



International Covenant on Civil and Political Rights

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Summary record of the 3997th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 27 June 2023, at 3 p.m.

Chair: Ms. Abdo Rocholl

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant
(continued)

*Second periodic report of Uganda (CCPR/C/UGA/2; CCPR/C/UGA/Q/2;
CCPR/C/UGA/RQ/2)*

1. *At the invitation of the Chair, the delegation of Uganda joined the meeting.*
2. **Mr. Kafeero** (Uganda) said that he wished to inform the Committee of the circumstances that had led to the enactment of the Anti-Homosexuality Act, 2023. It should be noted at the outset that 44 per cent of the citizens of Uganda were under 14 years of age and that 78 per cent were under 30 years of age. A widespread and well-orchestrated campaign had recently been launched to promote homosexuality among young people, particularly schoolchildren. The Government had responded by enacting the Anti-Homosexuality Act in order to protect children and young people against abuse, as required by the country's legislation and the Convention on the Rights of the Child. The Act did not discriminate against or criminalize any person for simply identifying as a homosexual.
3. The National Action Plan for the Prevention of Trafficking in Persons for 2019-2024 served as a guide for governmental institutions and civil society organizations, and the Coordination Office for the Prevention of Trafficking in Persons facilitated interministerial coordination through a task force composed of governmental agencies and the Civil Societies Coalition against Trafficking in Persons. The International Organization for Migration (IOM) also served as an observer.
4. The Government had taken vigorous action under the Administration of the Judiciary Act of 2020 to enhance access to justice and to ensure the independence and impartiality of the judiciary. The Constitution guaranteed the right to a fair trial and principles such as the presumption of innocence, the right to legal representation, and access to a court or tribunal. It also guaranteed the independence of the judiciary. The Justice Centres Uganda project and the Pro-bono Scheme of the Law Council provided support for vulnerable individuals who were unable to afford legal representation.
5. The Government's unwavering commitment to inclusivity and public participation in free and fair elections was exemplified by the mass registration of citizens conducted by the National Identification and Registration Authority. The Constitution guaranteed the right to peaceful assembly, which played a major role in fostering a vibrant civil society and enabling citizens to participate in democratic processes.
6. Despite the glaring challenges posed by the social media, such as fake news and incitement, the Government strongly believed that the media were an essential means of protecting human rights, fundamental freedoms and socioeconomic transformation. The laws governing freedom of expression did not target specific categories of people based on their political inclinations. The accreditation of journalists, which was conducted under the Press and Journalists Act, was based on consultations with stakeholders in the media industry.
7. With regard to freedom of association, the requirements for registration of non-governmental organizations (NGOs) were specified in the Non-Governmental Organizations Act. NGOs were designated as accountable persons under the Anti-Money Laundering Act and were required to report monetary transactions exceeding specified thresholds with a view to maintaining transparency, accountability and integrity. Due process had been guaranteed for NGOs that failed to comply with the Non-Governmental Organizations Act and many had been authorized to resume their operations, in line with the Government's commitment to fostering a vibrant and responsible NGO sector.
8. Uganda recognized that the promotion and protection of human rights for all citizens called for continuous comprehensive reforms, dialogue with civil society and collaboration with international human rights mechanisms. The Government was proud of the progress made to date and would continue to raise national awareness of human rights in order to address existing challenges. Such action was not being taken in response to pressure, but because the Government firmly believed in its benefits for the people.

9. **Mr. Yigezu** said that, while the Committee appreciated the enactment of laws to incorporate the provisions of the Covenant into domestic law, it had received reports of their inadequate enforcement. For instance, there were reportedly serious impediments to the implementation of the Human Rights Enforcement Act, particularly due to security agencies' reluctance to reveal the identity of agents who were implicated in human rights violations and attempts to block prosecutions in the criminal courts. In 2016, for example, a violent mob had laid siege to a courthouse with the aim of preventing the prosecution of senior police officers for torture. The Committee had also been informed that bills on human rights defenders, legal aid and witness protection had been pending in Parliament for quite some time. He would therefore appreciate information on the steps being taken to implement existing laws and to expedite the enactment of pending bills.

