with or affiliate to other regional or international human rights organisations, bodies or national institutions.

ARTICLE 8: MEMBERSHIP

EAHRNET shall comprise:

- 1) Human rights NGO networks and national NGOs with a demonstrated link to the local community;

- 2) Community-based human rights networks and organisations;
- 3) National human rights institutions, bodies and bar associations;
- 4) Any human rights desk in a governmental ministry or other institutions;
- 5) Parliaments;
- 6) Local administrative associations, provided human rights is a part of their mandate;
- 7) Any other organisations or bodies whose objectives and rules are in accordance with those of the network, and
- 8) Any individual whose knowledge and experience in human rights would benefit the network.

ARTICLE 9: DISQUALIFICATION/TERMINATION OF MEMBERSHIP

1. A member shall cease to be a member of EAHRNET:
 - a) If the member ceases to operate as a human rights organisation, body or national institution or works against the objectives, interests and rules of EAHRNET;
 - b) If the member fails to meet membership obligations for a period of 12 months, subject to extension on request, and
 - c) If the member formally gives notice in writing through the Chairperson withdrawing membership.
2. The procedure for termination shall be as follows:
 - a) The Executive Committee shall give at least two warnings in writing to a member. If no change is registered after the two warnings are given, the member shall be made to appear and explain the reasons for disregarding the concerns.
 - b) Where no convincing reasons are given by the member, the Committee shall recommend to the General Assembly or Extraordinary General Assembly that the membership be terminated.
 - c) No membership shall be terminated unless $\frac{2}{3}$ of the members present and voting at a General or Extraordinary General Assembly endorses the decision.
 - d) A member whose membership is terminated shall be liable to pay all debts or sums due to EAHRNET at the time of termination.
 - e) A member under investigation shall not resign from the membership of the EAHRNET until inquiries or investigations are completed and a final decision made.

ARTICLE 10: ORGANISATIONAL STRUCTURE

- 1) EAHRNET shall have the following organs in its structure:
 - a) The General Assembly;
 - b) The Executive Committee, and
 - c) The Secretariat.
- 2) General Assembly may from time to time establish any other organ to carry out specific roles, duties or functions as it deems fit.

ARTICLE 11: GENERAL ASSEMBLY

- 1) The General Assembly shall meet at least once in every twelve (12) months.
- 2) The General Assembly shall be composed of representatives of the fully paid up members. Two persons who are members thereof shall represent each member organisation, body or national institution.
- 3) The persons nominated by the member organisation, body or national institution to the General Assembly shall be active members thereof.
- 4) Member organisations, bodies or national institutions shall submit the names of their nominees to the General Assembly at least one month before the meeting.
- 5) The Executive Committee shall convene an Extraordinary General Assembly to attend to any urgent matter. The Committee shall clearly spell out the matters to be considered by the Extraordinary General Assembly in the notice of the meeting, which notice shall not be less than fourteen (14) days. Any reference to the General Assembly hereinafter shall include the Extraordinary General Assembly unless the context requires otherwise.
- 6) The members may call a General Assembly by a notice in writing to the Executive Committee signed by not less than 15% of the members where the Committee fails to convene such meeting as required by this Constitution. For this purpose, the members may designate any member of the Committee or ordinary member to convene such meeting.
- 7) The member shall be given a notice of at least fourteen (14) days in writing inviting them to a General Assembly. The notice shall specify the date, place and time of the meeting.

- 8) The quorum for a General Assembly shall be a simple majority of the fully paid-up members, PROVIDED that there shall be a quorum of 2/3rds in any General Assembly in which amendments to this Constitution and dissolution of EAHRNET are to be discussed and decided upon.
- 9) The powers and functions of the General Assembly:
 - i) To draw up the general policy framework of the network and agree on the priority issues;
 - ii) To receive and approve the minutes of the previous General Assembly;
 - iii) To receive the Chairperson's report;
 - iv) To receive and approve the Treasurer's report;
 - v) To receive and approve the annual report of the network;
 - vi) To receive and approve planned activities for the ensuing year;
 - vii) To elect members of the Executive Committee;
 - viii) To approve the auditors of EAHRNET;
 - ix) To exercise such other power and perform such other duty or function as may be required by the General Assembly.
- 10) Decisions in the General Assembly shall be made by a simple majority of those present and voting, PROVIDED that a vote of 2/3rds of the members present and voting shall be required for decisions whose effect is to amend this Constitution or dissolve EAHRNET.

