



Your Constitutional Watchdog

2018 ANNUAL REPORT



From Right: Thomas Tiedemann, Acting Head – EU Delegation in Uganda, Hon. Julius Maganda Wandera, Minister of State for East African Affairs, Republic of Uganda, and Sarah Bireete, Co-host/Deputy Executive Director, Centre for Constitutional (CCG), during the opening session of the EAC Conference on 6th Sept 2018, at Metropole Hotel Kampala.

ABOUT CCG

OUR VISION

Building a center that empowers citizens to utilize their constitutional rights and obligations so as to participate in their governance, promote constitutional governance and defend the constitution.

OUR MISSION

To promote constitutional governance and defend the constitution through carrying out constitutional literacy campaigns and advocacy across East Africa.

MANDATE

Making the Constitution a People's Document.

Customer value proposition:

CCG is committed to promoting constitutional governance through constitutional literacy & advocacy, mentorship, training, public interest litigation, social justice campaigns, research and continuous civic education.

Objectives:

1. Promoting research-based constitutionalism and constitutional governance
2. Promoting democratic culture through creating platforms for discourse, debate and activism
3. Promoting integrity of the democratic processes by advocating for effective policy, legal and institutional mechanisms
4. Strengthening civil society and other social institutions through social justice campaigns
5. Carrying out public interest litigation and legal representation of activists
6. Setting up an Institute for International Studies in East Africa

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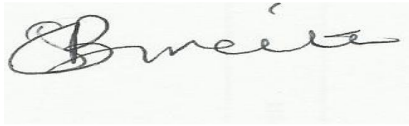
FOREWORD

Citizens and civil society cannot be true partners in development when they are denied the space to “dialogue and dissent” with their governments. A civil society with strong influencing capacity is crucial, but if its space to work, to engage, to participate and to influence is limited, so is its space for impact.

The civic space environment continues to shrink within the great lakes region and particularly in East Africa for the non- state actors notably civil society actors, media, artists, youth social movements, human rights defenders and academia. The major actions that lead to the shrinking space are associated with repressive or restrictive legislations aimed at controlling/limiting the operations of different actors specifically engaging in governance issues. CSOs in the region are facing increasing pressure through legislation, prosecution and persecution. Journalists and activist have been victims of violent attacks and harassment in exercising their rights for assembly, association and expression. In Uganda activists have been arrested for holding “unlawful” meetings, in Tanzania police citizens and journalists are being arrested for sedition and insulting the president and in Kenya, the NGO board is accused of curtailing civic space through targeted sanctioning of NGOs.

There has also been an increase in blatant and clandestine attacks on CSO activists, who are consistently accused of being foreign agents and branded as anti-economic development and a threat to national security including putting CSO offices under siege and freezing their accounts and individual staff accounts. These laws, practices and policies have made the work of CSOs riskier and more difficult than ever before.

The outcome of shrinking civic space in any given country is the increasing violations of fundamental human rights and freedoms coupled with collapsing service delivery, brutality by the Police, gruesome killing of women, collapsing rule of law, youth unemployment and the ever increasing corruption and high levels of poverty and inequality really matter. And this can only be mitigated through roundtable genuine dialogue between state and non-state actors. At the center, we believe in making a contribution towards this direction of dialogue and consensus building for the betterment of our country.



Sarah Bireete
Associate Director

HIGHLIGHTS OF THE YEAR

CCG held a number of Meetings at regional and international levels as well as those in the universities and with the general population on shrinking civic space, constitutional literacy and the broad civic education campaign on governance and development in Uganda including key sessions on gender, human rights and oil governance in Uganda.

The major highlight of the year was the EAC Regional conference (Uganda, Kenya and Tanzania) on shrinking civic space in East Africa helped to identify and learn from strategies for surviving and addressing declining civic space; promote learning on documentation, advocacy and strategic litigation in protecting civic space and explore opportunities for strengthening learning, exchange and collaboration for continued action for protecting civic space in the region.

OUR WORK

1. Shrinking Civic Space

In addition to collaborative efforts with other civil society actors, a regional conference was organized as a first response to an increasingly hostile civic space in the region. The meeting aimed to bring together key civil society actors, government actors and their partners to draw out lessons of response strategies across the region and examining their efficacy. The meeting contributed to shaping future civic engagements and safeguarding the space for CSO's in governance to operate. Key lessons on documenting the declining civic space, messaging,

advocacy and strategic litigation were drawn to inform a proposed agenda for action to strengthen the defence of civic space in the region.

