**QUESTIONNAIRE ON INTERNATIONAL COOPERATION**

***(UGANDA)***

1. ***In your opinion, what are the specific priority areas in which international cooperation in the field of human rights should be further enhanced?***

The need and importance of stronger and more effective international and regional cooperation in the field of humanrights cannot be over emphasised. This is because international cooperation is essential in the effective protection and promotion of human rights, as well as ensuring the prevention of human rights violations. Cooperation is also vital in sharing best practices on the protection and promotion of human rights, as well as in ensuring successful domestic prosecutions and elimination safe havensfor perpetrators of human rights violations. Some of the priority in which international cooperation is vital include:-

1. Eliminating safe havens for human traffickers and their accomplices;
2. Ensuring the rule of law and good governance among partner States;
3. Addressing issues of international migrants, refugees and asylum seekers;
4. Addressing issues of terrorism and human rights;
5. The general protection and promotion of human rights especially raising awareness;
6. Protection of interstateor cross boarder adoptions and adoptions;
7. Addressing corruption and human rights, where most of the loot from corruption is kept or invested in foreign states.
8. Addressing issues of terrorism and human rights
9. The general protection and promotion of human rights especially raising awareness;
10. Protection of interstater or cross boarder adoptions and adoptions;
11. Addressing corruption and human rights, where most of the loot from corruption is kept invested in foreign states.

The above international cooperation in the field of human rights can further be enhanced in the field of human rights for the full achievement of the United Nations, including the effective promotion and protection of all human rights while reaffirming that such promotion and protection must be by the principles of Universality, Objectivity, non-selectiveness and transparency in line with the purpose of the UN Charter.

Furthermore, the above helps to promote mutual understanding and good neighborlinesss and states. In this regard, respect for cultural diversity at the national and international levels is very important.

The strengthening of principle of Cooperation and genuine dialogue in the field of human rights helps enhance fairness and efficiency of the various UN Human rights mechanisms. International Cooperation in the field of human rights should pave the way for the better realization of the right to development. Prosperity and growth of the people and nations is the mainstream of promotion and protection of human rights, in this regard, the international cooperation should provide necessary mechanism to narrow the gap between the rich and the poor.

Lastly, it is very important that the Advisory Committee according to its mandate properly focuses on development guidelines in such issues as human rights education, technical assistance, universal periodic review, rights instructions, South-south co-operation and the mainstreaming of the theme of international cooperation.

1. ***How can international cooperation in the field of human rights be further enhanced in specific areas such as human rights education, internationals migration, interaction among human rights institutions and the right to development?***
* Through supporting states in building and strengthening theirinstitutional human rightsstructures or institutions which have a bearing on the observance of human rights.
* Through legal frameworks such as international instruments, policies and guidelines defining the different forms of international cooperation amongst States as well as the methods of cooperation;
* There is need for political will amongst states. This is in line with the principle State sovereignty, whereby Statesshould be willingness to cooperate with their counterparts.States should also be given the discretion to determine the counterparts with whom to cooperate.
* States could sign MOUs of international cooperation, where the specific thematic areas of human rights,such as education, migration etc are clearly defined.
* Through the Universal Periodic review and technical cooperation among states;
* Through adequate funding and technical support of activities relating to international cooperation in the field of human rights.
* Through developing human rights curriculum for students and human rights education for all. There is need to develop curriculum, for education on human rights for the primary, secondary and university levels, and for non-formal level of education. This would then ensure effective and coordinated human rights education and awareness.
* By ensuring that the National legal and policy framework especially the constitutions are in line with international human rights standards. Through the legal framework it is easy to ensure the protection of human rights under the rule of law. For example, a strong Constitution should;-
1. Incorporate internationally recognized human rights and fundamental freedoms, as enumerated I the international Bill of Human Rights;
2. Establish effective and justiciable remedies at law for violations of those rights;
3. Empower an independence of the judiciary, consistent with the Basic principles on the independence of the judiciary;
4. Provide for non-discrimination on the basis of race, colour, gender, language, religion, political, or other opinion, national or social origin, property, birth or other status, and which protects national minorities;
5. Establish national human rights institution, such as an office of the ombudsman or an independent human rights commission;
6. Define and limit the powers of government and its various branched, vis-à-vis each other and the people;

Through ensuring the administration of justice, judges, magistrates, lawyers, prosecutors, police and prison officials. This would involve training of judges, lawyers, prosecutors, police officers and prison personnel in the area of human rights in administration of justice.

