



**OFFICE OF THE  
LEADER OF THE OPPOSITION**

**THE ALTERNATIVE POLICY STATEMENT FOR THE SECTOR OF INTERNAL AFFAIRS**

**PRESENTED UNDER RULE 147 OF THE RULES OF PROCEDURE**

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**FOR**

**INTERNAL AFFAIRS**

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## **Table of Contents**

Abbreviations and Acronyms .....	2
Executive Summary .....	4
<b>Chapter 1: Background to Alternative Policy Statement</b>	
1. Legal Provisions for presenting Alternative Policy Statement .....	7
2. Sector Overview .....	7
3. Statement Outline .....	8
<b>Chapter 2: Situational Analysis of Ministerial Policy Statement</b>	
1. Budget analysis .....	8
<b>Chapter 3: Emerging issues and proposed Alternatives .....</b>	<b>12</b>
<b>Chapter 4: Conclusion .....</b>	<b>21</b>

## **List of Acronyms**

ADF	Allied Democratic Forces
AMISOM	African Mission in Somalia
APS	Alternative Policy Statement
CFR	Charter for Fiscal Responsibility
DPP	Director of Public Prosecutions
MPS	Ministerial Policy Statement
NBFP	National Budget Framework Paper
NEC	National Enterprise Corporation
NGO	Non-Governmental Organisation
PTIPA	Prevention of Trafficking in Persons Act
TIP	Trafficking in Persons
UPDF	Uganda People's Defence Forces
UPF	Uganda Police Force
UPS	Uganda Prisons Service

## **Executive Summary**

This Alternative Policy Statement is presented in accordance with Section 6E (2) and (4) of the Administration of Parliament (Amendment) Act, 2006 and Rule 147 of the Rules of Procedure of Parliament as the Opposition's alternative policy directions for the sector of Internal Affairs.

### **Compliance with the PFMA**

The Minister of Finance didn't present a Certificate of Gender and Equity Compliance as mandated by the provisions of S. 13(15) (g) of Public Finance Management Act.

Additionally, the revised Charter for Fiscal Responsibility (CFR) as well as the revised National Budget Framework Paper (NBFP) were not published by the Minister of Finance. Therefore, the compliance of the Sector Ministerial Policy Statement was not checked against the CFR and the NBFP.

### **Budget analysis**

The Sector has been allocated a total of Ug. X1,335.132billion excluding arrears. This is about 11.04% cut from the budget of the current FY – Ug. X1,500.88Billion. The budget allocation for the sector has been cut by Ug. X 165.748 in retooling and ban on travel abroad. The cuts will mainly impact on combating trafficking in persons efforts as well as peace building efforts especially at the time when Uganda is at war.

### **Non-alignment with NDP III**

The Sector is non-aligned with the NDP III Program Implementation Action Plan (PIAP) Program Financing Framework. Most of the budget lines are over-funded which connotes to resource misapplication and loss and ultimately, failure to realise the objectives of the National Development Plan III.

The Statement identifies gaps overlooked by the Internal Affairs MPS. The policy gaps identified include-

#### **1) Targeted human rights abuse and soaring crime rate**

Human Rights increasingly continue to be violated systemically within the operations of UPF. Suspects spend longer than 48 hours in detention, police first arrest and then conduct investigations, suspects are tortured and even die in police detention. There's generally no Human Rights-consciousness in policing. Crime rate is actually high especially in rural areas. Whereas CCTV cameras and the lockdown reduced crime rate in urban areas, most of the

crimes are committed in rural areas where there are no CCTV cameras and police deployment is thin;

2) Uncoordinated crime investigation and intelligence;

The DPP mainly relies on investigation files of Police even with the Police's own structural challenges like shortage of forensic and ballistic experts. By the time a case file gets to the DP for sanctioning, arrests have already been made. In the circumstances, Police and the DPP are in back-and-forth on proper investigations. Ultimately, suspected offenders' rights are greatly offended, prisons get congested by mainly suspects on remand and proper justice is not dispensed with by courts;

3) Restricted civic spaces

CSOs especially NGOs in Human Rights and governance advocacy continually operate in restricted civic spaces, that's if they are not deregistered soon enough. The NGO Act repressively requires multiple registration of NGOs in order to have a footprint in different geographical areas. The Board of Directors of the NGO Bureau is properly constituted to carry on its mandate. The two nominated representatives from NGOs have never been approved, let alone a response from cabinet. The Bureau does not make accessible public information that they come up with. NGOs rather conveniently account to their donors and not the communities in which they operate causing duplicity of work and unbalanced development and growth. the regulatory framework is not effective enough.

