

CONFERENCE ON HUMAN RIGHTS CHALLENGES FOR THE 21ST CENTURY

ORGANIZERS: HUMAN RIGHTS AND PEACE CENTRE (HURIPPEC) AND AKIBA UHAKI FOUNDATION

VENUE: IMPERIAL ROYALE HOTEL, KAMPALA.

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BACKGROUND TO THE CONFERENCE

The Human Rights movement in Uganda came into existence in the 1980s. It started as voluntary movement where the activists operated part-time. The movement has grown especially around the Jinja-Entebbe- Kampala axis. It has even spread upcountry and it has expanded its mandate to deal with a diversity of issues on human rights. However, there have been many challenges revolving around issues of identity, impact, relevance and relationships to both broad popular and political struggles, as well as the day to day lives of ordinary Ugandans. It is within this context that HURIPPEC and Akiba Uhaki convened these-brain storming meeting on how the movement has grown and matured with time and to chart a way forward with respect to minority rights.

The conference reflected on the following issues:

- (a) Broad issues on human rights aimed at capturing the different perceptions and highlighting those areas where there was a convergence and a divergence of views among the participants. An inquiry was made on how well the legal, political, socio-cultural and the economic regimes cater for the rights of minorities.
- (b) Minority rights and what they are. An inquiry was made on the overlap between personal, religious and cultural beliefs vis-à-vis the defenders commitment to human rights work. There was highlighting of the convergences and tensions as they emerged when the participants shared their experiences and reflections within the course of their work.
- (c) The position of human rights defenders in the broader agenda of activism in Uganda. The aim was to highlight the challenges faced by these crusaders in the course of their work, especially with regards minority rights
- (d) Mapping strategies to be pursued basing on the discourse above, especially, the tactics and the strategies that can be adopted by the human rights Movement to most effectively respond to the violation of the rights of minorities. The aim was to make proposals on future action and on what needs to be done.

INTRODUCTIONS AND ANECDOTES

In this section the participants, not only introduced themselves but also gave brief anecdotes of the most memorable experiences in the area of minority rights. The issues that emerged from these narratives were:

- The extra-judicial killing of the albinos in E. Africa. The question has been raised with the E. Africa Legislative Assembly by Kitua wa Katiba.
- The difficulty and the inability faced by the ordinary people across the board in understanding the phenomenon called transgender i.e. what is a trans-man or a trans-woman?
- The ever-present reality among the trans-genders of being discriminated against and even of getting arrested. In some countries the trans-genders are victimized even in small issues like using bathrooms. During the Commonwealth Conference in Kampala the trans-genders were harassed by the security agents and prevented from being heard.
- Even being left-handed resulted in a child being abused by its mother on the pretext/suspicion that this was an aberration that would lead to homosexuality when the child grew into an adult.
- The constant stigmatization faced by the trans-genders especially in Zimbabwe and Kenya. In Zimbabwe, the gays/lesbians were left out of the famous annual Book Forum whereas their demonstration in Kenya was met with disdain.
- In the recruitment for employment, the LGBTI community are always left out.
- Other minorities like women and children are perennial victims of abuse. The Anti-corruption Coalition was able to successfully intervene to save the lives of children when shoddy buildings were constructed to serve as a school in Kamyokya. Within the same context of education, the children with disabilities are the most abused because they are often confined and denied opportunities of going to school. There was a case a dumb girl of 14 who was impregnated twice by the same abuser. The latter went scot-free. Although she was actually able to recognize her abuser, her disability could not enable her articulate her case in a court of law.
- The blind people are treated with contempt. The case of a blind woman who sought medical help ended up generating unbelief in the medical community. They wondered how a blind woman could contract HIV/AIDS. They treated her like an object that lacked sexual feelings.
- Refugees as a minority group have been denied settlement rights in Uganda.
- With regards the juvenile, the laws meant for their protection have never been effectively implemented. Juvenile offenders in Uganda face enormous abuses. In Rehabilitation Centres for street children, cases were observed where infants as young as

one year old are allowed to mix with older children, a clear violation of international standards.