10. He wished to know how often the Covenant had been invoked by the courts in connection with alleged violations of civil and political rights since the State party's last periodic report.

11. Although legal measures to prohibit the practice of child sacrifice and other oppressive customary norms and practices had been adopted, further measures were apparently required to prevent the persistence of such practices. Information on any planned policy, administrative or other institutional measures aimed at ensuring their abolition would be welcome.

12. Given that the implementation of the National Action Plan on Human Rights was long overdue, he wished to know what steps the State party planned to take to expedite its finalization, approval and implementation.

13. The budget of the Uganda Human Rights Commission for the financial year 2023/24 had reportedly been reduced, even though the Commission had been unable to discharge its constitutional mandate to investigate complaints of human rights violations in recent years owing to the lack of adequate funding. The Committee had also been informed that the Commission faced serious challenges when it came to the establishment of branch offices to bring its services closer to the people, and that it lacked the necessary funds to recruit competent staff. He would therefore like to know what steps the State party planned to take to increase the Commission's budgetary resources and staff so that it could discharge its core mandates more effectively and in an independent and impartial manner.

14. It was unclear whether the backlog of cases before the Tribunal of the Ugandan Human Rights Commission had been reduced. He would welcome data on the current backlog and on plans to support the Commission in addressing it.

15. The Committee had been informed that victims of human rights violations were facing serious challenges in obtaining compensation awards from various governmental agencies, and that most awards had been pending for more than 10 years. What steps were planned to ensure the timely payment of compensation awards and to minimize the accumulation of arrears?

16. The adoption of the National Transitional Justice Policy was a welcome step towards providing justice for victims in post-conflict situations. However, as little progress had been made towards the enactment of the Transitional Justice Bill, victims of conflict-related atrocities were still denied access to effective remedies and reparations. He therefore asked what steps were being taken to expedite its enactment. A tentative timeline would be appreciated. The Committee had also been informed that the International Crimes Division of the High Court had failed to expedite the prosecution of perpetrators of such atrocities and to ensure that victims received compensation under the International Criminal Court's Trust Fund for Victims. He wished to know what steps would be taken to expedite the identification and prosecution of perpetrators of war crimes and other atrocities and to provide the victims with compensation.

17. **Mr. Santos Pais** said that the State party's Vision 2040 policy document highlighted the notions of good governance, transparency and accountability, all of which were key components of an anti-corruption policy. However, Uganda had scored only 26 in the Corruption Perceptions Index, compared with a global average of 44.5.

18. Referring to the anti-corruption policies and laws listed in the State party's replies to the list of issues, he said he would like to have an assessment of the implementation of the laws and asked how many lawsuits had been filed, including in response to the reporting of whistleblowers. He would also welcome information on the number and outcome of proceedings instituted by the Office of the Auditor General and the Inspectorate of Government, and on the number of proceedings instituted during the past three years by the Office of the Director of Public Prosecutions, the number of convictions and the penalties imposed. It would be particularly interesting to hear about complex and high-level corruption cases, such as the recent "iron sheets" case on the alleged theft of roofing materials to help the poor, in which 26 ministers and 31 legislators had been involved.

19. He would welcome information on the jurisdiction of the Anti-Corruption Court, the number of cases it had considered and the results in terms of convictions and sentences. He also wished to know whether the defendants had included public officials, members of Parliament and judicial officers.

20. With regard to the asset and liabilities declaration system for public leaders and civil servants, he asked how frequently such declarations were required, how they were controlled and whether they were accessible to the public.

21. According to the State party, the fact that gender-based violence and domestic violence persisted despite the Government's efforts to combat such violence was due to the entrenched cultural mindset of a patriarchal society and African traditions. He opposed the singling out of African traditions in that connection, since such scourges affected societies throughout the world. Nevertheless, he wished to stress that, according to the Uganda Police Force, domestic violence had been the third leading crime in Uganda in 2020 and the most common crime in 2021. According to a 2021 survey by UN Women and the Uganda Bureau of Statistics, some 56 per cent of women had suffered physical or sexual violence at the hands of an intimate partner at some point in their lives.