Human rights training for the armed forces. It is essential for the good functioning of the rule of law that the armed forces be bound by the Constitution and other laws of the land, that they answer to the democratic Government and that they are trained in and committed to the principle of human rights and humanitarian law attending their legitimate functions in society.

Human rights support to parliaments. National parliaments play an important role in the observation of human rights. As such, they should be training on how to the important role they play in human rights observance.

Supporting NGOs and civil society organization as key partners, the protection and promotion of human rights in any given state.

1. ***Can you suggest ways and means by which international cooperation in human rights could be achieved, such as technical assistance, South-South cooperation, mainstreaming human rights etc?***
* States could ensure international cooperation in human rights by using the available national institutional structures e.g. National Human Rights Institutions (NHRIs) or State representatives to enhance the international the cooperation.
* The international cooperation in human rights could also be achieved through use of International and regional Networks or international coordinating committees where partner States are represented.
* Conducting Needs assessment for human rights, democracy and the rule of law. The assessment would then guide states on how to address those needs in a comprehensive and coordinated way.
* International cooperation in human rights could also be achieved through international exchange programs and fellowships of technocrats, advisory services of experts, fellowships and scholarships, which promote sharing experiences, best practices and reinforces cooperation among institutions and States.
* Regular meetings and workshops among States on selected human rights thematic areas, would create a forum for dialogue between States, and would promote sharing experiences or best practices and would further reinforce cooperation among States.
* Through the use of International mechanisms such as the Human Rights Council, treaty bodies, Special Procedures and Mandate Holders such as Special Rapporteurs, Independent Experts, Working Groups and other mandate holders, International Coordinating Committees etc, these mechanisms should all be strengthened and popularized amongst states.
1. ***How have your authorities benefited from international cooperation in the context of the universal periodic review? How could international cooperation in the context of these human rights mechanisms be further strengthened?***

Yes. Uganda’s state institutions have benefited from international cooperation especially from the Universal Periodic Review (UPR). After the UPR, the Uganda has been tasked to implement the recommendations made together with its commitments, and has since made strides to develop the National Human Rights Action Plan, and implement its commitments form the UPR.

After the creation of UPR in 2006, Uganda has been tasked to implement the recommendations made together with its commitment and has since made strides to develop the National Human Rights Action Plan and implements its commitments from the UPR. It is a cooperative process which has since its establishment reviewed the human rights records of all UN Member states; it is one of the key elements of the council which reminds member states of their responsibilities to fully respect and implement all rights and fundamental freedoms.

Clearly Uganda benefited from international cooperation in the context of universal periodic review as reflected in paragraph 5 of the summary of the proceedings of the review process which states:

“Uganda fully appreciated the opportunity and spirit of constructive dialogue created by the UPR process. The delegation pledged the state’s unwavering commitment to the process, through which it could take stock of its own progress, identity challenges and map the way forward.”

However, after the interactive dialogue between the human rights delegation and the Uganda’s delegation on UPR a number of recommendations were suggested which the Uganda delegation supported

***How could international cooperation in the context of these human rights mechanisms be further strengthened?***

*The international cooperation in the context of human rights mechanism can be further strengthened in the following areas.*

* Through creation of awareness amongst states and national institutions on the existence and functions of international mechanisms;
* Through country visits of the mandate holders;
* Through meetings, and other forms of dialogue to discuss human rights issues;
* Through the UPR process;
* Ensuring State reporting on the different human rights thematic areas;
* Through sports between different states, colleges and universities;
* Through encouraging introduction of teaching different languages in schools, colleges and universities.

However, there are numerous practical and political factors that may impede international cooperation. These include the challenges of communicating with counterparts who speak different languages, differences in legal, political and cultural traditions, political considerations and even apprehension about cooperating with colleagues in another country.

1. ***Please identify best practices that have emerged from international cooperation in human rights.***
2. The Establishment of National Human Rights Institution (NHRIs). Because of international cooperation, a number of countries in Africa have established NHRIs in their countries in form of Human Rights Commissions and Ombudsman Institutions to ensure the protection and promotion of human rights in their countries. In most cases, the newly established NHRIs receive technical support and guidance for the already existing institutions within the continent. Some of the countries that have newly established human rights institutions include;- Kenya, Somaliland, Zimbabwe, Namibia, Somaliland, Sudan, Southern Sudan and others.
3. Implementation of recommendations from the Universal Periodic Review (UPR). Due to International Cooperation, States are now keen on implementing the recommendations from the UPR. The naming and shaming encourages states to observe human rights and is an indication that despite the state sovereignty, human rights issues affecting a particular country are a concern for all around the world.
4. Through international cooperation States have been forced to invite international experts to advise and give guidance on matters of human rights and good governance. This explains why all states invite international observers during democratic elections, which is an indication of states opening their doors to show the world their democratic processes.
5. International cooperation has facilitated humanitarian work and support in many countries. In Uganda, such cooperation and support was key during the LRA war where different countries and international agencies provided support to the internally displaced persons (IDPS) in Northern Uganda.
6. Through international cooperation in human rights, there has been building of capacity for personal or stakeholders working on human rights related issues.
7. ***With respect to treaties that your State is a party to, what difficulties have you faced in fulfilling your reporting obligations? How have you benefited from international cooperation in that target?***