ARTICLE 12: VOTING PROCEDURE AT THE GENERAL ASSEMBLY

1. Only fully paid-up members shall have the right to vote at the General Assembly.
2. Members of the General Assembly shall elect members of the Executive Committee in the following manner.
 - a) The Chairperson, the Secretary, the Treasurer and the Publicity, Research and Education Secretary shall be elected from among members of the country in which the secretariat of EAHRNET is for the time being hosted.
 - b) Each country shall be represented in the Executive Committee by at least two members.
 - c) The election of members to the Executive Committee shall take into account gender and persons with disabilities.
 - d) Voting shall be by secret ballot. During elections, nominees with the highest number of votes shall be elected into the designated positions.

- e) To the extent possible, at least three nominations shall be made for each post and duly seconded. In case only one or two nominations are made, one member present and eligible to vote shall move a motion to close the nominations before voting proceeds.
- f) At no time shall any one organisation, body or national institution have more than one representative on the Executive Committee.

ARTICLE 13: THE EXECUTIVE COMMITTEE

- 1) EAHRNET shall have an Executive Committee, which shall be a policy-making and monitoring organ.
- 2) The members of the Executive Committee shall be elected at the General Assembly of EAHRNET once every three years.
- 3) The Executive Committee shall consist of twelve (12) elected members or such other number as may be determined by the General Assembly from time-to-time. The members shall include:
 - a) The Chairperson;
 - b) The Secretary;
 - c) The Treasurer;
 - d) The Publicity, Research and Education Secretary, and
 - e) Two persons from each member country.
- 4) The Executive Committee shall have the following functions:
 - a) To monitor and oversee the management, administration and efficient running of EAHRNET affairs;
 - b) To receive and consider applications for membership and cases of suspension or termination of Membership;
 - c) To make rules and regulations for the efficient running of the affairs of EAHRNET, and
 - d) To effect staff appointments, remuneration, discipline and dismissal.
- 5) The Executive Committee shall meet at least twice a year.
- 6) The Chairperson may at any time convene a meeting of the Executive Committee specifying the purpose for which the meeting is convened.
- 7) The Chairperson shall preside at the meetings of the General Assembly and the Executive Committee. In the absence of the Chairperson, a member elected by the Committee members present shall preside.

- 8) The quorum at a meeting of the Executive Committee shall be four (4) members.
- 9) Any question or matter arising at a meeting of the Executive Committee shall be determined by consensus. Where a consensus cannot be reached, a vote shall be taken and a simple majority vote shall settle the matter, PROVIDED that where there is equality of votes, the person presiding shall have a casting vote in addition to her/his vote as a member of the Executive.
- 10) If any member of the Executive Committee dies, resigns from the Committee by notice in writing addressed to the Secretary, is adjudged to be of unsound mind, or two thirds of the members of the Committee present and voting pass a vote of no confidence against such member, then there shall be deemed to be a vacancy in the membership of the Executive Committee.
- 11) The Executive Committee may recommend to the General Assembly to remove from office any member of the Executive Committee on any of the following grounds:
 - a) Misuse of the funds and assets of EAHRNET;
 - b) Working contrary to the objectives and rules of EAHRNET, and
 - c) If the member is withdrawn from the Executive Committee by his or her organisation, body or national institution.
- 12) Where any vacancy occurs, the Executive Committee may nominate any of the members to the Committee pending the approval of the General Assembly.
- 13) In the event of all the office bearers wishing to resign *en masse*, the Secretary shall submit a letter of resignation on their behalf and convene an Extraordinary General Assembly to elect new members to the Executive Committee.