- Traditions are tools and vehicles for the oppression and marginalization of women. For example, women as a minority are oppressed through the institution of bride-price. This has been used as an argument by the men to oppress the women.
- The practice of co-habitation remains a moot point because it is not legally regarded as marriage yet many couples in Uganda are in this type of relationship. There is, therefore, a need to expedite the enactment of the DRB into an Act that is enforceable by law.
- The issue of women and children not being able to inherit land remains outstanding and is part of the tradition that marginalizes these minorities. This has been established as a fact by research conducted in Northern Uganda.
- Traditions have always marginalized albinos. They are considered as a curse in the family. The lived experiences of an albino participant underlined the pain which cuts across all the social strata. At home in the villages, they live in hiding for they are considered to be outcasts. At school, they are the centre of attraction, harassed, stigmatized and segregated against. They are given derogatory nick-names like “Mzungu” (literally, white person) because of the paleness of their skins. Albino girls are most vulnerable to these insults at and the majority of them simply drop-out. Government programmes like UPE and USE will, therefore, not benefit the albinos in Uganda. The working world is even more hostile because many employers shun them. This puts into question why they should struggle to acquire education in the first place. In politics they stand no chance to be elected into office due to the fact that they become targets of crude jokes when they are referred to as “white colonialists” who should not be allowed back in Uganda.
- Although albinos should be truly grouped among the disabled due to their poor sight, nobody has ever been convinced about this fact.
- Albinos have been victims of superstition and witchcraft where their body parts like hair are sought by people who believe that they can gain wealth and riches from them. Sometimes they suffer the extreme fate of their brothers and sisters in Tanzania when they are murdered/ritually sacrificed for the same purpose. There are presently two documented cases of these ritual killings as revealed by one sorcerer, one Mama Fiina.
- The views of the Moslem faith/religion and traditions with regards human/child sacrifice LGBTI is a complete divergence of the practices. Whereas some activists

may sympathize with LGBTIs, the position of the Moslem faith is that of not condoning. The Moslem faith accepts the sacrifice of animals to God but not human beings or children.

- The violation of the education rights of minorities like the deaf. The KIU's policy is not to admit the deaf for they are not catered for in their facilities.
- This is true even in the UPE/USE programmes where both the physical infrastructure and learning equipment is not in place.
- In the health sector, health workers ask a lot of questions whenever a disabled woman comes to seek ante-natal assistance. They wonder which man in his right senses impregnates a disabled woman, as if these women don't possess the sexual feelings in common with other human beings.

These narratives and anecdotes brought to the surface a number of human rights issues that can be grouped into broad themes like the minorities and minority rights, religion and culture, employment, the law, economics and education

- The minorities are constituted by groups that included, among others: the refugees, women, children, migrant workers, LGBTI community, forest dwellers and albinos.
- There rampant repression/suppression of sexual minorities that is clearly evident in all social institutions, namely: the law, the church and culture.
- There has been privatisation of security and this has had a negative impact on people's enjoyment of, especially, rights in Uganda.
- The LGBTI community is itself far from united. There are warring factions in it. The lesbians have been placed in the periphery of the mainstream movement arguably because of their gender.
- Parliament passed legislation on Equal opportunities but upto now the Equal Opportunities Commission has not been appointed by the President. Even then it is a point of interest how this commission would treat the minorities in terms of access to justice and other outstanding issues like education, health services, employment etc.
- It has emerged a number of times that human rights activism is still confined to the JEK (Jinja-Entebbe-Kampala) axis. This activism is divorced from the rural context where many of the abuses occur. The recent landmark case of a woman in Pallisa District who was forced to breastfeed puppies by her husband is a case in point. Up to now she has received no justice which illustrates the extent of the cleavage.
- The phenomenon of workshops and seminars that have always been conducted in the name of human rights activism should be re-visited. There is virtually nothing to show and many observers are beginning to question whether human rights tactics/strategies will ever have a visible impact in our society.
- There is a related question with regards the link between formal education in human rights and the effectiveness of human rights activism. This formal education is

largely theoretical and is not grounded in real practice. In fact the mother who breast-fed puppies in Pallisa has brought into question the existence of real empowerment on the ground. This calls in for self reflection among the activists and the urgent need to actualize in practical terms the learning of human rights.