4) Poor rehabilitative policy for convicts;

The Uganda Prisons Service is mainly punitive and hardly looks to holistic programs that are intended to rehabilitate and integrate convicts back to society without recidivating. The supervision of Community Service Program was hijacked by Ministry of Internal Affairs even when they cannot conveniently supervise enforcement of court sanction, a reserve of the UPS';

5) Trafficking in persons

Ugandans continue to fall victim to trafficking in persons, especially those who export labour. The Ministry of Internal Affairs chairs both the Security Council as well as Inter-ministerial task force on Prevention of Trafficking in persons. However, the scourge only increases. The Prevention of Trafficking in Persons Act is not yet fully enforced by the Ministry of Internal Affairs. Uganda's borders are very porous enabling traffickers to smuggle unsuspecting persons out of the country.

6) Uncoordinated peace policy

The Amnesty Commission is not fully constituted; hence it works at under full capacity. The Commission operates under uncertainties, which explains the Commission's limited presence in its areas of operation. The operation of the Amnesty Act is extended for a short period of time. It has been allocated very limited resources. With Uganda currently at war in the DRC, a peace building initiative under Amnesty ought to be fast-tracked.

As the Opposition, we have proposed alternative policy interventions targeted at comprehensive arrest and correction of the gaps identified. They include-

- 1) Conduct a Human Rights audit and deploy Human Rights-conscious personnel in rural areas where most of the crime takes place. Urge Judiciary to establish a Human rights Division of High Court;
- 2) The DPP ought to deploy staff at every Police Station to oversee crime investigation and bridge the gap between police and the DPP in crime investigation and prosecution;
- 3) Amend the NGO Act to dispense with restrictive provisions especially under S.44. Urge Parliament to henceforth constitute the Board of Directors. Direct the Bureau to regularly publish public information that comes to its ambit. Parliament ought to direct the Minister of Internal Affairs to explain why the Board is fully constituted and take practical steps to ensuring that it is fully constituted within two months;
- 4) Transfer Community Service Program to UPS. Draw a policy guideline to, among others, provide for restorative justice, social integration, addresses risk factors, probation and proper parole systems as well as structures to follow-up on released convicts to ensure proper reintegration to society;
- 5) Fully operationalise and enforce the Prevention of Trafficking in Persons Act. There is need to properly coordinate the Joint-Taskforce on Trafficking in Persons in order to wipeout TIP;
- 6) Fully constitute the Amnesty Commission. Amend the Law to give extended Amnesty Act operation time to enhance proper planning. The Commission ought to be allocated more funding for mobilizing reporters and resettling those already demobilized.

## **Chapter 1: Background to Alternative Policy Statement**

### **1. Legal Provisions for presenting Alternative Policy Statement**

This Alternative Policy Statement is presented in accordance with Section 6E (2) and (4) of the Administration of Parliament (Amendment) Act, 2006 and Rule 147 of the Rules of Procedure of Parliament as the Opposition's alternative policy directions for the sub-sectors of Defence and Internal Affairs.

This Alternative Ministerial Policy Statement was arrived at as a result of a review of the Internal Affairs Ministerial Policy statement for the FY 2022/2023.

This Statement pursues credible, cost-effective alternative policy proposals to fill the gaps left and/or ignored by the current government. Ultimately, lasting and credible security of all Ugandans and their property will propel the economy to a boom should our propositions be taken-on.

### **2. Sector Overview**

The Sector of Internal Affairs is primarily mandated to ensure safety and internal and internal security of Uganda, the observance of law and order, citizenship identification, protection and preservation, as well as institutional development and governance. It falls under Governance and Security program that seeks to enhance holistic security in the country in order to foster economic development.

On the contrary, there's gross insecurity in the country, untold abuse of fundamental human rights and freedoms through enforced disappearances, detention beyond the constitutional timeframe, torture during detention among others. The sector is faced with high crime rates, uncoordinated crime intelligence and investigation which consequently lead to prison congestion. Prisons Service in the country is primarily penal which precipitates high recidivism rates which is exacerbated by poorly supervised community service project.