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The conference had three specific objectives

- a. To identify and learn from strategies for surviving and addressing declining civic space
- b. To promote learning on documentation, advocacy and strategic litigation in protecting civic space.
- c. To explore opportunities for strengthening learning, exchange and collaboration for continued action for protecting civic space in the region.

Key recommendations from the meeting include:

Strengthen our institutional resilience by constituting ourselves into an alliance to work in solidarity to advance advocacy and engagement with our governments and the community, document the threats and trends in declining civic space and use all legal and other means available in national, regional and international frameworks to safeguard civic space.

Call for the urgent prosecution of all those involved in the use of violence and torture, and violations of human rights and civic space as guaranteed by our respective national constitutions, the East African Treaty, the African Charters on Human and People's Rights and on Democracy, Elections and Governance and the Universal Declaration of Human Rights and the ensuing protocols and conventions.

Call for the urgent ratification of the African Charter on Democracy, Elections and Governance by our states.

Call for the urgent consideration and adoption of the pending East Africa Protocol on Good Governance.

Work closely with the multiple available platforms for civil society, private sector, media, professionals, academia, and development partners to build a citizens movement to further the collective aspirations of the people of East Africa enshrined in the Treaty for the establishment of the East African Community.

1. Constitutional Literacy

CCG has established a working relationship with Parliament of the Republic of Uganda; Ministry of Justice and Constitutional Affairs and the United Nations Development Programme, Uganda (UNDP) on joint constitutional engagements after the National Conference on the Constitution, held on 6th Nov 2013 and subsequent constitutional reform programmes.

This relationship later resulted into a lot of work in terms of policy analysis, constitutional reforms and the National dialogue on Democracy Day.

Activities under this programme include:

- Constitutional literacy campaign;
- Policy analysis and engagements
- Simplifying and translating the constitution into eight major local languages and disseminating it;
- Mobilization and sensitization on constitutional rights and obligations;
- Advocating for harmonization of policies on governance within the region e.g. electoral laws, migration laws;
- Public dialogue for interface between government agencies and the citizens and training of trainers (TOT) for massive sensitization on constitutional rights and obligations. The expected outputs include: citizens are more knowledgeable about their constitutional rights and responsibilities;
- Cardinal constitutional principles are respected and restored; citizens have means and avenues for expressing their needs and concerns and for holding political leaders accountable;

- Increased understanding and participation of citizens in EAC Political integration process;
- Feedback and accountability processes between governments and the citizens are enhanced and development of a critical mass to effect the sensitization programme.

2. Hope Initiative Program

The project on **“creating spaces for students’ engagement in their governance in higher institutions of learning”** is continuous. The overall goal of the project is to increase levels of confidence of students in claiming their civic and human rights as well as participation in their governance as contained in the democratic principles of the Constitution of the Republic of Uganda, as amended. The project aims to strengthen the engagement and participation of university students in governance, accountability and development in Uganda through the Hope Initiative Clubs network in the 31 selected Universities.

It has spaces like public dialogues, debates and on-line platforms which were created and aimed at enhancing knowledge sharing and critical reflection where the youth actively analyzed, challenged, and refined different political ideologies. These platforms were further created to put the young people at the heart of transforming political discourse, organizing and engagement in Uganda. CCG implemented this project through the **“HOPE Initiative Clubs Network in the selected 31 Universities,”** an effort through which spaces to facilitate active citizenship and transformative leadership by young people was ushered, and the clubs were also linked with other youth networks countrywide as well as the general population. It is premised that the emergence of a strong and functioning students’ network in the universities will have higher influence to wider society awareness on the above mentioned issues.

Completed Activities:

Activities completed during the 2018 project period were: conducted 400 Hope Initiative Clubs monthly meetings, organized 3 inter university interface debates conducted 31 public dialogues involving students in the selected 31 universities,

held 4 quarterly online twitter chats on the 4 selected topics which targeted students at the universities, youth in general and general social media users, carried out continuous social media engagements on civic education (Facebook, twitter, WhatsApp groups, BlogSpot), and conducted end line mini survey.

The project has managed to bridge the information gaps through trainings and provision of information to the students. Participation of students and youths in the continuous online engagements on civic education happens on a daily basis on all our social media handles through Facebook, twitter and the blog.