- The economic realities in Uganda reflect capitalism and exploitation of the majority. This majority is illiterate and ignorant about their rights. In such a context, human rights become merely academic and an irrelevance. Moreover, certain rights like those of the LGBTI community have caused tensions between activists and institutions like the church/mosque, the state and traditions. Such tensions aggravate the status of human rights in Uganda. There is, therefore, an urgent need to pursue the reconciliation agenda much more aggressively.
- The present confrontational approach among the LGBTI vis-à-vis the state may need revision. The alternative approach that calls for dialogue and discourse could prove to be more fruitful than confrontation.
- Many NGOs have gone political as they engage the State on minority rights issues. The whole question revolves around the fact that there seems to be no other viable way of doing it. Therefore, activism necessarily involves engaging the state politically if any responses are to be expected from the latter in the amelioration of the suffering among minority groups in Uganda.
- The definition of “a human rights defender” tends to limit people to just protection as learned from textbooks. There is a need to widen this definition even to include people who are engaged in research, funding, sensitization and general activism as a whole. For example, there is no book that talks about gays and their rights, yet a defender worth his name should be obliged, for example, to join a gay demonstration in town.
- Limited funding should not be used as an excuse to abandon activism for minorities. There are approaches that require no money like raising and talking about the issue. Therefore, just discourse and generating a debate is all that may be required when it comes to fighting for the rights of the minorities.

CAPTURING THE HIGHLIGHTS OF THE DISCOURSE

These highlights fall into broad themes and categories that can be categorized thus:

- Stereotypes in human rights knowledge, especially, with regards the LGBTI community have been nurtured through cultural, religions and state indoctrination. This can only be undone through the reverse process of unlearning.

- Setting priorities in human rights work and activism should be guided by broader issues connected with poverty, discrimination and networking and how these impact on the work of defenders.
- The conceptualization of minorities and their rights is an important aspect in the process of discovering the rights that they possess jointly and specifically.
- Human rights work/activism is a complex phenomenon. It calls for soul searching and the need for a much, more deeper reflection among the defenders on whether to them it is a calling (vocation) or a mere career (employment). They should ask themselves they have a passion for it or they view it in terms of a means to earn a living
- The need for human rights defenders to engage and negotiate with institutions like traditions, religion and the State is now an inevitable reality. This would infuse to a reluctant community the necessity of a dynamic perception of the emerging minorities that must be accorded their rights.
- The question of the human rights framework has made a looming appearance. The people want to know who sets the human rights agenda. They demand to know whether it has been imposed from outside or whether it is grounded in indigenous customs and traditions.

The highlights of the challenges faced by human/minority rights featured in the a number ways:

- When the Northern Uganda conflict was raging, the defenders initially adopted a shy stance of wait and see. They eventually came on board after seeing others braving the storm.
- The influence of culture and religion on the ability of the defenders to carry out their work is an ever present factor in human rights activism. The two institutions often cloud the vision and dampen the enthusiasm of the defenders whenever there is an intersection between activism and moral issues like the rights of LGBTI community.
- There exists an internalized homophobia against minorities in Uganda especially the LGBTI community. The defenders find it increasingly difficult to manouvre in this environment where even the State is openly hostile.
- Corruption and nepotism are social issues that cut across all sections of society. In this context, therefore, even human rights defenders cannot claim to be angels. They sometimes get entangled in the web and their credibility has often been questioned vis-à-vis their social and political responsibilities.
- The defenders have not yet cultivated a sense of family amongst themselves. Solidarity needs to be nurtured in the Movement so that a demonstration by LGBTI activists will automatically be joined by, for example, women activists. The defenders

need to cultivate open minds to all human rights issues including those of sexual orientation but some of them are still confined to their niches.