22. He wished to know what measures were being undertaken to build the capacity of law enforcement officers to address gender-based violence issues and to adopt a gender-based perspective when dealing with victims. He also asked whether there were any plans to expand complaint procedures for victims in order to facilitate reporting.

23. With regard to the special courts established to deal with gender-based violence, he would be interested to hear how judges and prosecutors were trained to address such issues. He also wished to know how many such courts had been established, how many cases had been concluded or were pending, and what urgent measures could be ordered to prevent further offences. He asked whether there were plans to accelerate the establishment of special High Court divisions to consider cases of gender-based violence and to institutionalize the practice of High Court special sessions. He also wished to know how many cases had led to convictions, what sanctions had been imposed on perpetrators, and whether statistical data were available on the number of complaints, investigations, prosecutions and convictions in cases of gender-based violence. The Committee had been informed that the 12 shelters currently available for victims and survivors of sexual and gender-based violence were largely funded by development partners, that insufficient funds were available for victim support services, and that there was limited access in the country to adequate health care for survivors.

24. He noted that the Marriage Bill of 2022 criminalized marital rape, although only where a spouse refused sexual intercourse due to poor health, surgery, childbirth or reasonable fear of physical or psychological injury. The proposal seemed to imply that marital rape in any other circumstances did not constitute a criminal offence. Was that the intention?

25. He wondered how section 36 of the Police Act of 2006, which gave broad discretionary powers to the police to disperse assemblies, complied with article 21 of the Covenant, in the light of the Committee's general comment No. 37 (2020) on the right of peaceful assembly. He would like to know how many investigations had been launched into the killings perpetrated in 2021 during the arrest of persons suspected of committing terrorist attacks or attempting to assassinate the Minister of Works and Transport and during a disarmament operation in the Karamoja region. He would also like to know how law

enforcement officers and military personnel suspected of unnecessary and disproportionate use of force were held accountable, what the outcomes were of any proceedings against them, and how many of their victims had received compensation. He wondered what measures the State party would be taking to improve the training of law enforcement officers and members of the Uganda People's Defence Forces in the use of firearms. He wished to know how much compensation had been paid by the Uganda Police Force and government ministries under the Human Rights Enforcement Act of 2019 pursuant to the rulings on human rights violations of the Tribunal of the Uganda Human Rights Commission and the regular courts. Did the Ministry of Justice and Constitutional Affairs intend to set up a fund to ensure the timely payment of compensation to victims of human rights violations?

26. **Ms. Tigroudja** said that she wished to know whether the State party intended to adopt a comprehensive law to prohibit discrimination on all grounds, including gender identity and sexual orientation. She wondered what initiatives the Equal Opportunities Commission had undertaken to combat stereotypes, particularly in the field of training for law enforcement, medical and judicial personnel. What measures had it taken to combat discrimination of all forms, and what had their outcome been? Further information on the Tribunal of the Equal Opportunities Commission would also be welcome.

27. She wished to know whether the State party intended to repeal the Anti-Homosexuality Act of 2023 and, if so, if it would declare a moratorium on its implementation until the repeal took effect. What measures had been taken to ensure the suspension of sentences handed down under the Act when appeals were lodged with the Constitutional Court? She would like to know what measures had been taken to decriminalize sexual relations between persons of the same gender; to effectively combat the use of threats and violence against, and the arbitrary arrest and intimidation of, persons on the basis of their sexual orientation; to guarantee access to work, housing, social protection and health care without discrimination on the grounds of sexual orientation; and to initiate criminal investigations into, and put a stop to, attacks and hate speech directed at lesbian, gay, bisexual and transgender persons, particularly by politicians.