The sector has conveniently enforced laws that seek to restrict the work of civil society organisations thereby constricting civic space in the country. By its prioritization, the sector undermines peace and transitional justice.

The sector has not yet compiled a Development Plan align its planning, objectives and direction with the National Development Plan III. This will continue to risk the realisation of NDP III, full attainment of Uganda Vision 2040, and Africa Agenda 2063 since programmes being implemented could have little or no impact on the holistic growth of the country.

### 3. Statement Outline

The Foreign Affairs Alternative Policy Statement is outlined as-

**Chapter 1:** Background to Alternative Policy Statement - Legal Provisions for presenting Alternative Policy Statement; Sector Overview; Statement Outline.

**Chapter 2:** Situational Analysis of Ministerial Policy Statement - Budget analysis.

**Chapter 3:** Emerging issues and proposed Alternatives.

**Chapter 4:** Conclusion.

### Chapter 2: Situational Analysis of Ministerial Policy Statement

#### 1. Budget analysis

Overview of the Sector allocations as proposed for the FY 2022/2023

Vote	Wage	Non-Wage Rec.	GoU Dev't	Arrears	Ext. Fin.	Total excluding Arrears	2021/2022 FY
009 Ministry of Internal Affairs	2.448	40.672	3.647	-	-	46.768	54.48
120 National Citizenship and Immigration Control	5.244	80.880	5.536	0.015	-	91.661	100.44
144 Uganda Police Force	370.633	264.591	206.273	5.113	-	841.496	879.91
145 Uganda Prisons	81.109	156.149	37.069	5.084	-	274.327	277.5

135: Directorate of Government Analytical Laboratory	2.66 4	9.630	7.700	-	-	19.9 94	26.0 4
137: National Identification and Registration Authority (NIRA)	20.3 35	36.131	4.420	0.0	-	60.8 86	66.0 4
<b>Grand Total</b>						<b>1,33 5.13 2</b>	<b>140 4.4* 1</b>

Source: OLOP compilation from the MPS

\*Figure excludes supplementary expenditure

From the table above, the Sector of Internal Affairs has been allocated a total of Ug. X1,335.132billion excluding arrears. This is about 11.04% cut from the budget of the current FY – Ug. X1,500.88Billion.

The budget allocation for the sector has been cut by Ug. X 165.748 in retooling and ban on travel abroad.

NIRA's cut is also attributed to the ban on travel abroad plus workshops and seminars. This will affect registration of Ugandan diaspora thereby demobilizing Ugandans abroad.

The continued ban on foreign travel will also greatly impact the combating of trafficking in persons program. This is because most of the victims TIP are abroad and usually require immediate travel. Ultimately, the plight to combat TIP is not appropriately prioritised.

Given the staffing gaps the Sector faces, only one position is scheduled to be filled this financial year – Principal Assistant Secretary. The Vote is under-staffed by 105 positions in different capacities. This will certainly continue affect productivity at the Ministry.

### **Non-alignment with the NDPIII**

The National Development Plan III under the Performance Implementation Action Plan (PIAP) Program Financing Framework provides for annualized cost by sub-program which allocations under every Ministerial Policy Statement must be aligned to. For instance, for the FY 2022/2023, the total Vote allocations for Ministry of Internal Affairs should be Ug X 37.78billion for the FY 2022/2023 according to the NDPIII Program Implementation Action Plan. The current MPS proposed allocations for Vote 009 are Ug x 54.48Billion representing overshooting by Ug X

8.988Billion. This connotes to excessive and wasteful expenditure according to the framework of NDPIII.