- Many defenders still face a conceptual question on whether human rights activism is a calling or a career. This is connected with the confidence and the passion with which they pursue issues. There is a whole range of questions connected to certain minorities like barren women, women in polygamous marriages and albinos that still cry for passion and vigilance yet the defenders continue to stay quiet.
- The moral questions that often confront some defenders are questions of religion, beliefs and traditions. It is not practically possible nor is it necessary to detach oneself from these questions. Rather, the defender has to martial his interpretation of whole situations, including holy books like the Bible and the Koran, to come up with the correct interpretation that all human beings are entitled to enjoy their individual rights including the homosexuals and lesbians. Human rights are by their very nature indivisible. This is the reason why icons like Bishop Desmond Tutu, Nelson Mandela and President Barack Obama have all come out to protect homosexuals.
- The defender is often unable to adopt proper strategies in order to market a minority issue. He must innovate and come up with the right approach that accommodates stakeholders like the traditionalists, the church and the state. For example, the concept of marital rape is alien to traditions yet the defender has to negotiate with the traditionalists to bring them on board with regards the reality of this concept.

CAPTURING SUGGESTIONS ON THE WAY FORWARD

The way forward falls into categories, including among others: research work, petitions, enactment of relevant laws and activism (workshops/sensitization/demonstrations etc.)

- Research findings up to date reveal that the two systems i.e. traditions and formal training (modernism) operate concurrently with regards human rights in Uganda. The modern concept of human rights presupposes responsibilities. The enjoyment of any right goes with a responsibility. However, when it comes to the LGBTI community, there is a need for further research. This should help to find justification for their enjoyment of rights because there is still an outstanding question with regards their responsibilities in society.
- The extra-judicial killing of the albinos has been raised with the East African Legislative Assembly by “Kitua wa Katiba”. Action is still awaited. However, there is a proposal to conduct a study on this issue to gain a more enlightened perception of the issue.
- The LGBTI community in Uganda does not have a legal standing and remains the most vulnerable minority in the land. There is a need for legal activism i.e. dialoguing with the law makers to include this issue on their agenda. The media may have to be enlisted as a partner in this process.

- For all the marginalized groups, advocacy for social inclusion still remains the most practical approach in this country. For example, the ENAB has mooted this approach for some time now. The LGBTI community could find this indispensable in their agenda for recognition. Although advocacy has often been associated with confrontation, it need not be so. There are other soft measures like workshops, seminars, radio/TV talk-shows that constitute the soft alternatives.
- The proposal to found a home for women harassed and abused in the marital home has never been actualized. This is an outstanding issue in a society where many women in the rural countryside suffer indescribable abuses demonstrated by the woman in Pallisa who was forced to breast feed puppies by her husband. Such a home would serve as a transit centre/family for them as they are assisted to find lasting solutions to their problems.
- The albino community has mooted an intention to petition Parliament on their plight in July. They should enlist the support of expert activists like Legal Aid Project. There are other minority groups that could borrow a leaf from the albinos by raising their plight with people who can be moved to make the appropriate laws for their protection.

GROUP WORK

The group-work involved a brain-storming session on the topic: What are the challenges faced by human rights defenders in dealing with minority rights in Uganda? The participants were required to bring out the specific ways in which minority rights had been violated on the one hand, and where they had been protected or promoted on the other hand. These violations and/or promotions must have occurred within the four institutions, namely: the State, the Civil Society, the Education System (including the academia and research) and the Religious/Cultural/Domestic domain.

The participants were randomly put into four groups that corresponded with the four institutions above. Each group was also required to come up with recommendations in the form of specific and practical interventions that could be adopted to deal with these challenges.

(a) GROUP I

Group I brain-stormed on the violations and/or protection of minority rights within the institution of the State.

They identified a number of minority groups but highlighted two of them in their deliberations— ethnic minorities and sexual minorities.