28. **Mr. Soh** said that he wished to know what measures were in place to strengthen the implementation of the regulations on gender equality with regard to the enjoyment of land and property rights and to improve the implementation of National Land Policy strategies for reviewing and regulating customary law and practices in relation to land ownership. He wondered which clauses of the Marriage and Divorce Bill had been contested in Parliament, what was being done to expedite the enactment of the Bill and when the Bill was expected to be enacted. He would welcome information on the measures taken to prevent the theft of property from widows and to ensure the full recognition of widows' land and property rights.

29. He wondered what measures had been taken to ensure the independent oversight of law enforcement and security forces in the context of counter-terrorism measures and to improve access to legal remedies for victims in cases of intercepted communications or surveillance. He also wished to know what the outcome of the High Court ruling on the freezing of the bank accounts of non-governmental organizations had been and whether there had been any investigations into such incidents.

30. He would like to know whether there were plans to extend the restrictions on the imposition of the death penalty envisaged by the Law Revision (Penalties in Criminal Matters) Miscellaneous (Amendment) Act of 2019 to sentences handed down under the Uganda People's Defence Forces Act of 2005. He wished to know how the Anti-Homosexuality Act of 2023 could be said to comply with articles 2 and 6 of the Covenant. He wondered whether there were plans to ensure resentencing for prisoners on death row who had allegedly faced delays in accessing an attorney or whose case files could not be found or did not exist. Lastly, he wished to know whether any steps had been taken by the State party to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and whether any progress had been made with regard to stakeholder consultations on the matter.

31. **Mr. El Haiba** said that he would like to know what steps had been taken to address the alleged use of torture by the security forces, particularly against political opponents and people held in incommunicado detention, and how many investigations, prosecutions,

convictions and acquittals there had been in such cases. He wished to know whether any cases of arbitrary arrest, particularly in the context of the 2021 general elections, had been brought before the courts and, if so, what the outcomes had been. He also wished to know what measures had been taken to guarantee fundamental legal safeguards, particularly in the light of reports of persons being held for excessively long periods in arbitrary detention without being formally charged. He would like to know how many cases of enforced disappearance had been addressed by the Uganda Police Force and what the outcomes of those cases had been. He would also like to know the outcome of complaints of enforced disappearance received by the Uganda Human Rights Commission, including the number of convictions and the sentences handed down, and whether the State party planned to establish an independent oversight mechanism for investigations into enforced disappearances in the context of the 2021 general elections.

The meeting was suspended at 4.15 p.m. and resumed at 4.40 p.m.

32. **Mr. Kafeero** (Uganda) said that the Uganda Human Rights Commission was now fully constituted and had begun work in accordance with its mandate. The financial resources available to the Commission were limited as a result of the coronavirus disease (COVID-19) pandemic but the necessary resources for its full functioning would be made available when the economic situation of the country improved. The Tribunal of the Commission had held a number of sessions to begin to address the backlog of cases before it.

33. The Uganda Police Force addressed sexual and gender-based violence in its training curriculum and had a specialized department to handle such cases. The Marriage and Divorce Bill was presently before Parliament and consultations with relevant stakeholders were ongoing.

34. In relation to the Anti-Homosexuality Act, he wished to emphasize that the crux of the problem was the promotion of homosexuality in schools, which had sparked concerns regarding the protection of children. The Act did not seek to condone or promote any particular sexual orientation.

35. **A representative of Uganda** said that, following the Supreme Court's decision in the *Kigula* case, 21 prisoners on death row had been resentenced; a further 4 were awaiting resentencing before the ordinary courts and 6 before the military courts. A relatively high number of prisoners on death row who had been condemned after the *Kigula* decision had lodged appeals that had yet to be heard: 15 were appealing before the military courts and 73 before the ordinary courts. Once those appeals had been heard, the situation with regard to resentencing would become clearer.