PROVIDED that the Treasurer shall not resign before she or he has submitted accounts of the EAHRNET to the General Assembly. Members of the Executive Committee shall hand over all the properties of EAHRNET before finally relinquishing their duties.

- 14) The members of EAHRNET may in a General Assembly move a vote of no confidence in the Executive Committee or any member thereof by a two thirds majority vote.

PROVIDED that such motion was duly circulated to all members at least one month in advance of the Assembly.

- 15) Such a member in respect of whom a vote of no confidence is passed by the General Assembly shall be given a period of two (2) weeks to hand over all the property of EAHRNET in her or his possession.
- 16) The Executive Committee shall have the power to form sub-committees from time-to-time and delegate any of its duties as it may deem fit.
- 17) Members of a sub-committee may be appointed from the members of the Executive Committee and the General Assembly of EAHRNET or co-opted from any other organisations, bodies or institutions for expert advice.
- 18) Where the duly authorised person fails to call a meeting of the executive Committee, members of the Committee shall requisition a meeting. Such a meeting shall be requisitioned by not less than a simple majority of the members of the Committee.
- 19) Decisions in the meetings of the Executive Committee shall be made by a vote of simple majority of the members present and voting, PROVIDED that any decisions regarding amendments to this Constitution or dissolution of EAHRNET, where applicable, shall be made by 2/3 of the members present and voting.

ARTICLE 14: DUTIES OF OFFICE BEARERS

- 1) **The Chairperson**
The Chairperson shall be the leader of EAHRNET and as such shall:
 - a) Preside at all meetings of the Executive Committee and the General Assembly;
 - b) Represent and act on behalf of EAHRNET generally, but only as the collective voice of the General Assembly and the Executive Committee;
 - c) Co-ordinate the activities of all other Executive Committee members;
 - d) Be generally charged with ensuring the efficient and smooth running of EAHRNET and the implementation of its objectives, policies and decisions;
 - e) Be a signatory to the report of the Executive Committee to the General Assembly and the bank accounts of EAHRNET;
 - f) Sign on behalf of the Executive Committee all employment contracts and letters of dismissal and all other correspondences that need to be signed by the Executive Committee;
 - g) Approve on behalf of the Executive Committee the leave applications of senior members of staff, and

- h) Do all other acts as are necessary for the efficient and effective running of EAHRNET.
- 2) **The Secretary**
- Shall take and keep or cause to be taken and kept minutes of the meetings of the Executive Committee and the General Assembly;
 - Oversee the smooth running of the EAHRNET Secretariat;
 - Ensure that the records are properly kept at the Secretariat;
 - Be one of the signatories to the bank accounts of EAHRNET;
 - Convene the meetings of the Executive Committee after consulting with the members or the Chairperson;
 - Keep or cause to be kept an up to-date register of the members and maintain regular contact with them, and
 - Do all such other things as may be necessary for the efficient and effective running of EAHRNET affairs and compatible with the Secretary's responsibilities.
- 3) **The Treasurer**
- The Treasurer shall be the Principal Finance Officer of EAHRNET and as such shall:
- Work closely with the Secretariat to ensure that proper books of accounts and other finance-related records are properly kept and maintained;
 - Be the principal signatory to the accounts of EAHRNET;
 - Cause to be collected membership fees and all other monies due to EAHRNET and ensure that the funds are banked immediately;
 - Cause to be prepared an annual operating budget for EAHRNET and table it before the Executive Committee for consideration and approval;
 - Ensure that the Secretariat maintains a list of all the assets of the EAHRNET, their use and development;
 - Cause to be obtained and acquired any property, equipment or such other resources as may enable EAHRNET to pursue and realise its objectives and goals, and
 - Cause the secretariat to prepare financial reports and annual statements to be presented to the General Assembly.
- 4) **The Publicity, Research and Education Secretary:**
- The Publicity Secretary shall be responsible for promoting the image and objectives of EAHRNET and as such shall:

- Work closely with the Secretariat to develop the materials or promoting the public image of EAHRNET.
 - Develop together with the Secretariat and the Executive Committee a strategy for promoting respect for, and observance of, human rights and the fundamental freedoms throughout the region;
 - Promote the activities of EAHRNET;
 - Support all the efforts of the Secretariat to ensure that the Executive Committee and the members identify with EAHRNET and participate in the programmes and activities of EAHRNET.
- b) The Publicity, Research and Education Secretary shall promote research and education in human rights in the region.
- 5) **The Committee Members:**
- There shall be eight Committee Members or such other number as may be determined by the General Assembly who shall be assigned such duties as the Executive Committee may determine.