They identified a number of challenges posed by the State (in the form of legal, institutional and policy constraints) vis-à-vis human rights defenders in the course of their work with regards minority rights to include the following:

- The policy of the government to remove the Batwa from their forest dwelling and have them live among the mainstream community in Kabale/Kisoro was an act that violated the rights of the Batwa to enjoy their culture and heritage. The human rights defenders discovered that although the Constitution recognized this ethnic group, there was no law to invoke to prevent their being evicted from the forests.
- There have been cases when the State has suppressed the Civil Society and the legal practitioners whenever they have been perceived to threaten the latter's authority. These groups have often been denied renewal of their certificates/licenses of practice respectively.
- There have been cases of outright censorship and intimidation of members of the Civil Society by the State's security apparatus where a few of them have been confined in "Safe Houses". They have even been subjected to torture in these illegal detention centres.
- The case of the IDPs in Northern Uganda demonstrates the inconsistency between policy and practice. The policy of the voluntary return of the IDPs to their villages has been overtaken by the practice of forced eviction. The human rights defenders find themselves completely unable to help the suffering IDPs.
- The LGBTI community as a sexual minority find themselves victimized by the State legally and politically. Both the Constitution and the penal code criminalize their sexual orientation with specific reference to Sections 45 and 46 of the Penal Code. State policy towards homosexuals and lesbians is outrightly hostile and non-accommodative. This policy runs right from the Executive through Parliament and the Judiciary. The human rights defenders look on helplessly as these people are continually denied their rights.

However, the defenders found a few cases of State policy when the minorities have enjoyed a respite:

- There has been affirmative action towards some ethnic minorities. The creation of a whole Ministry for Karamoja Affairs, moreover headed by the First Lady, has created a difference in this marginalized community. A number of programmes like ABEK, the Valley Dams Project, WFP Food Relief and the Disarmament Programme of the warriors are helping to promote the agenda of prosperity in this region.
- There is a visible freedom of association being enjoyed by the homosexuals and the lesbians. Despite the vitriolic pronouncements against them by the President and by the Minister of Ethics and Integrity, they have never been openly molested by the state

security apparatus. Of course, they have been denied the right to register and their operations are outside the NGO registration conditions.

The defenders made a number of recommendations towards the improvement of the situations.

- There is a need for net-working and co-operation among the different Organizations of human rights defenders to come to the aid of the LGBTI community.
- There is a need to raise the political cost for denying the LGBTI community their rights. This should be done to a degree where the State will find it politically inexpedient and very expensive to continue denying these groups of Ugandans their rights.
- Both the Constitution and the Penal Code need to be revisited in the relevant Articles and Sections to make them concomitant with international standards and practice.
- There is an urgent need to have a representative of the sexual minorities in Parliament. This is the only viable way to have their voices heard. It would also be a way of influencing policies and laws that promote the aspirations of this minority.
- A vigorous policy of research that brings on board the State actors should be pursued. When this research into the gay/lesbian affairs is done jointly by the CSOs and the State, there will be no room left for the latter to make policies and laws that are characteristic of ignorance and lack of information.
- There should be a greater effort to focus on the much neglected ESCRs as a basis of solving the many problems of the gays/lesbians. Their continued marginalization is connected to the neglect of this genre of rights.

(b) GROUP 2

The mandate of this group was to look into the violations and/or protection of minority rights within the Civil Society Movement. Their task was to examine the domains of human rights defenders, the human rights framework and advocacy.

The participant defenders identified a host of challenges within the Movement with regards their work on minority rights including the following:

- The CSOs are scattered far and wide. This makes the members inaccessible and the agenda of defending minority rights in a particular locality becomes quite un-coordinated. This eliminates the solidarity aspect and results in the loss of tactical and strategic advantages.