Table showing Program Funding Framework according to the NDPIII

Vote	Sub-Program	2020/21	2021/22	2022/23
MIA	Peace Building	4.115	2.884	2.884
MIA	Community Service Orders Management	4.572	2.146	2.146
MIA	NGO Regulation	3.064	2.609	2.609
MIA	Internal Security, Coordination & Advisory Services	13.609	12.329	12.329
MIA	Combat Trafficking in Persons	0.349	0.133	0.133
MIA	Police and Prisons Supervision	1.982	0.812	0.812
MIA	Policy, Planning and Support Services	25.138	16.867	16.867
	<b>Sub Total for Vote 009</b>	<b>52.829</b>	<b>37.78</b>	<b>37.78</b>
UPS	Management and Administration	73.783	54.234	54.234
UPS	Prisoners Management	49.251	49.272	49.272
UPS	Rehabilitation and Reintegration	2.86	42.905	42.905
UPS	Safety and Security	6. 178	118.234	118.234
UPS	Human Rights and Care	124.152	0	0
UPS	Prisons Production	33.662	0	0
	<b>Sub Total Vote 145</b>	<b>289.886</b>	<b>264.645</b>	<b>264.645</b>
DGAL	Forensic and General Scientific Services	26.083	26.083	26.083
	<b>Sub Total for Vote 305</b>	<b>26.083</b>	<b>26.083</b>	<b>26.083</b>
NIRA	Identification Services	21.24	29.16	29.16
NIRA	Civil Registration Services	17.58	0.88	0.88
NIRA	Policy, Planning and Support Services (Institutional Coordination)	31.22	30.61	30.61
	<b>Sub Total for Vote 309</b>	<b>70.4</b>	<b>61.34</b>	<b>61.34</b>
DCIC	Citizenship and Immigration Services	90.551	87.076	87.076
DCIC	General Administration, Planning, Policy and Support Services	13.311	13.311	13.311
	<b>Sub Total for Vote 120</b>	<b>103.862</b>	<b>100.387</b>	<b>100.387</b>

**Source: NDPIII NDPIII Governance and Security Programme Implementation Plan (PIAP)**

The table generally shows the Program Funding for the Sector of Internal Affairs. It illustrates the Program Funding Framework for the Sector as annualized. The allocations of the MPS 2022/23 are in dire mismatch with the NDP III framework. Ultimately, this connotes to over-spending or under funding as case may be which will lead to failure to realise the objectives of the National Development Plan.

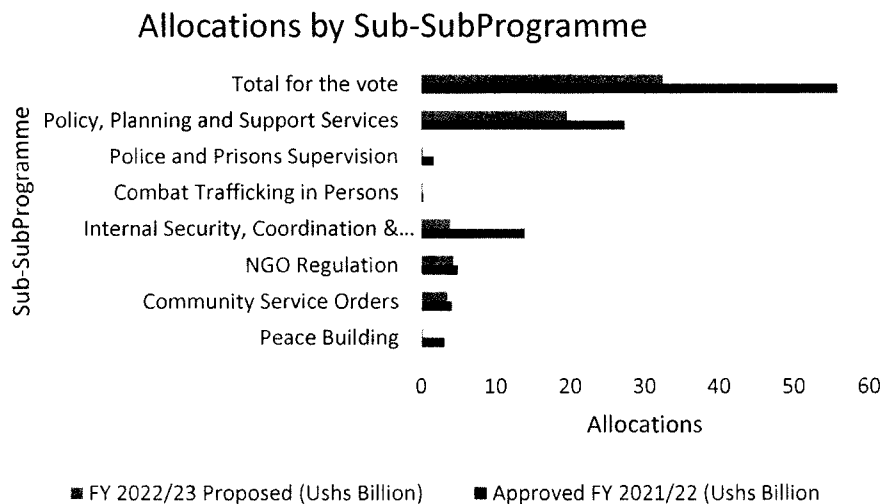
**Table showing Budget Allocation by Department for Recurrent and Development for Vote 009**

Sub-Sub Program	Approved for FY 2021/22 (Ug X Billion)	FY 2022/23 Proposed (Ug X Billion)	NDP III PFF	PIAP
Peace Building	3.19	0.285		2.884
Community Service Orders	4.15	3.592		2.146
NGO Regulation	5	4.4		2.609
Internal Security, Coordination & Advisory Services	13.91	3.999		12.329
Combat Trafficking in Persons	0.36	0.317		0.133
Police and Prisons Supervision	1.81	0.327		0.812
Policy, Planning and Support Services	27.42	19.64		16.867
<b>Total for the vote</b>	<b>55.84</b>	<b>32.56</b>		<b>37.78</b>

Source: OLOP compilation from MOFPED and Ministerial Policy Statement for FY 2022/2023 data

Generally, there's a budget dip for the vote from Ug X 55.84 billion approved budget in the FY 2021/22 to Ug X 32.56 billion proposed estimates for the FY 2022/23 creating a deficit of Ug X 23.28 billion. It is also observed that the Lion's share budget allocation of Ug X 19.64 billion goes to policy, planning and support services with Peace Building yielding the least allocation of Ug X 0.285 billion.