ARTICLE 15: THE SECRETARIAT

- There shall be a Secretariat at the registered office of EAHRNET.
- The Secretariat shall be headed by a Regional Co-ordinator who shall be appointed by the Executive Committee PROVIDED that two co-ordinators from each member country shall be appointed to work closely with the Regional Co-ordinator.
- The Executive Committee shall appoint such other staff members as may be deemed necessary to execute the programmes and activities of EAHRNET.
- The staff shall be appointed on terms and conditions clearly spelt out in their contracts and the staff regulations of EAHRNET.
- The Secretariat shall implement policy decisions and programs of EAHRNET as approved by the General Assembly and the Executive Committee.

6. The Secretariat staff in all their operations shall be accountable to the Executive Committee.
7. The Regional Co-ordinator shall be an ex-officio member of the Executive Committee and any other sub-committee appointed by the Executive Committee.

ARTICLE 16: FUNDS AND ASSETS

1. The assets of EAHRNET shall consist of any moveable and immovable property purchased out of the funds of the network or those received as donations or grants by EAHRNET.
2. The funds of EAHRNET shall include:-
 - a) Annual subscription fees;
 - b) Donations or grants from private companies, individuals, friends, supporters, donors and inter-governmental agencies;
 - c) Funds raised locally from the network investments and fundraising activities, and
 - d) Funds raised from sales of publications, training materials and the services of the Resource Centre.
 1. The Treasurer shall report all deposits and withdrawals of money from the accounts of EAHRNET to the Executive Committee on a quarterly basis.
 2. The Chairperson, Secretary, Treasurer and the Regional Co-ordinator shall be signatories to the bank accounts of EAHRNET, the Treasurer being the principal signatory.
 3. Funds of EAHRNET shall be used solely for the purposes of the organisation and in a manner approved by the Executive Committee
 4. The Executive Committee shall be collectively responsible to the General Assembly for the manner in which EAHRNET funds are managed.
 5. Audited accounts shall be submitted to the General Assembly for consideration and adoption.
 6. Members of the Executive Committee will determine issues concerning dues to be paid by members.

ARTICLE 17: AMENDMENT OF THE CONSTITUTION

1. Provided that a quorum exists, this Constitution of EAHRNET may be amended by a resolution of at least 2/3 of the members attending a General Assembly, notice of which shall have been sent at least two months before the date of the meeting.
2. The text of the proposed amendment shall be sent to the members of EAHRNET together with the notice convening the meeting.
3. The amendment shall be communicated to the members of EAHRNET as soon as is practical, and in any case not later than two (2) months after the amendment is passed.

ARTICLE 18: BYLAWS

1. The Executive Committee shall have the power to make bylaws for the effective implementation of this Constitution.
2. Such bylaws shall be read together with this Constitution.

ARTICLE 19: DISSOLUTION

1. EAHRNET shall have perpetual existence but may be wound up and dissolved by a resolution supported by at least 2/3 of the General Assembly.
2. Before a motion proposing the winding up of EAHRNET is tabled before the General Assembly, it shall be sent to all members of EAHRNET not less than six (6) months before the date of meeting at which it is to be tabled.
3. In the event of dissolution, the Executive Committee shall dispose of the surplus assets of EAHRNET after its liabilities have been met, to any other body or bodies which in the opinion of the General Assembly have objectives similar to the objectives of EAHRNET, or in a manner which in the opinion of the General Assembly would further the promotion of human rights.