- The defenders often find it difficult to balance the values of the community with the rights they advocate. The communities in Uganda have entrenched positions with regards certain minorities and their practices. The homosexuals/lesbians are roundly rejected. The women and the children are limited in their enjoyment of rights. These are largely dictates of value systems that are difficult to surmount.
- The CSOs continue to be generally perceived as the opposition. This is because their activities often pit them against the State. This perception extends to all people with invested interests like traditionalists, employers, men, educationists, the industrialists etc whose activities vis-à-vis the minorities are consistently questioned by the CSOs.
- The CSOs have carved out niches for themselves and have lost the focus of collaboration. Some CSOs concentrate on women rights, others on children, LGBTI community, ethnic minorities etc. they engage in isolated struggles independent of each other. This has resulted in divided efforts and a reduction of effectiveness and impact.
- There is a conceptual confusion among CSOs about the rights that they should defend. There are those who are shy to engage in traditionally taboo areas like homosexuality/lesbianism. Others get their inspiration in Western models of all individual rights that may be contrary to traditional Ugandan values like women's rights, children's rights and the rights of the LGBTI community. This conceptual confusion is a stress to the defenders of minority rights in this country.
- The Civil Society Movement in Uganda depends on donor funding for their day to day operations. Since it is the piper who normally calls the tune, the CSOs have found themselves in a position of taking instructions from the donors. The human/minority rights agenda appears to be dictated from abroad which has compromised the independence and impartiality of the Movement in the country.
- The CSOs have suffered stigmatization for defending certain minorities that are themselves stigmatized. Many communities in Uganda, for example, are male-dominated and cherish heterosexuality. Therefore, CSOs like FIDA that champion the empowerment of women are blacklisted. This is even worse for the CSOs that advocate for the rights of homosexuals/lesbians.
- There are no laws in Uganda to protect certain minorities. The work of the CSOs becomes much more challenging whenever they are confronted with violations of the rights of the LGBTI community, among others.
- It is very difficult for any defender to operate in a poor economy like the one in Uganda. The law enforcement/protection institutions like the police and the judiciary often get compromised through acts of corruption and bribery. Many of the minority groups like women, children, the LGBTI community etc consist of poor people who cannot be listened to in courts of law and other institutions that should protect them.

- There is a visible lack of documentation and data with respect to the minorities among the CSOs in Uganda. They operate in a blank space. There is nothing to cross-check with or to refer to whenever a minority issue arises. In the rare case where there is data it is more likely to be foreign and completely unrelated to the local context.

There have been a few cases, however, where the activities of the CSOs have impacted positively towards the protection and promotion of minority rights, namely:

- The CSOs have gone a long way in raising awareness specifically among vulnerable groups and generally among Ugandans on minority rights. The Human Rights Movement has pursued an aggressive policy of sensitization to bring to the fore the plight of the minorities. As a voice of the marginalized group the Human Rights Movement has been successful in creating space, however small, for even taboo groups like the homosexuals/lesbians. People are beginning to know and to gradually accept their existence.
- The CSOs have been able to assemble data and to document a few areas on minorities and their rights. It may not be substantial work yet but it represents a beginning. It is likely to grow over the years into a formidable body of indigenous literature on minorities and their rights. A time will come in the future when certain orientations which are unacceptable today will be completely demystified once and for all.
- The CSOs have also become an integral system in the provision of psychosocial services to marginalized groups. A lot has been achieved within the movement in creating a sense of dignity among stigmatized minorities like homosexuals/lesbians, the HIV/AIDS patients and the albinos, among others.
- The CSOs in Uganda have provided a platform to minorities to champion their cause. There exists an atmosphere of hostility towards practices that are traditionally looked at as taboos like homosexuality and lesbianism. These minorities have never been given a chance to explain their plight because they have been pushed off by even institutions like the church that would be expected to give them a forum. The CSOs are the fora for these people today.

The defenders proposed the following recommendations to address the challenges to their work:

- The CSOs should not keep their research findings in shelves. They should share this information with all the stakeholders, including the State so as to demystify the shroud that has surrounded certain minorities in Uganda.
- The CSOs should open up and embrace all minority rights issues. They should work as a family rather than demarcating their mandate to deal with one or two special areas. These divisions are increasingly weakening their ability to successfully defend the minorities.