**Graph showing Budget Allocation by Department for Recurrent and Development for Vote 009**



From the current FY approved estimates, peace building, internal Security Coordination and Advisory Services, Police and Prisons Supervision and Policy Planning and Support Services have had the biggest budget cuts. Consequently, peace building initiatives at the time Uganda is currently at war would be ideal but the proposed allocations are further cutting the Peace building budget.

Internal Security Coordination is yet another underfunded budget line according to the NDPIII PIAP. It should be at Ug X 12.329Billion but the 2022/2023 proposed estimates allocate only Ug X3.999Billion. this will continue to hinder the coordination of internal insecurity, moreover when we have faced ADF terror attacks in the country. The security situation in Karamoja is very deplorable because of uncoordinated security among others reasons. Decisive handling of internal insecurity in the country requires increased funding of this budget line.

Ug x 2Billion should be cut from the Policy Planning and Support Services which is already over-funded and given to Peace Building.

### **Non-compliance with the Public Finance Management Act, 2015**

The Minister of Finance, Planning and Economic Development did not lay a revised Charter for Fiscal responsibility which should have been a bedrock to the National Budget Framework Paper.

Additionally, pursuant to S. 13(15) (g) of the PFMA, the Minister of Finance is in breach for not presenting a Certificate of Gender and Equity Responsiveness.

Ultimately, the Minister should be tasked to give written explanation as to why the said provisions of the PFMA were not complied with.

### **Chapter 3: Emerging issues and proposed Alternatives**

The following are some of the emerging issues from the sub-sector of Internal Affairs together with alternative policy proposals.

#### **1. Targeted Human Rights violations and soaring crime rate**

The Uganda Police together with other security organs have been accused of gross human rights violations against Ugandans. Suspected persons spend longer than 48 hours in police cells<sup>1</sup>, they are often severely tortured before being charged in courts of law<sup>2</sup>.

Whereas in the last couple of years despite the Uganda Police's meagre force, crime rate has seemingly gone down<sup>3</sup>, there are logical explanations for the same, to wit;

- i. Since March 2019, the country has been under night curfew with five (5) month lockdown in 2020 and 2021 thereby slightly bringing down the rate of crime;
- ii. Installation of Closed-Circuit Television Cameras on streets in Kampala metropolitan area and a select other urban areas.

The above measures reduced crime in the country however, the biggest number of crimes (52%) take place in rural areas<sup>4</sup>. Therefore, the country is still faced with glaring high crime rates.

In November 2019, President Museveni proposed to deploy a police force of 20 personnel per sub-county across Uganda and the Force plan to roll out the project dubbed Sub- County Police Model.

This proposal is not tenable if there are no properly trained personnel that are conscious of and respect Human Rights. Uganda currently has 2,184 sub-counties/Towns/Divisions. Given the need to have more personnel in

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<sup>1</sup> Uganda Human Rights Commission, March 2021. The Uganda 2020 Human rights Report, March 2021.

<sup>2</sup> Ibid.

<sup>3</sup> Uganda Police, 2021. Uganda Police Force Statistical Abstract, 2021.

<sup>4</sup> Uganda Police Force, 2020. Police Annual Crime Report, 2020.

urban areas because they are more densely populated, the current police force is inadequate in numbers.

Additionally, in order to address domestic and external security threats as well as improve dispensation of justice, the government has prioritised to make the following interventions-

Improvement of security infrastructure, enhancing collaboration among security agencies as well as improving collaboration with peers on sharing of intelligence information and mitigation of threats, among others.

Since 2010, the population of Uganda, growing at the rate of 3.1 per annum, was at 31.8million people according to the State of Uganda Population Report, 2010. Currently, Uganda's population is 45.7million people according to the World Bank.

According to the 2010 Uganda Police Force Statistical Abstract, Uganda had a Police personnel strength of 42,634. This means that one (1) Police personnel superintended over 745 Ugandans in 2010.

The total number of Police force of Uganda currently is 52,775 personnel. This makes Police to population ratio of 1:812.

The fast-growing population is not met with equivalent growth and expansion of the Police Force. The sub-sector of Internal Affairs has is grossly faced with challenges of man-power and logistical constraints, capacity gaps in terms professionalism among others and recommended recruitment of more Police personnel and experts to enable the Force optimally perform its duties<sup>5</sup>.