DATED at KAMPALA, thisday of 2000.

EAHRNET /15/12/99

ANNEX III

EXECUTIVE COMMITTEE

- Chairperson** - Faith Mwendha
Commissioner, Uganda Human Rights Commission
- Secretary** - Sheila Muwanga
Legal Resources Project Assistant
Foundation for Human Rights Initiative
- Treasurer** - Hajat Safia Nalule
Executive Director
Disabled Women Network and Resource Organisation
in Uganda
- Publicity, Research
& Education Secretary** - Rev. Grace Sentongo
Deputy Director, Human Rights Network

Regional Representatives

- Kenya** - Martha Mugambi
Member, Standing Committee on Human Rights
- Okech-Owiti
Centre for Legal Education and Aid Network
- Ethiopia** - Andargatchew Tesfaye
Chairperson, Ethiopian Human Rights Council
- Tanzania** - Hamida Hassan Sheikh
Secretary General Welfare Through Law
- Ramathan Shaban
- Rwanda** - Florein Ukizemwabo
Executive Secretary LIPRODHOR
- Burundi** - Nlmubona Claude
Advocate
- Rama Nindorera

ANNEX IV

PROPOSED ACTIVITIES TO BE UNDERTAKEN BY EAHRNET FOR THE YEAR 2001

GENERAL ACTIVITIES

- ◆ Survey
- ◆ Information Gathering
- ◆ Dissemination workshop
- ◆ Replication of Best Practices

PLAN OF ACTION

1. Plan of Action
2. Research and documentation on strategies of issues on Human Rights Violations
3. Survey on Organisational practices
4. Data collection and identification of gaps
5. Holding Workshops to disseminate findings and identification of best practices and gaps for action and research
6. Replicate methodologies of best practices

PRIORITY ACTIVITIES

1. Developing a general framework for action and appropriate strategies to deal with regional priorities
2. Establish a mechanism for resource mobilisation
3. Identify actors to implement specific activities
4. Holding consultations
5. Public awareness/sensitisation

IDENTIFIED DIFFERENT ACTIVITIES

- | | | |
|----------------------------------|---|----------------------|
| 1. Identify Actors | - | All member countries |
| 2. Organise Consultations | - | All member countries |
| 3. Identify potential funding | - | All member countries |
| 4. Develop organisational briefs | - | Kenya |
| 5. Develop Promotional Materials | - | Tanzania |

CHALLENGES IDENTIFIED

Financial resources, registration of chapters, political environment, members' commitment, institutional hindrances and competition.

ANNEX V

LIST OF CONTRIBUTORS

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- ◆ Jotham Tumwesigye, Inspector General of Government (IGG), The Republic of Uganda
- ◆ Maria Nassali Ssemakula, Uganda Association of Women Lawyers, FIDA
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- ◆ Sheila Muwanga, Legal Resources Assistant, Foundation of Human Rights Initiative (FHRI)
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This key publication results from the "*Conference on Institutional Arrangements Safeguarding Human Rights in Eastern Africa*" which was organised by FES in November 1999 in Kampala. The presentations from this conference are supplemented by country updates presented at a conference held in November 2000 of the newly created Eastern Africa Human Rights Network (EAHRNET).

Delegates from civil organisations and public office explain the institutional safeguards in place for the defence of human rights in Uganda, Rwanda, Tanzania, Kenya and Ethiopia. The level of protection achieved is assessed through reports compiled a year later of progress made in the respective countries.

Drawn from a wide range of human rights experience, the papers offer a broad view of the situation prevailing in countries of the region, and make essential reading for all concerned or involved with the protection of human rights in Eastern Africa.

The Friedrich-Ebert-Stiftung (FES) is a German Political Foundation committed to the principles and basic values of social democracy. FES is a non-governmental, non-profit organisation and largely publicly funded. Founded in 1925, FES carries the name and the legacy of the first democratically elected President of Germany who was a social democrat from humble origins. Both at home and in over 60 countries world-wide, FES strives to promote political participation, social justice and solidarity.