- There is a need to build further capacity in the Movement with regards new issues. The agenda to protect and promote the traditional human rights is fast becoming obsolete. New rights are coming up and must be catered for. This calls for further training among the activists.
- One of the priorities on the CSOs agenda should be massive sensitization of the Ugandan public against corruption. The police and the judiciary should be educated on their roles maintaining law/order and dispensing justice respectively. Non corrupt institutions would go a long way in ensuring that minorities enjoy their rights like any other citizen.
- The CSOs should make a deliberate effort to lobby Parliament to pass laws that ensure the protection and promotion of minority rights. The constitution itself needs revisiting on those Articles that outlaw activities of certain minorities like homosexuals/lesbians. The constitutional provision on affirmative action to other minorities like women, children and people with disabilities should be extended even to homosexuals/lesbians.
- Every CSO should come up with a clear definition of its mandate spelling out the vision and the mission. There is also a need to walk the talk among the CSOs beyond fiery pronouncements that are not accompanied by actions.

(c) GROUP 3

This group focused on the violations and/or protection of the minority rights within the institution of the Education System. The participants identified a number of challenges within the system vis-à-vis their work with regards minority rights to include the following:

- The defenders were irked by the non-implementation of policies originated by the researchers and the academia. The Disability Policy, for example, remains a paper tiger that has never been put into practice.
- There is a dependence syndrome among the researchers and the academics in Uganda to rely on the research findings done abroad with regards the minorities and their rights. This imported research is not relevant either in place or in time to the conditions of the minorities in Uganda.
- The education system has never originated a home-grown system that would cultivate a culture of teaching our children to appreciate individual differences within our country. They are not told right from the formative years that people's sexual orientations are not the same; that there are people who are naturally gay or homosexual. This would go a long way to diffuse the social tensions that exist today.

- The present education structure, especially, its privatization has rendered the defenders incapacitated in educational innovations. For example, they cannot compel the private entrepreneurs of schools and Universities to put in place facilities like Braille for the visually impaired children or special toilets and other facilities for the physically impaired learners.
- The Education System has not helped to remove the massive ignorance that exists in Uganda with regards the minorities. The case of the homosexuals/lesbians is very telling. These people are totally rejected in the rural countryside where the majority of people remain ignorant about them and their rights. The defenders came up with a catalogue of recommendations addressed to the Education System geared at solving the problems
- There is a need to integrate the human rights curriculum in the Education System. This would help children to grow up with a tendency to appreciate the difference in people's natures and orientations, especially, the tendencies of the homosexuals/lesbians.
- There is a need for home-grown research on minorities, especially, the homosexuals/lesbians. The stakeholders need to go down to the community to inquire why sexual minorities exist in Uganda rather than relying on proto types from Europe and America.
- Sharing information and research findings with all stakeholders, including the State would diffuse the suspicions that exist up to now. This calls for a concerted effort in networking and collaboration which is a characteristic feature of the academic world.
- The researchers and the academics need to adopt more acceptable marketing strategies of the new knowledge generated in their work. The stereotypes of the workshop/seminar have outlined their usefulness. It may be more useful to take this knowledge to the consumers in the villages and hidden nooks of this country.
- The researchers/academics should engage the legislators and policy-makers on a one-to-one model. This is the only way to have the existing policies implemented. The most influential and vocal academics need to put their comparative advantage to use now more than any other time.

GROUP 4

The mandate of this group was to brain-storm on the institutions of religion, culture and the domestic domain. The challenges posed by these institutions on the defenders of minority rights emerged to be the following:

- There is an apparent lack of understanding among the traditionalists of LGBTI concepts like trans-gender. As a result of this there is often an open hostility towards anybody who is engaged in defending this minority.
- Religion also has fallen into the trap of confusing concepts in the LGBTI domain. The religions practitioners have always mistakenly associated the concept of transgender (identity) with homosexuality/lesbianism. The hostility of religion towards LGBTI is a direct consequence of this confusion.
- Traditional African culture is communal by nature. When the defenders come up with programmes that defend small sections of the whole (i.e. the minorities), they seem to be contradicting values that are highly cherished by many communities in Uganda. The Western concept of individual rights does not rhyme with the traditional African concept of communalism and communal rights.
- Traditional African culture was such that homosexuals were automatically ostracized from the community. Therefore, when the defenders come up with programmes to defend and protect these people, it becomes an atrocity in the minds of many people. The majority, if not all of them, were brought up believing that heterosexuality is the only acceptable orientation in society. The defenders of such a minority are lumped together with their clients for ostracisation from mainstream society.
- In the same vein defenders of minority rights are constantly questioned by their families for defending “weird people” like homosexuals/lesbians. A few of the defenders have even been disowned by their families, friends, churches, employers etc. These are moral questions that run deep in many societies in Uganda.
- There have arisen practices in modern organized crime like child trafficking. This is lucrative business in international crime. The work of the defenders to fight this practice is viewed as interference by those who benefit from it. The lives of the defenders have actually been endangered in their attempt to fight such genres of international crime. The same threat exists in the trafficking of women for prostitution and it is equally dangerous to interfere with.
- The Western donors present quite a different problem to the defenders. Industrialized Western Societies have long embraced the minorities simply because these societies are capitalistic and individualistic by nature. They cherish individual rights. They are, therefore, in a hurry to transfer this thinking and values to the Ugandan situation. They are irked by the apparent opposition to what they consider natural in their context. They pressure the defenders to push this agenda and the latter feel torn between the forces of tradition and the pressure from donors.

Group 4 apparently did not discover instances of protection and promotion of minority rights within these institutions but they proposed the following recommendations in counteracting the challenges:

- There exists an urgent need for dialogue/engagement between the human rights defenders and the traditional/cultural leaders. The barriers between the two can be broken if the defenders come up with appropriate ways of packaging the message. The present approach by the homosexuals/lesbians is too confrontational and needs to be revisited.
- There is an urgent need to carry out thorough research in the traditional practices among the communities of Ugandan. This research should concentrate on minorities and their rights. It is possible that these groups may have been accommodated in the lost legends of our communities. This could also reveal the approaches that were used to accommodate such people in those by-gone days.
- Since culture is deeply entrenched in the psyche of the community, there is a need for homosexuals/lesbians to adopt a gradual approach in gaining social and legal recognition. There is need for education and sensitization of the masses and this will take time and patience.
- The discourse on minority rights needs to be contextualized. The Ugandan society suffers the disadvantages of poverty, illiteracy and perennial wars. The defender of minority rights needs to take these issues into account before he can engineer the appropriate approach that will ensure recognition/protection of minority rights by mainstream society.
- There is an urgent need for net-working between the defenders for purposes of support and solidarity. This is the only way to cushion themselves against the bashing that often arises in the course of their work and confrontation with the powerful institutions of traditions and culture.

GENERAL DISCUSSION/CRITIQUING

The Conference came up with a critique/evaluation of the day's proceedings. The following is a summary of the broad issues that had emerged in:

- There are cross-cutting issues of inadequate funding in the work of defenders that tend to limit and curtail their accomplishments.
- The Albino community needs urgent help judging from the little attention that has been paid to them. They particularly need aid of a legal nature.
- The civil society should inquire into the role of the media in the protection/promotion of minority rights. They could be enlisted as allies with the major role of creating awareness.
- The minority rights defenders may have reached the dangerous point of burn-out. Nobody seems to appreciate their work; they are isolated and deserted by the mainstream society. They have suffered attacks of a personal nature. The Movement suffers from lack

of volunteers/recruits and there are no masses behind it. This brings into question its sustainability in Uganda.

- The proposed integration of East Africa in the EAC could spell doom to the Movement. It has been the practice among the defenders to take refuge in the neighbouring country when the State becomes hostile. This may not be possible after the integration. It will be interesting to see whether the CSOs in the State of refuge will come to the defense of one of their own.
- The Movement in Uganda needs self-evaluation. The question that begs for an urgent answer is: Where is the Movement now in terms of awareness, social appreciation, action and advancing the frontier?