Whereas the international best practice is a Police to population ratio of 1:500, Uganda's ratio has remained high above the international best practice ultimately straining the Force in its pursuit of keeping law and order in society.

With increasing population, crime rate correspondingly increases naturally, as long as there is no increase in Police force personnel too, among other interventions. Since 2010 for example, the country has witnessed more acts

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<sup>5</sup> Committee Report, Op. cit.

of terrorism, organised crime syndicates, assassinations of public figures, criminal gangs<sup>6</sup>, majorly because of staffing gaps within the Force.

### **Alternative**

**Conduct a special Human Rights audit with in the UPF and increase deployment of Human-Rights-conscious police personnel in rural areas especially with high crime rates. Currently, 52% of crimes taking place in rural areas where there are no CCTV cameras and bigger police deployment than in urban areas. A prudent government would ensure that there is more deployment of Police officers who are Human rights conscious in all rural areas where most of the crimes take place. Therefore, a special course module on Human Rights and Policing ought to be developed and all Police Officers and Constables and trainees taken through it comprehensively.**

**This would ensure quality policing while also holding errant officers individually accountable. A human-rights-conscious Police Force certainly ensures suspects are accordingly apprehended after or during proper investigations. Consequently, victims attain proper and adequate justice.**

**Establishment of a High Court Division of Human rights. This would offer specialised service of entertaining only Human Rights suits and handle them expeditiously in line with the Human Rights (Enforcement) Act, 2019.**

## **2. Uncoordinated crime investigation and intelligence**

The Uganda Police Force is charged with keeping law and order in society. In so doing, its mandate to apprehend suspected criminals through systematic approaches and processes. In Uganda, criminal investigations for capital offences take averagely two years because of many factors to include inadequate funding and professional human personnel (experts) constraints. The Uganda Police notes that an investigation into a capital offence in Uganda takes Ug. X 2.1Million, further noting that they lack experts to examine handwriting, ballistic experts, and forensic analysts among others<sup>7</sup>.

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<sup>6</sup> Uganda Police Force, 2021. Police Annual Crime Report, 2020

<sup>7</sup> 2020 Annual Crime Report, Op. cit.

Thus, Police arrest suspected criminals and detain them in cells as they carry-out investigations contrary to Article 120 of the Constitution. More than any other, this is the reason the 48-hour principle, enshrined under Article 23(4) (b) of the Constitution, in criminal prosecutions is breached.

The DPP sanctions cases for prosecution before properly carrying out investigations, which investigations are done by Police. Consequently, this leads to backlog in courts of law<sup>8</sup>.

Backlog ultimately leads to congestion of prisons facilities which has a financial bearing on the country. According to Combating Prolonged Pre-trial detention by Uganda Law Society and Avocats Sans Frontiers, as at the end of FY 2020/2021, 55.8% of total inmates were suspects on remand. This is more than convicts and civil debtors altogether.

The proposed allocation to the CID does not reflect budget enhancement. This means that the Sector has not prioritised the issue, once again.

Ultimately, criminal investigations under the Police ought to be rethought principally if the case backlog in courts of law is to be decisively handled and decongestion of prisons facilities is to be achieved.

### **Alternative**

**The DPP ought to appoint criminal investigators who are deployed at every Police Station to work directly with Police in all investigations over and above the prosecutors in their respective areas of jurisdiction.**

**The DPP has systemic challenges in aptly directing investigations and therefore a resident investigator to closely work with Police and the Prosecutors would efficiently raise the quality and infrastructure of investigations. This ultimately ensures that files that go to the DPP for sanctioning are thoroughly investigated and then arrests can take place. Short of that, so many innocent Ugandans will continue to languish in prisons only to be acquitted or dismissed much later by courts. Ultimately, the economy loses their productivity. For instance, by the end of the year 2020, Police had 56,651 cases of which only 19,770 cases were concluded in courts of law. Of the concluded, 20.8% were acquittals or dismissed cases<sup>9</sup>. A total of 4,113 cases were found undeserving to be prosecuted. Given the**

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<sup>8</sup> National Planning Authority, 2020. The Third National Development Plan (NDP III) 2020/201 – 2024/2025, June 2020.

<sup>9</sup> Uganda Police Force, 2021. Annual Crime Report, 2020.

average time a case takes to be heard in Ugandan courts, these Ugandans lost about two years on average while on remand owing to poor or incomprehensive investigations by Police.