CCG was able to achieve high levels of creating awareness about civic and human rights amongst the university students as observed by the 93% of the respondents during the end line mini survey who indicated to have received civic education. The large proportion of students who received CE and were able to raise their voices or report issues of human rights violation is an indication in increase of their (students) confidence. However, it is important to note that a series of activities have been implemented since 2015 aimed at increasing awareness and knowledge of civic and human rights.

3. Human Rights

Center for Constitutional Governance (CCG) is still the current chair of the rights of minority groups in the on-going reporting requirements of the National Action Plan for Human rights (NAP) in Uganda; the chair of youth cluster as well as the chair of the Social Affairs committee under the AU CSO Cooperation and youth engagements in the African Charter on Democracy, Elections and Governance (ACDEG) advocacy.

CCG coordinates the rights of women, youth, children, indigenous communities and minority groups in this NAP Development Process. This mandate to promote human rights, rule of law and constitutionalism in Uganda that is cardinal to our work as a constitutional watchdog comes at a time when Uganda's record in governance, rule of law and human rights is at its lowest, with the draconian laws that have been enacted (The Public Order Management

Act, The Anti-Pornography Act commonly known as the Mini Skirts Act, The NGO Amendment Bill 2013, Press and Journalists Act, Uganda Communications Regulatory Authority Act, Regulation of Interception of Communication Act, 2010 and now the amendment of the presidential age limit from 75 years to limitless.

These draconian laws have clauses that contradict the 1995 Constitution of the Republic of Uganda, as amended and affect mostly the youths, women and minority communities in Uganda. These laws have made Uganda a repressive state when it comes to the promotion and protection of human rights. The narrowing space of civil society organizations through the NGO Act Amendments has also accelerated the compromise on human rights in the country, with the rise in the authorities especially the police in abusing individual human rights.

CCG uses its Hope Initiative Model as its approach to advocacy by putting communities at the center of advocacy for the issues that affect them and the Human Rights Programme is also delivered in the same aspect. CCG is politically non-partisan and always uses the Constitution – the Supreme Law of the Land, in benchmarking its work. We defend and promote democracy with due respect to the rule of law and human rights.

CCG LEGAL AID SUPPORT

In 2018 alone, CCG offered legal aid support to 31 youth activists who were arrested by the police and charged on the different accounts related to the enjoyment of rights as freedoms as enshrined in article 29 of the constitution as well as those caught up in the people power demonstrations countrywide.

4. Oil and Gas Governance

Governance and Policy Issues in Uganda's Oil and Gas Sub-Sector, If managed properly and in an environmentally responsible way, oil and gas production has the potential of boosting the economy of the country. It can also be

a curse if its governance framework is flawed and its management is not transparent and open.

As such, the governments of resource-rich countries face the daunting but surmountable challenge of devising institutional and legal frameworks that ensure maximum benefit for its citizens. The experience from oil and mineral producing African countries such as Nigeria, Chad, Cameroon and Angola show that benefits arising from the discovery of oil and minerals is intuitively linked to the quality of governance in the country which also defines the quality of governance of the oil and the minerals sector.

Whether a country avoids the oil curse is largely dependent on how the sector is managed from the time of discovery, exploration and extraction. It is therefore important that at the very initial stages of the sector, the institutional and legal frameworks to manage the sector are strong enough to cater for all the critical issues in the sector such as environmental, economic, political governance and security concerns.

Challenges faced

The main challenge under this reporting period is under budgeting which seems to be a recurring challenge. Our budgeting has no flexibility with the ever changing market prices and transport costs which affects both the quality of services as we have to look for cheaper suppliers and also the number of participants to invite. For example, the regional interface debates prices on TV Live Broadcasts have since gone high, accommodation, transport and meals keep increasing a factor that disorganizes our planning and this in the end sends a negative feedback to the whole project. This calls for complete review of the budget.

Another challenge which appears to be minor but has grave effect on students active participation on governance issues is the deliberate effort by government agencies to continuously divert the attention of students from governance issues by giving them hand-outs and cash gifts to engage in beach parties especially under the patriotism program. This changes the mind-set of students to focus on money

and hand-outs as compared to skills, knowledge and information, and engagements opportunities.

Pictorial coverage



A cross section of participants during the EAC Regional shrinking space conference on 6-7 Sept 2018 at Metropole Hotel in Kampala



A cross section of participants during the EAC Regional shrinking space conference on 6-7 Sept 2018 at Metropole Hotel in Kampala



Sarah Bireete facilitating a land rights meeting in Jinja



Ms. Sarah Bireete facilitating an ACDEG meeting for parliamentarians on 9th November 2018, at Hotel Africana