36. **A representative of Uganda** said that child sacrifice was illegal in Uganda and the fact that there had been no recently reported incidents of the crime would suggest that the relevant enforcement bodies were effective. Her Government treated issues relating to children with the utmost seriousness. As to the Uganda Human Rights Commission, funding might indeed seem low but budgets across all government entities were stretched in the wake of the COVID-19 pandemic, which had presented particular challenges to a least developed country like Uganda. Her Government would endeavour to prioritize the work of the Commission within the constraints of its budget. She wished to note that the primary source of funding for the Commission was not a development partner but the Government of Uganda itself, which had contributed more than 20 billion shillings. The Tribunal of the Commission had reduced its backlog of cases from 1,750 in 2021 to 1,396 in 2022 and continued to make steady progress in that regard.

37. The Government had taken the decision to decentralize the payment of compensation for human rights violations, making individual ministries liable for any violations committed by their staff. The decision had led to more payments being made. The Ministry of Justice and Constitutional Affairs, for instance, had disbursed all compensation it owed. Across Government, a total of 1.3 billion shillings had been paid out in compensation.

38. Reports that politicians were inciting hatred and violence against lesbian, gay, bisexual and transgender persons were unfounded. Her Government would therefore not be taking any measures to stop actions that were not, in fact, taking place. She wished to clarify that identifying as gay was not a criminal offence under the Anti-Homosexuality Act. She

also wished to point out that the criminalization of homosexual acts was not a new phenomenon. Uganda had inherited legislation from its colonizers that criminalized what were termed “unnatural offences”. That legislation had now been adapted to ensure the protection of children, to which her Government was firmly committed.

39. Regarding concerns about customary laws restricting women from inheriting property, she wished to note that the rights of women in Uganda were protected by law and that enforcement bodies, including local courts and the police, were at the disposal of the public to uphold those rights. Traditional media were used to raise awareness about women’s rights, while social media had proven a useful means of alerting law enforcement officers to instances where customary laws that discriminated against women were being applied.

40. Her Government would consider ratifying the Second Optional Protocol to the Covenant following in-depth discussions and consultations on whether the abolition of the death penalty was a suitable step for Uganda. The death penalty in Uganda was a sanction that was handed down in exceptional cases, always following a rigorous process, and was reserved for the most serious crimes.

41. **A representative of Uganda** said that his Government strongly dissociated itself from the enforced disappearances that had allegedly taken place in the aftermath of the 2021 elections, and that had been reported only to the Uganda Human Rights Commission, not to the police. Investigations had been conducted by the Commission and, internally, by the police to verify the truth of the allegations, but to no avail. The allegations appeared to be politically motivated.

42. As to concerns about the detention of suspects beyond the 48-hour limit provided for in the Constitution, he said that any complaints of excessively long detention were investigated and any police officers found to have breached the 48-hour limit were held to account by the Professional Standards Unit. Concerns about arbitrary arrests must be considered in the light of the 48-hour rule: police officers were mandated to arrest any individual suspected of committing a crime and, if those suspicions were not confirmed within 48 hours of the arrest, the individual must, by law, be released.

43. **A representative of Uganda** said that the ultimate goal of the disarmament operation in Karamoja was to restore peace to the area. Respect for human rights was not only a constitutional imperative but a central element of the ideology of the Uganda People’s Defence Forces, who were routinely briefed before conducting any operation. A strict code of conduct was in force and perpetrators of isolated transgressions were held accountable.

44. **Mr. Kafeero** (Uganda) said that his Government remained cognizant of the human rights laws and principles to be upheld when grappling with the threat of terrorism. The National Action Plan on Human Rights remained an important document that had informed much of the Government’s planning and would likely be finalized in the near future.

45. **Ms. Tigroudja** said that the Committee was keen to hear the delegation’s responses to questions asked about the work of the Equal Opportunities Commission and the State party’s plans to adopt a general law on non-discrimination.