Uganda has signed and ratified several regional and core international human rights instruments without reservations. After ratification, Uganda is expected to report regularly to the Human Rights Treaty Bodies on the means adopted and progress made in the realisation of these treaties. The government is therefore required to file an initial report with treaty bodies and thereafter periodic reports within a stipulated time frame provided in the treaty. However, Uganda has been late in many of its reporting obligations. This is often attributed to the fact that reporting on its treaty obligation is not often taken as a priority.

**Challenges in Reporting**

1. **Delays and non-submission of reports**

There are still delays in reporting and non-submission of reports to treaty bodies such as Committee on the Elimination of Discrimination, the Committee on the Rights of a Child and the Committee Against Torture. These delays have been noted by the human rights treaty bodies. The reasons for these delays include the various reports required by different monitoring bodies which is not complimented with the corresponding capacity at the national level, the lack of a sanction mechanism in the event of delayed or non- submission of state reports and the non-binding nature of the recommendations

1. **Ineffective Coordination Mechanism**

There is ineffective coordination between lead agencies, the coordinating ministry and civil society. Under each treaty body there is a lead agency to implement the obligations under the convention, other concerned ministries while the Ministry of Foreign Affairs oversees and coordinate the process both internally and externally to ensure that the report presented is an accurate reflection of the human rights situation. However, though both the Lead agency and other ministries are required to have up to date information on the implementation of the various conventions, this information is often not readily available. This, due to ineffective coordination, there is lack of a strong mechanism to follow up on periodic reporting which ultimately affects the frequency and quality of the reports presented.

1. **Lack of effective implementation**

Effective implementation of recommendations has to go together with regular reporting in order to assess progress made. However, this was not the case and in several instances recommendations were overtaken by events. At times the implementation of recommendations or observations requires other state organs which are beyond the control of the Lead Agency or other concerned ministries. Implementation of recommendations that are structural in nature could at times have financial implications. Thus initiatives by the Government to promote and protect human rights are likely to exclude recommendations that have an impact on the laws, policies and programmes especially considering that most of the concluding observations are interrelated.

1. **Limited capacity**

Treaty bodies require specific information of both qualitative and quantitative nature. This requires adequate technical staff in various government institutions to analyse data to follow up the various reports. In addition, several committees have requested for disaggregated data. For instance, the concluding observations of the Committee on the Elimination of Racial discrimination noted the lack of disaggregated data or precise information on the ethnic composition of the population and social ethnic and national groups

1. **Participation of Stakeholders**

Treaty provisions by their very nature impact on laws, policies and programmes. This therefore requires wide consultation with and participation of all stakeholders at the commencement of treaty negotiations and conclusion in order to appreciate the measures that would have to be taken in order to make laws, policies and programmes comply with the treaties that have been ratified.However, due to budgetary constraints and at times lack of appreciation of treaty obligations, this has been disregarded which has in turn, affected monitoring and reporting.

1. ***How could universal participation in human rights machinery enhance cooperation in the field of human rights?***
* Through sharing best practices or information sharing;
* Universal participation helps in building the capacity of key stakeholders working in the line of human rights, good governance and the rule of law.
* Funding to human rights defenders and organizations.
* Promotion of rights of women.
* Implementation of the rights of the child.
* Promoting sexual and reproductive rights.
* Protection of rights of migrants and foreigners.
* Fighting human trafficking especially women and children.
* Strengthening judicial systems.
* Support for peace processes and assistance to victims of armed conflict.
* Promotion of rights of minority groups.
* Abolishing traditional culture of denying women from driving vehicles and bicycles.
* Giving equal treatment all human beings regardless of their sexes.

**Answered by: Alfred Ntunduguru Karokora**

 **Member of UNHRC Advisory Committee**

**Email: alfekoraAyahoo.com**