### **3. Restricted civic spaces.**

The Sector is mandated to register, monitor and regulate operations of NGOs in the country through the NGO Bureau. However, the NGO Act, 2016 is repressive of NGO operations. For instance, the Act, under S. 44 requires multiple registration for operation in different geographical areas which restricts the footprint of NGOs across the country.

The NGO Bureau does not transparently regulate NGOs. It targets NGOs that mainly advocate for the promotion, protection and enforcement of human rights as well as good governance. Consequently, many of such NGOs are viewed as anti-government, thus the blacklist.

The Bureau Board of Directors is itself not fully constituted to enable it perform optimally. For a couple of years, representatives from the NGOs have not been approved to sit on the Board when names were submitted. This raises concerns on government's transparency, accountability and willingness to work together with NGOs for development of the country.

The NGO Bureau does not publish information about its operations too. For instance, if one wanted to know the total number Ugandans employed by NGOs in Uganda, or the direct contribution of the NGOs in the communities they operate, such information is not published.

NGOs also are accountable to their funders and not the citizenry that they serve. It is important that NGOs are accountable to the communities in which they operate so that people are afforded better and proper services.

#### **Alternative**

**The NGO Act ought to be amended to dispense with multiple registration requirements for different geographical areas. Central registration under the NGO Bureau should suffice. Mandatory requirement to register even up to the Sub- County level of operation is not only tedious but also restricts NGOs to operate in specific areas thus enabling unbalanced development.**

NGOs ought to be required to regularly publish key outcomes and impact in areas of operation. This would create a sense of transparency and accountability to the communities in which they operate.

Parliament ought to direct the Minister of Internal Affairs to explain why the Board of Directors is properly constituted and further Direct the Minister to take practical steps to ensure that the Board is properly constituted within two months.

The NGO Bureau should a comprehensive register of NGOs with proper details from which regular accreditation may be based. This would help to track the impact of NGOs in different communities so as to avoid and wipe out duplication of work as well as ensuring holistic and balanced development of the entire country.

#### **4. Poor rehabilitative policy for convicts**

The Uganda Prisons Service (UPS) is a mainly a penal agency that offers custodial facilities and services instead of correctional and rehabilitative services. No wonder recidivism rate is at 14.0% according to the MPS 2022/2023.

The UPS ought to be facilitated to provide correctional services that seek to rehabilitate, reform and reintegrate offenders back to society. This ultimately brings down the rate at which former convicts reoffend the law within a given timeframe.

In the same vein, the Community Service Program under the supervision of the Ministry of Internal Affairs serves to hand down non-custodial community service sanctions for offenders to ultimately decongest prisons. It is rather odd that the enforcement of court sanctions is under Vote 009 - Ministry of Internal Affairs which hijacked it from the UPS.

Ideally, Community Service Programme ought to be under the supervision of UPS for better coordination. Ultimately, the impact of non-custodial sentences together with correctional and rehabilitative services from the UPS will bring down the 308% prison congestion rate as well as the 26% recidivism rate while ensuring justice. When convicts are released as reformed citizens and properly reintegrated, they become more productive and collectively the country develops. Therefore, UPS should cease being punitive and become rehabilitative.

#### **Alternative**

The Community Service program under the direct supervision of Uganda Prisons Service would better be regulated. This is because the essence of community service is so that offenders of minor crimes do not get custodial sentences and consequently fill prisons that are already over-crowded beyond capacity<sup>10</sup>.

With the coordination of Community Service program under the Uganda Prisons Service, the latter would better enforce and supervise the program as a correctional service that they (UPS) are meant to offer.

UPS and JLOS generally ought to realign their policies to ensure restorative justice in deserving cases, proper social integration, robust prison study- either in conventional schools or technical institutions so that prisoners get gainful employment when released or earn better when still in prison.

Finally, it would be most important if the Sector developed a policy mechanism of following up on released convicts to ensure that they are properly reintegrated into society. This role can well be played under the current public service structures, for instance through Probation and/or Social Welfare Officers who deployed further down at the Sub-County level.

## **5. Trafficking in persons scourge**

Trafficking in persons has become a big and commonplace offence. The UN warns that the barbaric offence is geared by mainly the booming trade in pricy human organ like the heart, liver, and kidneys among others. Trafficking in persons also takes another form of enforced prostitution especially in the Middle East. Many young Ugandans are smuggled out of the country to go and work as prostitutes, sex slaves or any other dehumanizing acts out of Uganda.