46. The delegation’s assertion that the State party would not be taking any measures to protect lesbian, gay, bisexual and transgender persons from the dramatic consequences of the Anti-Homosexuality Act was a source of concern. The Committee had received credible reports of the persecution suffered by such persons since the enactment of the Act earlier in 2023. Reports indicated that persons suspected of being homosexual had been denounced to the authorities, held in incommunicado detention and mistreated by the police, and that health-care professionals now refused to distribute condoms, lubricants and anti-HIV medicines to lesbian, gay, bisexual and transgender persons for fear of being prosecuted under the Act. Another matter of concern was the deliberate confusion in the Act between sexual orientation and criminal acts such as those relating to paedophilia, child pornography and child prostitution. In the light of those concerns, she wished to know what measures the State party would be taking to repeal the Act and put an end to the persecution of lesbian, gay, bisexual and transgender persons.

47. **Mr. Yigezu** said that he would welcome comments from the delegation on reports that the Uganda Human Rights Commission had a high turnover of staff and paid low salaries

when compared to other governmental institutions. He would also welcome the delegation's comments on the independence of the Commission. Given that appointments of Commission members must be approved by Parliament, reports that the majority of Commission members were former members of Parliament associated with the incumbent governing party cast doubt on the independence of the Commission. Responses to his earlier questions about the frequency with which the courts cited the provisions of the International Covenant on Civil and Political Rights and the enforcement of laws relating to human rights would be appreciated.

48. **Mr. Santos Pais** said that he would be grateful to receive more information about the enforcement of laws on domestic violence in Uganda. It would also be helpful to know whether the courts were able to intervene by issuing restriction orders, for instance. In view of reports that victims of domestic violence tended not to report incidents to the authorities, he would be interested to know whether law enforcement officers received any training on dealing with reports of domestic violence from a gender perspective. More information about shelters for victims of domestic violence, including the number of people who had received assistance and what type of assistance they had received, would be welcome. In addition, he would appreciate it if the delegation could confirm the sources of funding for those shelters and indicate whether such funding was sufficient.

49. He would like to know how many cases had been brought against law enforcement officers for the excessive use of force, and what type of sanctions had been imposed. He would also like to know whether an investigation was launched as a matter of course each time a firearm was used by a law enforcement officer. On the question of compensation for the victims of human rights violations, the Committee had heard allegations that some victims had waited up to 10 years to receive compensation. How many victims had yet to be compensated? Lastly, he wished to know whether any investigations had been launched into the use of firearms by law enforcement officers in the disarmament operation in Karamoja; he would appreciate receiving details of any such investigations.

50. **Mr. El Haiba** said that he had been expecting to hear information from the State party on victims of torture such as opposition leader Robert Kyagulanyi, commonly known as Bobi Wine, opposition Member of Parliament Francis Zaake and the author Kakwenza Rukirabashaija.

51. He recalled that, in November 2022, the Committee against Torture had raised the issue of enforced disappearances with the State party, citing the 2021 annual report of the Uganda Human Rights Commission; the Parliamentary Committee on Human Rights had meticulously documented prohibited visits to so-called safe houses which had allegedly been used for unauthorized detentions, and to which it had been denied access. The State party had asserted that the issue was a matter for the Commission, but the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), while emphasizing the need for such institutions to be independent, required national authorities to work closely with the institution, in particular on human rights violations and on related complaints or allegations. The Government was responsible for following up on the Commission's reports. He wished to know how law enforcement agencies operated when investigating such cases and what role the public prosecutor's office and judiciary played in such investigations.

52. **Mr. Soh** said that he would appreciate an update on progress with the stakeholder consultations on the ratification of the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty. Also, he wondered why the Uganda People's Defence Forces Act of 2005 had not been included within the scope of the Law Revision (Penalties in Criminal Matters) Miscellaneous (Amendment) Act of 2019, and whether the State party was considering measures to address the capital offences specified in the 2005 Act.

53. **Mr. Yigezu** said that he would be grateful for an update on the Transitional Justice Bill. In addition, he wished to know whether the International Crimes Division of the High Court was hearing any cases.