Whereas labour export is a worthwhile policy given that our local economy cannot absorb the workforce every year. Further noting that labour export remittances in 2018/19 FY before COVID-19 pandemic earned Uganda US \$1.2Billion, it is proper and just that the government critically regulates the trade.

The Ministry of Internal Affairs coordinates the Uganda Security Council, chairs the Inter-Ministerial Taskforce on Human Trafficking. The Ministry supervises the Department of Prevention of Trafficking in Persons. However,

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<sup>10</sup> Uganda Prisons Service, 2022. Presentation of the UPS to the Parliamentary Committee on Defence and Internal Affairs, January 2022.

to-date, the Prevention and Prohibition of Trafficking in Persons Act, 2009 has never been operationalised. The Department is not properly equipped both in terms of human personnel and funding to handle trafficking in persons Act.

The issue of porous borders through which young Ugandans are smuggled has become a persistent one. And lastly, there is no feasible coordination between relevant Ministries – Foreign Affairs, Gender, Labour and Social Development, and Internal Affairs.

### **Alternative**

**The Ministry of Internal Affairs ought to beef up the coordination of the Anti-trafficking Taskforce as well as operationalisation and enforcement of the Prevention of Trafficking in Persons Act. Proper coordination of coordination of all the stakeholder MDAs would be a priority. The proposed budget allocations don't point to proper coordination of the TIP scourge and enforcing the PTIPA.**

**The Uganda Police Force extended support to less than half of the registered 665 human trafficking victims in the year 2021<sup>11</sup>. If the Prevention in Trafficking in Persons Act is not well coordinated, Ugandan will continue to fall victims to the gruesome albeit booming trade especially in human organs.**

## **6. Uncoordinated peace policy and Amnesty Commission**

The country is currently fighting ADF insurgents in the western part of the DRC. The need for true and meaningful peace building has not been more needed in the recent past.

Whereas Uganda has demonstrated some level of peace building in the region generally, a lot has been left to be desired in its backyard.

The Amnesty Commission that is mandated with promoting peace, transitional justice and end of armed struggle is not properly constituted. The Current Chairperson has been in acting capacity for a number of years, two other positions are vacant on the Commission.

The Commission works under uncertain circumstances. Amnesty period has to be extended every year as provided for under the Amnesty Commission

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<sup>11</sup> Office of the Auditor General, 2021. Report of the Auditor General to Parliament for the Financial Year ended 30<sup>th</sup> June, 2021, December 2021.

Act. This insecurity of tenure breeds uncertainty and unpredictability which eventually leads to poor performance.

Additionally, the Commission is under-funded. In the proposed allocations under the MPS 2022/2023, sub subprogram: 007 Peace Building has only been allocated only Ug. X 0.285Billion only which is planned for only conflict Early Warning and Early Response. The low budgeting negatively affects the achievement of peace building.

The Commission has limited presence in areas of operation, yet where they operate, there are commendable achievements. For instance, under the current FY, the commission has been able to demobilize 150 reporters from DRC among others and rehabilitated and followed up on 355 reporters in their communities of return.

Therefore, it is our considered view that supporting the Amnesty Commission with appropriate policy and legal framework, funding it adequately would help a great deal to demobilize insurgents, rehabilitate them in their communities while also creating lasting peace.

#### **Alternative**

**Fully constitute the Amnesty Commission so that it optimally executes its duties and responsibilities.**

**The Amnesty Commission Act and Regulations under it should be amended to allow a longer extension of the Act so that there is apt security of tenure of the Commission. This enhances proper planning and execution of mandate given that the country is currently at war in the DRC. It is prudent to promote peaceful end of the conflict through demobilization of ADF insurgents.**

#### **Chapter 4: Conclusion**

For Uganda to take off to middle-income status, economic development has got to be holistically boosted. However, economic development will not boost when there is high internal insecurity, increased patterns of organised crime, blatant abuse of Human Rights by security organs as well as poor welfare of police and prisons staff which breeds corruption.

Ultimately, in order to realise the objectives of the Governance and Security Program, it is pertinent that key policy interventions are aligned to each other for cohesive implementation and enforcement.

For God and My Country.