54. **Mr. Kafeero** (Uganda) said that, since his country was a democracy governed by the rule of law, the Government dissociated itself from the alleged detention of persons in ungazetted places. The investigation by the Uganda Human Rights Commission – itself

prompted by the Parliamentary Committee on Human Rights – had established that the alleged safe houses and detention centres did not exist. Therefore, the allegations of illegal detention had been debunked in Parliament. It was deplorable that certain individuals in conflict with the law continued to make allegations of political persecution in order to evade criminal responsibility.

55. Karamoja had a long-standing problem with the proliferation of arms, especially in relation to cattle rustling; the pacification of the region, in response to brutal thefts that had often led to loss of life, had centred around the confiscation of illegally held arms. In a recent disarmament exercise, 40,000 illegal arms had been recovered; despite such successes, however, rustling continued. The Uganda People's Defence Forces conducted both voluntary and forceful disarmament operations, in which human rights and fundamental freedoms were a primary consideration and during which the Defence Forces endeavoured to abide by the law and by their code of conduct, standard operating procedures and rules of engagement. Where officers had been accused of high-handedness, they were investigated and, where appropriate, court-martialled and punished; recently, 14 such individuals had received custodial sentences.

56. Since the 2021 election had been held at the height of the COVID-19 pandemic, the Electoral Commission had opted for a hybrid format where the campaign and polling were conducted mainly by electronic means. However, in the lead-up to the election, some political leaders' defiance of the agreed public health measures had culminated in the premeditated and violent riots of November 2020. The Government had investigated the law enforcement response to the riots and reported to Parliament on the investigation; as a result, the families of some of the victims had submitted compensation claims to the Attorney General's office. However, others had opted to obtain redress through the courts; the Government was looking into those cases, with a view to having them appropriately resolved.

57. The Anti-Homosexuality Act would not and was not intended to be discriminatory towards any persons, homosexual or otherwise, in relation to health-care or any other services. Since the Act was currently sub judice, he was unable to express any view on it. By way of background, however, he wished to underscore that, following the discovery of an orchestrated campaign to promote homosexuality among young people, including children as young as 8 years of age, the full spectrum of public opinion across Uganda had demanded a response; the response had been made law by Parliament, an institution central to the Ugandan democratic system. The Government therefore called for the Committee, and others, to afford his country the same respect for its values and approach to human rights as it showed for those of other countries. Moreover, Uganda had previously had on its statute book a law predating the country's independence which had also criminalized same-sex relationships and had never been considered a problem.

58. **Mr. Santos Pais** said that he wished to stress that the purpose of the dialogue was to determine whether the State party was abiding by its obligations under the Covenant, for which its Government, Parliament and judiciary were all equally responsible. He also wished to highlight the discrepancy between, on the one hand, the delegation's assertion that no enforced disappearances had been reported to the police in Karamoja and, on the other, the fact that, as at the end of 2022, the whereabouts of over 300 persons were unknown. Therefore, statistical data relating to the number of cases and convictions, and the penalties imposed both on members of the public and on police officers or Uganda People's Defence Forces members, would be useful.

59. **Mr. Gómez Martínez** said that he would appreciate clarification on where the Covenant ranked in the Ugandan hierarchy of norms. In addition, he wondered whether tools such as an action of unconstitutionality or habeas corpus could be used by homosexuals in Uganda to defend themselves from prosecution under the Anti-Homosexuality Act.

60. **Ms. Tigroudja** said that, in response to the assertion that the pre-independence law criminalizing same-sex relationships had never been considered a problem, she would simply point out that, during the universal periodic review of Uganda in 2022, Australia, Canada, Costa Rica, Ecuador, Luxembourg, Portugal, Uruguay and other States had called upon Uganda to decriminalize such relationships.

61. **Mr. Kafeero** (Uganda) said he wished to emphasize that the Anti-Homosexuality Act had been made law in response to concerns, across all political, cultural and social groups, about a national campaign to promote homosexuality that targeted young children. The passing of the Act had been motivated by the Government's responsibility to protect young people.

The meeting rose at 6 p.m.